

# Agenda

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## West Area Planning Committee

**This meeting will be held by Zoom and streamed to the Council's YouTube channel when the meeting starts <https://www.youtube.com/oxfordcitycouncil>**

This meeting will be held on:

Date: **Tuesday 7 July 2020**

Time: **3.00 pm**

Place: **Zoom - Remote meeting**

**For further information** please contact:

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

📞 01865 252402

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

**Members of the public can attend to observe this meeting and.**

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

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

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

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

## Committee Membership

Councillors: Membership 9: Quorum 5: substitutes are permitted.

Councillor Colin Cook (Chair)	Jericho and Osney;
Councillor Michael Gotch (Vice-Chair)	Summertown;
Councillor Tiago Corais	Littlemore;
Councillor Paul Harris	St. Margaret's;
Councillor Alex Hollingsworth	Carfax;
Councillor Richard Howlett	Carfax;
Councillor Dan Iley-Williamson	Holywell;
Councillor Marie Tidball	Hinksey Park;
Councillor Louise Upton	North;
Councillor Jamila Begum Azad	St. Clement's; substitute
Councillor Elizabeth Wade	Wolvercote; substitute

Apologies and notification of substitutes received before the publication are shown under *Apologies for absence* in the agenda. Those sent after publication will be reported at the meeting. Substitutes for the Chair and Vice-chair do not take on these roles.

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# Agenda

		Pages
	<b>Public access to this meeting and members of the public speaking</b> <p>This meeting will be held remotely on Zoom. For details about public access and speaking at the meeting, please see the information towards the end of the agenda frontsheet.</p>	
	<b>Planning applications - background papers and additional information</b> <p>To see representations, full plans, and supplementary information relating to applications on the agenda, please <a href="#">click here</a> and enter the relevant Planning Reference number in the <input type="text"/> search box.</p> <p>Any additional information received following the publication of this agenda will be reported and summarised at the meeting.</p>	
1	<b>Apologies for absence and substitutions</b>	
2	<b>Declarations of interest</b>	
3	<b>20/00116/FUL: Fairfield, 115 Banbury Road, Oxford, OX2 6LA</b> <p><b>Site address:</b> Fairfield, 115 Banbury Road, Oxford, OX2 6LA</p> <p><b>Proposal:</b> Full planning application for the erection of 7 x three storey buildings and internal and external alterations to old Fairfield House (115 Banbury Road) to form new student bedrooms/flats, with ancillary facilities following demolition of the modern western and southern extensions to Fairfield House (115 Banbury Road). Change of use internal and external alterations and single</p>	15 - 96

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storey extension of Garden House, r/o 98 Woodstock Road, to form children's nursery. Part demolition of existing boundary walls; demolition of modern extension to Redcliffe-Maud House and cycle sheds. Modification to existing internal access arrangements within the site and associated car and cycle parking, footways and new pedestrian accesses to Banbury Road, and associated landscaping.

**Recommendation:**

The West Area Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission subject to:
  - the satisfactory completion of a legal agreement or unilateral undertaking under section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and
2. **delegate authority to the Head of Planning Services to:**
  - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary;
  - finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning Services considers reasonably necessary; and
  - complete the section 106 legal agreement referred to above and issue the planning permission.

- 4      **20/00182/VAR: Oxford Railway Station, Park End Street, OX1 1HS**
- Site address:**      Oxford Railway Station, Park End Street, OX1 1HS

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**Proposal:** Removal of condition 7 (Time limit of 6 years from occupation) of planning permission 15/03087/VAR (Variation of condition 7 (Time limit of 3 years) of prior approval 15/00096/PA18 (Application seeking prior approval for development comprising extension to the length of existing north bay platforms, replacement platform canopies, new re-locatable rail staff accommodation building and reconfiguration of short stay and staff car parking under Part 11 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.)) to allow the approved TOC accommodation building to remain permanently(amended description)

**Reason at Committee:** The application is before the committee because the previous decision to grant planning permission for the building was approved at committee (15/00096/PA11); this application represents a significant amendment to that application.

**Recommendation:**

The West Area Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission; and
2. **agree to delegate authority** to the Head of Planning Services to:
  - finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary

**5 Minutes**

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**Recommendation:** to approve the minutes of the meeting held on 9 June 2020 as a true and accurate record.

**6 Forthcoming applications**

Items currently expected to be considered by the committee at future

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meetings are listed for information. This is not a definitive list and applications may be added or removed at any point. These are not for discussion at this meeting.

19/00608/FUL: Jurys Inn, Godstow Road, Oxford, OX2 8AL	Committee decision
19/01662/FUL: 75 Botley Road, Oxford, OX2 0EZ	Called in
18/02989/FUL: 269 Cowley Road, Oxford, OX4 2AJ (Bartlemas Nursery)	Committee decision
19/02306/FUL: Castle Hill House, 9 New Road, Oxford, OX1 1LT	Committee decision
19/02307/LBC : Castle Hill House, 9 New Road, Oxford, OX1 1LT	
19/02578/OUT: Land Forming The Site Of Former Cold Arbour Filling Station, 281 Abingdon Road, Oxford, OX1 4US	
19/02601/FUL: Frewin Quad, New Inn Hall Street, Oxford, OX1 2DH	
20/00549/LBC:Town Hall, St Aldate's, Oxford OX1 1BX	
19/02815/FUL: Land Between 45 And 51 Hill Top Road, Oxford, Oxfordshire	Called in
19/02816/FUL: Land Between 45 And 51 Hill Top Road, Oxford, Oxfordshire	
19/02817/FUL: Land Between 45 And 51 Hill Top Road, Oxford, Oxfordshire	
19/02926/FUL: Land Adjacent The Old School, Gloucester Green, Oxford, OX1 2BU	Committee decision
19/03013/FUL: 8 Hollybush Row, Oxford,OX1 1JH	
19/02723/FUL: 20 Blenheim Drive, Oxford, OX2 8DG	
20/00166/FUL: Rhodes House, South Parks Road, Oxford, OX1 3RG	
20/00167/LBC: Rhodes House, South Parks Road, Oxford, OX1 3RG	

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20/00259/FUL: 33-37 Offices, Stockmore Street, Oxford, OX4 1JT	
20/00549/LBC: Town Hall, St Aldate's, Oxford, OX1 1BX	
20/00747/VAR: The White Rabbit,	Called in

## 7 Dates of future meetings

Future meetings of the Committee are scheduled on:

2020	2021
11 August	
8 September	19 January
13 October	9 February
10 November	9 March
8 December	13 April

These may be remote meetings: start times and arrangements will be confirmed nearer the meeting date.

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## Public access to this meeting and members of the public speaking

### Remote meetings will be held on Zoom.

#### Public access to remote meetings

1. You can watch the meeting remotely by clicking on the link in the comments section or under 'media' sited just above the agenda items.
2. The live link will appear on this page just as the meeting starts. This will launch a YouTube video of the live meeting. If it does not, then follow the link to the council's YouTube channel where the video will be playing.

#### Registering to speaking

3. Members of the public can register to speak at a meeting in accordance with the Procedure Rule within Council's Constitutions.
4. **For this committee you must register to speak before noon on the working day before the meeting**, giving the application name/number and whether you are supporting or objecting. You must also supply an email address and phone number.
5. **Members of the public registering to speak are recommended to submit their contribution in writing to [democraticservices@oxford.gov.uk](mailto:democraticservices@oxford.gov.uk) not less than 24 hours before the meeting is due to start.** This will ensure that their contribution can be taken into account and, where necessary, responded to, in the event that the connection is poor or they are otherwise unable to join the meeting. Members of the public who register to speak will be advised of any word limit for their written submission.

#### Public attendance and speaking at remote meetings

6. Members of the public viewing the meeting should do this through the weblink to the live stream as above.
7. Members of the public may register to speak at the meeting in accordance with the procedure rules (see 4 and the notes at the end of the agenda frontsheet)
8. Those registering to speak will be provided with joining instructions and guidance on public participation in remote meetings by the Committee and Member Services Team.
9. When the meeting starts, or during the agenda item before the one

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they are speaking on, they should follow these instructions and join the meeting. When joining a meeting members of the public with a right to speak must ensure that they can be identified as a registered speaker otherwise their access to the meeting will be blocked.

10. They will be held as an 'attendee' and be able to see and hear the meeting but not take part.
11. The Meeting Host will 'enable' their microphone when they are called to speak, or may admit them to the meeting. They must not speak until are invited to do so by the Chair. Speeches are timed from the first words of the speech: there is no penalty for delays caused by the technology.
12. The member of the public may remain as an attendee or in the meeting to hear the remainder of the agenda item. Once their contribution has been heard the Meeting Host will mute their microphone and it must remain muted for the remainder of the meeting unless the Chair invites them to speak again, at which point the microphone will be enabled again.
13. At the end of the agenda item, the Chair may ask speakers attending for that item to disconnect from the remote meeting and the Meeting Host may remove their access to the meeting. Members of the public may continue to observe the meeting by watching the live stream accessed via a link on the Council's [meetings webpages](#).
14. If a member of the public exercising their right to speak at a remote meeting loses connectivity during their contribution, they should immediately dial back in to the meeting using the telephone number provided in the joining instructions.
15. If a member of the public exercising their right to speak at a remote meeting loses connectivity and is unable to re-join the meeting their previously submitted written contribution will be considered (it will be read out by an officer who will keep strictly to the allocated time limit). If no written contribution has been submitted the meeting will proceed without considering their contribution.

#### **Press access to remote meetings**

16. Journalists wishing to attend a remote meeting are advised to inform [pressoffice@oxford.gov.uk](mailto:pressoffice@oxford.gov.uk) not less than 24 hours before the meeting is due to start to be issued with joining instructions.
17. Journalists in remote attendance are asked to keep their

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microphone muted and their video camera turned off.

18. Alternatively journalists can access meetings by viewing the live stream as set out in 1 and 2 above.

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## **Information for those attending**

### **Recording and reporting on meetings held in public**

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

The Council asks those recording the meeting:

- To follow the protocol which can be found on the Council's [website](#)
- Not to disturb or disrupt the meeting
- Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being recorded.
- To avoid recording members of the public present, even inadvertently, unless they are addressing the meeting.

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

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

### **Councillors declaring interests**

#### **General duty**

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

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

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

#### **Declaring an interest**

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

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

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

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

## **Procedure for dealing with planning applications at Area Planning Committees and Planning Review Committee**

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

### **The following minimum standards of practice will be followed:**

1. All members of the Committee will have pre-read the officers' report. Committee members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful. (In accordance with the guidance at 24.15 (Planning Code of Practice) in the Council's Constitution).
2. At the meeting the Chair may draw attention to this procedure. The Chair may also explain who is entitled to vote.
3. The sequence for each application discussed at Committee shall be as follows:
  - (a) the planning officer will introduce it with a short presentation;
  - (b) any objectors may speak for up to 5 minutes in total;
  - (c) any supporters may speak for up to 5 minutes in total;
  - (d) speaking times may be extended by the Chair, provided that equal time is given to both sides. Any non-voting City Councillors and/or Parish and County Councillors who may wish to speak for or against the application will have to do so as part of the two 5-minute slots mentioned above;
  - (e) voting members of the Committee may raise questions (which shall be directed via the Chair to the lead officer presenting the application, who may pass them to other relevant officers and/or other speakers); and
  - (f) voting members will debate and determine the application.
4. In determining an application Committee members should not:
  - (a) rely on considerations which are not material planning considerations in law;
  - (b) question the personal integrity or professionalism of officers in public;
  - (c) proceed to a vote if minded to determine an application against officer's recommendation until the reasons for overturning the officer's recommendation have been formulated including the reasons for refusal or the wording of any planning conditions; or
  - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

### **Public requests to speak**

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



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

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

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

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

### **Recording meetings**

This is covered in the general information above.

### **Meeting Etiquette**

All representations should be heard in silence and without interruption. The Chair will not permit disruptive behaviour. Members of the public are reminded that if the meeting is not allowed to proceed in an orderly manner then the Chair will withdraw the opportunity to address the Committee. The Committee is a meeting held in public, not a public meeting.

**This procedure is detailed in the Annex to part 24 of the Council's Constitution as agreed at Council in January 2020.**

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## West Area Planning Committee

7<sup>th</sup> July 2020

**Application number:** 20/00116/FUL

**Decision due by** 24th April 2020

**Extension of time** 31<sup>st</sup> July 2020

**Proposal** Full planning application for the erection of 7 x three storey buildings and internal and external alterations to old Fairfield House (115 Banbury Road) to form new student bedrooms/flats, with ancillary facilities following demolition of the modern western and southern extensions to Fairfield House (115 Banbury Road). Change of use internal and external alterations and single storey extension of Garden House, r/o 98 Woodstock Road, to form children's nursery. Part demolition of existing boundary walls; demolition of modern extension to Redcliffe-Maud House and cycle sheds. Modification to existing internal access arrangements within the site and associated car and cycle parking, footways and new pedestrian accesses to Banbury Road, and associated landscaping.

**Site address** Fairfield, 115 Banbury Road, Oxford, Oxfordshire – see **Paragraph 5.6** for site plan

**Ward** St Margarets Ward

**Case officer** Felicity Byrne

**Agent:** Ms Jane Harrison **Applicant:** University College Oxford

**Reason at Committee** Major development

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## 1. RECOMMENDATION

1.1. The 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 subject to:

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

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

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

## **2. EXECUTIVE SUMMARY**

- 2.1. This report considers the demolition of existing extensions to 115 Banbury Road and Redcliffe Maude House, the erection of 7 new buildings providing student residential accommodation (with ancillary facilities), and the extension and alteration to Garden House (rear of 98 Woodstock Road) to provide a nursery. New hard and soft landscaping, gates and boundary treatment, provision of refuse storage, cycle and car parking.
- 2.2. Officers conclude that the principle of student accommodation and ancillary facilities and a nursery is acceptable in this location. The development would make best and most efficient use of the land to provide purpose built student accommodation for University College (Univ) and release housing back to the open market. The proposal is exempt from an affordable housing contribution because it is sited in an existing college campus. The nursery facility with associated drop off area would not result in a net loss of a dwelling on site.
- 2.3. The development has been designed with a clear knowledge and understanding of the site, its surroundings and the significance of the North Oxford Victorian Suburb Conservation Area (NOVSCA). The siting, layout, height and massing of the development would respond appropriately to the site, its context and the character and appearance of NOVSCA. The architectural response is considered to be of high quality, bringing surprise, and variety that would enhance the NOVSCA and its immediate surroundings. 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 its significance. The development would result in a low level of less than substantial harm to the significance of the NOVSCA. However officers consider that this low level of less than substantial harm would be adequately mitigated by the high quality design (buildings and landscaping) and justified by the public benefits that would result.

- 2.4. There would be no significant adverse impact on neighbouring residential amenities as a result of overlooking, loss of privacy, overbearing, visual intrusion, noise or overshadowing.
- 2.5. Whilst the development would result in the loss of a large number of trees within the site, the proposal demonstrates that there would overall be a gain in tree numbers and tree canopy cover following initial planting proposed within the landscaping scheme that would over time exceed the current cover if left as is. The green back drop to houses provided by trees, which is a characteristic feature of the Conservation area, when viewed from the public realm would be preserved and enhanced. The proposed hard and soft landscaping is of high quality and would enhance the street scene and inter-generational accessibility across the site.
- 2.6. The development would result in a significant reduction in car parking on site. Enabling an enhanced landscape provision, including tree planting, within the conservation area, and would contribute towards the reduction in air pollution and traffic congestion in the City. Students would not be allowed to bring cars into the City, enforced by condition. Staff would be encouraged to use alternative modes of travel other than the car and a Travel Plan put in place secured by condition. Policy compliant cycle parking provision would be provided. In respect of the existing Fairfield Residential Home, there would be no change to the level of car or cycle parking existing. Servicing and Deliveries for the whole site could be managed via a condition requiring a Servicing and Deliveries Management Plan to ensure no harm to the highway network. A legal agreement is required to secure travel plan monitoring and exclude eligibility for parking permits. In respect of the nursery, subject to conditions securing a Management Plan and details of a barrier to control parking, Officers are satisfied that there would be no significant adverse impact on the highway, particularly the Woodstock Road, or on-street parking from drop off or pick up.
- 2.7. Subject to relevant conditions, the development would not result in an adverse impact in terms of flooding & drainage, land quality, noise, air pollution or biodiversity. The latter resulting in a net gain as a result of mitigating planting proposed.
- 2.8. In conclusion the development would result in a high quality scheme that appropriately responds to its setting, that would result in public benefits that would outweigh any harm to heritage assets, and that would contribute significantly to the Councils aim of providing more purpose built student accommodation and releasing housing to the general market. Through the imposition of suitably worded conditions the proposal accords with the policies of the Oxford Local Plan 2036, St Margaret's Neighbourhood Plan, the NPPF and complies with the duty set out in the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **3. LEGAL AGREEMENT**

- 3.1. This application is subject to a legal agreement with the County Council to cover travel plan monitoring fee of £1,426 and to exclude from eligibility for

parking permits prior to occupation at a cost of £2200 to amend the Traffic Regulation Order (TRO). This could be dealt with by a unilateral Deed.

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

4.1. The proposal is liable for CIL amounting to £801,946.99.

#### **5. SITE AND SURROUNDINGS**

5.1. The site lies within the North Oxford Victorian Suburb Conservation Area (NOVSCA) and is an extensive area that straddles between the Woodstock Road, Banbury Road and Staverton Road, owned by University College Oxford (Univ). The site contains several existing buildings dating from the Victorian and mid-20<sup>th</sup> Century eras that currently provide student residential accommodation and some office/ teaching facilities. To the east of the site is No.115 Banbury Road, a large Victorian villa, set back from the road with various later additions, large rear garden and front garden & car parking area. It was previously a residential home but is now used as student accommodation and ancillary facilities although not all of it is utilised at present. To the rear and north-west of No.115 is the new replacement modern three & two storey Fairfield Residential Home (FRH) and associated Manager's House with their parking court area and gardens.

5.2. Directly west of FRH is Redcliffe Maud, an attractive Edwardian Arts and Crafts house with surviving rose garden to its east, which sits adjacent to FRH and is accessed by the elderly occupants. To the west of Redcliffe Maude and the site are a series of 1960's student accommodation buildings by architect Philip Dowson, in ribbed concrete in the "modern movement" design that sit south of 104 Woodstock Road which provides Univ student accommodation. To the north of the site is a large orchard area that abuts the Staverton Road properties and Thackley End flats on Banbury Road. Part of the Orchard is also used by FRH. To the south of the site is the large garden to 115 Banbury Road that abuts the residential properties on Rawlinson Road. There is an extant permission for 6 pavilion buildings within this garden (14/001104/FUL refers) providing student accommodation for Univ. To the rear of No.96 Woodstock Road is Garden House, built by local architect Geoffrey Beard for himself in the 1960's. Distinctive high Edwardian brick boundary walls edge the site separating the site from the domestic gardens of the villas on Staverton, Woodstock and Rawlinson Roads.

5.3. The site is characterised by large garden areas laid to lawn with surrounding buildings with trees, some mature specimens, hedging and soft planting. To the north of the site is the existing orchard area with fruit trees, composting area, garden shed and greenhouse. A significant number of specimen trees and trees of species that characterise the NOVSCA survive from the establishment of the North Oxford Victorian Suburb and have been planted as garden trees subsequently.

5.4. The site is accessed from the Banbury Road via by foot and vehicles from No.115 itself and via the new vehicular access to the north of No.115 that also serves Fairfield's Residential Home. It can also be accessed by foot and

vehicles from Staverton Road (adjacent to No.25) and pedestrian accesses only through from Univ's Woodstock Road properties.

5.5. The NOVSCA is characterised in part by Victorian villas and academic buildings within generous gardens, with mature trees and planting. There are no listed buildings within the site, but Redcliffe Maud has been treated as a non-designated heritage asset due to its high architectural quality. No.121 Banbury Road, to north-east of northern boundary of the site but within the suburban block is a Grade II listed building.

5.6. See site plan Figure 1 below:

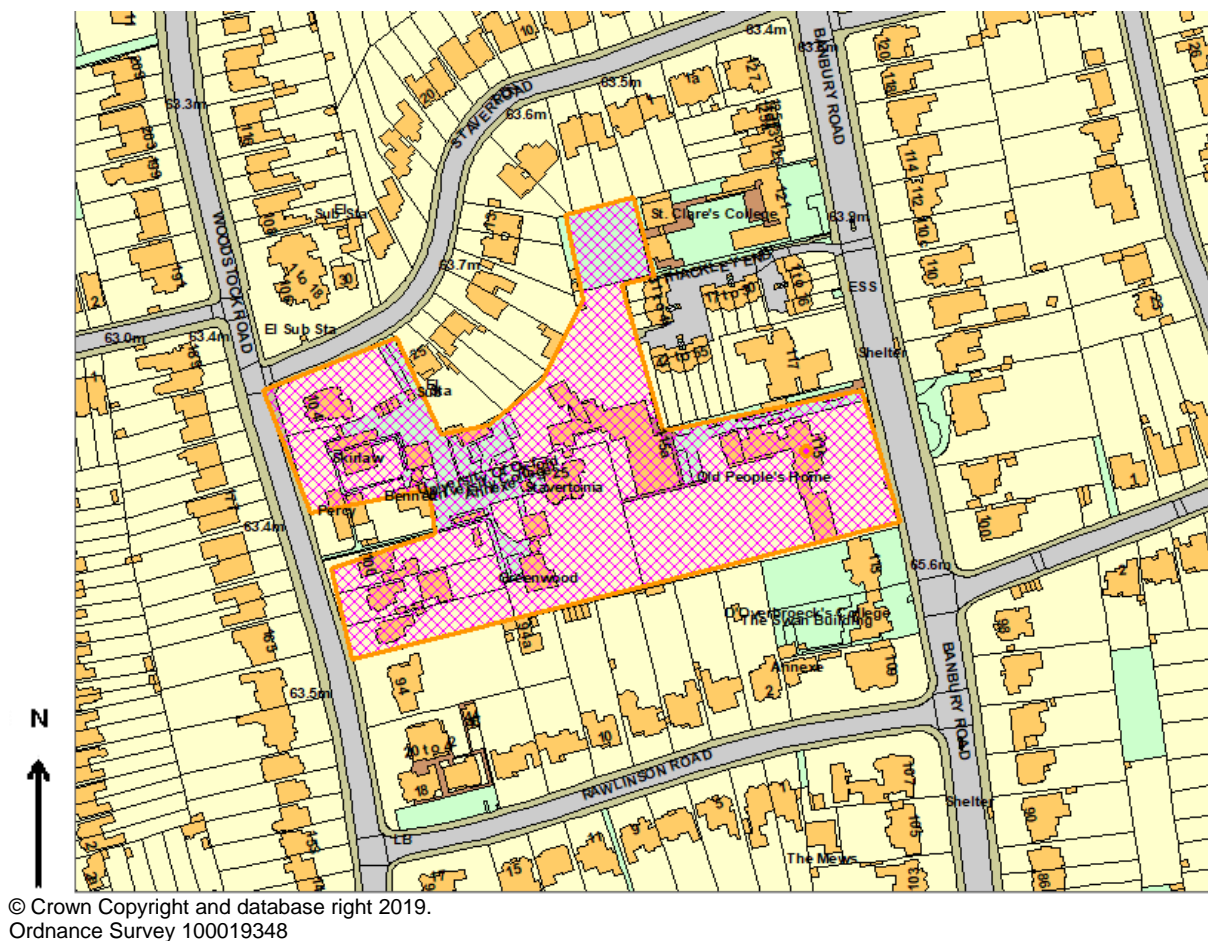


Figure 1: Existing site plan

## 6. PROPOSAL

6.1. The application proposes to provide additional student accommodation for Univ within the refurbished No.115 Banbury Road and 7 new three storey blocks set within the site, together with other ancillary facilities such as a student café, gym, common room, and porters lodge. It is also proposed to extend and convert Garden House, to the rear of No.96 Woodstock Road, into a children's day care nursery for Univ, which would extend to use by the wider University of Oxford and possibly members of the public. It is also proposed to remove modern extensions to 115 Banbury Road and Redcliffe Maud to facilitate the new development. Some car parking would remain on site with







6.5. The student accommodation would be provided within 7 new buildings. Five of these building are of a more traditional architectural form and materials with pitched roof, gables and bay windows and have taken inspiration from the Arts & Crafts and Victorian Architecture, using tiles and brick. Two buildings are a contemporary flat roof form in timber and glass, that reflect the mid-century buildings adjacent:

- a. *Banbury Road Villa*: on the site of the existing mid-century extension to 115 Banbury Road, the new villa is an L-shaped building that aligns with the front building line of No.113 Banbury Road adjacent and staggers back to align with No.115 Banbury Road. It measures a maximum of approximately 11.4m high to ridge, 6.3m to eaves, 23m wide overall and 27m deep overall. The gables are staggered so that the front gable to Banbury Road measures 7.8m wide, second gable 7.9m wide and the final front elevation 7.5m wide. No.115 Banbury Road measures approximately 12.5m high to ridge and 8.4m to eaves. There is a slight change in ground level along the Banbury Road so that the new building height varies between 11 and 11.4m high to ridge at its closest point to No.115 Banbury Road. A distance of 2.9m would be maintained to the southern boundary brick wall with No.113 Banbury Road.
- b. *Walnut Lawn Villa*: On the site of the existing single storey rear extensions to No.115 Banbury Road, Walnut Lawn Villa measures approximately 12.4m wide by 28.9m long, 11.9m to ridge and 6.9m to eaves. The tall chimneys, which house the lift overruns and servicing/ extraction, rise to 4.1m high. The building is approximately 1.5m lower than No.115 Banbury Rd. A distance of 12.1m is maintained to the northern high brick wall to Thackley End. Within this gap lies the existing access road to the new Fairfield Residential Home (FRH), existing mature trees and planting and a small outbuilding contemporary with No.115 Banbury Road. To the southern and western elevations of Walnut Lawn Villa are 4 single storey pagodas approximately 3m deep by 5m wide that provide sun shading and covered areas. A distance of approximately 6m would be maintained to No.115 Banbury Road to the east and 16m to the front elevation of FRH to the west.
- c. *Water Court Villas (east & west)*: On the site of the extant permission for 6 pavilion buildings in the garden of No.115 Banbury Rd (14/001104/FUL refers), the two villas stand either side of a shallow rectangular water feature. They measure approximately 30m long by 12.5m wide, 11.5m to ridge and 6.8m to eaves. A distance of approximately 5m would be maintained to FRH, the southerly elevation of which would be planted with trees. FRH is 9.1m high At the southern end of the water feature is a garden building with steep pitched roof measuring approximately 7.6m wide by 5.3m deep, 9m to ridge and 3.35m to eaves.
- d. *Woodstock and Terrace Pavilions*: These two new flat roof contemporary buildings set deep within the site adjacent to the existing mid-century building student accommodation buildings. They measure approximately 14m by 12m, 8.6m to the top of the parapet and 9.7m to the top of the lift overrun.

- e. *No.27 Staverton Road Villa:* This villa is sited on the western side of the existing access road into the site from Staverton Road and to the rear of No.104 Woodstock Road. To the south of the latter are existing mid-century flat roof student accommodation buildings of the existing Univ campus. To the east of the access is No.25 Staverton Road, which also forms part of the existing Univ campus and provides student accommodation. The new villa measures approximately 21m long and a maximum of 16m wide. The elevation fronting Staverton Road would be approximately 11m wide set forward of the main building by 3m. The building aligns with the front building line of Staverton Road, set back approximately 11m from the edge of the pavement, and a distance of approximately 105.m is maintained to No.25 Staverton Road and 7m to the rear of No.104 Woodstock Road. The front of the Villa has been designed as a front garden, within it would be refuse bin storage and cycle parking.
- 6.6. The new Nursery would be sited at Garden House, which is a mid-century single storey mono-pitched dwelling built at the rear of 98 Woodstock Road by a well-known local architect. It is proposed to renovate, including a new roof, and extend this building, to the rear of No. 96 Woodstock Road, in a sympathetic manner using mono-pitched roofs with flat roof single storey elements. The building would be converted to a nursery providing a maximum of 54 nursery places and 14 staff (total part-time and full time). The new extensions would measure a maximum of approximately 11.7m wide by 9.7m deep, 2.8m to eaves and 5.6m to top of the mono-pitch. The nursery would sit behind Nos. 96 and 98. Woodstock Road, both owned by Univ, and access and parking would be provided to the front of No.96.
- 6.7. Other works and structures include a new housing around the existing substation that lies to the south of the Staverton Road Villa. The removal of part of existing boundary walls to the rear of Nos. 96 & 98 Woodstock Road to facilitate the Woodstock Pavilion building and connectivity to the rest of the site. Elsewhere a new access through the rear of No. 25 Staverton Road to access the parking area for FRH and the Manager's House, which would be slightly re-organised. The existing garden to the Manager's House would be re-configured to create a larger private south facing garden. The former access into FRH would be blocked up and the existing single storey cycle parking shed, high brick wall adjacent would be removed. An existing single storey extension on the western elevation of Redcliffe Maud House would be demolished and the façade made good in keeping with the existing building. Existing outbuilding and structures to Redcliffe Maud to the north and east would be removed. Within the Orchard to the north-east, the existing greenhouse and outbuilding would be renovated.
- 6.8. To the east of the existing entrance on the Banbury Road would be a new substation and bin enclosure hidden behind the existing high brick wall to Banbury Road. The existing pedestrian access point to the north of the access would be closed and moved just south of the access, linking up with a new aligned footpath thorough site to FRH.

- 6.9. Integrated cycle parking would be provided within Banbury Road and Water Court (east and west) Villas on the south elevations. Elsewhere external cycle parking would be provided across the site. Existing car parking and drop off area for FRH would remain accessed from the Banbury Road, the remainder of the existing car parking along this access up to the small outbuilding would be removed and landscaped.
- 6.10. Elsewhere along the Banbury Road the existing access to the south of the site to No.115 would be blocked up and the large area of tarmac hardstanding would be removed. Two pedestrian access points would be created within the existing high brick wall to Banbury Road and the area to the front of No.115 re-landscaped to restore it to its original form.
- 6.11. The site would be connected by a series of new footpaths which have been designed for all ages, abilities and disabilities, connecting east and west and to the Orchard to the north-east. Security to the site would be provided via discrete gates and access points around the periphery and within the site.
- 6.12. The development would be in two phases. Phase 1 construction would encompass the eastern half of the site and would include works to No.115 Banbury Road, and erection of Walnut Court, Water Court (east & west) and Banbury Road Villas, together with the porters lodge, associated hard and soft landscape works (including the Orchard), boundary treatments, substation, bin store, cycle parking and re-organised car parking. Phase 2 would be the remaining western half of the site including Woodstock Road and Terrace Pavilions, Staverton Road Villas, with associated hard and soft landscape works boundary treatments, substation, bin store, cycle parking.

## 7. RELEVANT PLANNING HISTORY

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

15/01102/FUL - Erection of six pavilion buildings to provide 30 student bedrooms and ancillary facilities. Partial demolition of Fairfield House Northern Annex and associated reformation of Northern elevation. New vehicular access from Banbury Road and associated openings in existing boundary walls (Amended plans). Permission granted 8th October 2015. Permission implemented and Fairfield's Residential Home now occupied.

15/01104/FUL - Demolition of existing bungalow, part of existing Fairfield Residential Home and various outbuildings. Erection of replacement residential care home consisting of 38 bedrooms, communal and ancillary facilities on 1, 2 and 3 storeys, together with extension and alteration to existing garage to rear of 25 Staverton Road to form manager's accommodation. New vehicular access from Banbury Road, 18 car parking spaces and landscaped garden (Amended plans): Approved 10th November 2015. Permission implemented and development completed.

18/00840/FUL - Change of Use from residential home (Use Class C2) to student

accommodation (Use Class Sui generis). Permission granted 18th June 2018.

18/02514/CEU - Application to certify that the implementation of planning permission 16/01650/VAR granted on 25 August 2016 (variation of condition 2 (approved plans) of planning permission 15/01102/FUL granted on 8 October 2015 (erection of six pavilion buildings to provide 30 student bedrooms and ancillary facilities, partial demolition of Fairfield House Northern Annex and associated reformation of Northern elevation, new vehicular access from Banbury Road and associated openings in existing boundary walls (Amended Plans)) to allow amendments including installation of lift access and circulation corridor along western side of basement) on land to the rear of Fairfield, 115 Banbury Road, Oxford is lawful (amended description). Certificate of Lawfulness granted 11th December 2018.

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans: Summertown and St Margaret's Neighbourhood Plan
Design	117-123, 124-132	DH1 – High quality design and placemaking DH2 – Views and building heights DH7 – External servicing features and stores RE2 – Efficient Use of Land		ENC4 Enhancing the street setting HOS3 Density, Building Design Standards and Energy Efficiency HOS4 Backland Development
Conservation/Heritage	184-202	DH3 – Designated heritage assets DH4 – Archaeological remains		HOS2 Local Character and Distinctiveness
Housing	59-76	H2 – Delivering affordable homes H8 – Provision of new student accommodation H14 – Privacy, daylight, and sunlight H15 – Internal space standards H16 – Outdoor amenity Space Standards		

<b>Commercial</b>	170-183			
<b>Natural environment</b>	91-101	G2 - G7 - Protection of existing Green Infrastructure features G8 – New and enhanced Green and Blue Infrastructure Network features		ENC3 Protecting Tree Cover ENS3 Rain water infiltration
<b>Social and community</b>	102-111	RE5 – Health, wellbeing and Health Impact Assessments		
<b>Transport</b>	117-123, 124-132	M1 – Prioritising walking, cycling and public transport M2 – Assessing and managing development (transport) M3 Car parking M4 – Electric charging points M5 – Cycle parking	Parking Standards SPD	TRS1 Sustainable Transport Design TRS2 Sustainable Transport
<b>Environmental</b>	117-121 148-165, 170-183	RE1 - Sustainable design and construction RE3 – Flood Risk management RE4 – Sustainable Drainage, surface and ground water flow RE6 – Air Quality RE7 – Managing the impact of development RE8 – Noise and vibration RE9 – Land Quality	Energy Statement TAN	ENC2 Renewables and low-carbon energy ENS2 Renewable energy ENS4 Air pollution
<b>Miscellaneous</b>	7-12	S1 Sustainable development S2 Developer contributions E2 – Teaching and research V8 - Utilities		

## 8.2. Other relevant documents and considerations:

- Town and Country Planning Act 1990
- Planning (Listed Buildings and Conservation Areas) Act 1990
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance
- North Oxford Victorian Suburb Conservation Area and Appraisal
- Historic Environment Advice Note 12 ‘Statements of Heritage Significance: Analysing Significance in Heritage Assets’
- Historic Environment Good Practice Advice in Planning
  - Note 2: ‘Managing Significance in Decision-Taking in the Historic

Environment’.

- Note 3: ‘The Setting of Heritage Assets (Second Edition)’.

## **9. CONSULTATION RESPONSES**

- 9.1. Site notices were displayed around the application site on 13th February 2020 and an advertisement was published in The Oxford Times newspaper on 13th February 2020. The application was re-advertised in The Oxford Times newspaper on 4<sup>th</sup> June 2020 and further site notices were displayed around the application site on 12<sup>th</sup> June 2020.

### **Statutory and non-statutory consultees**

#### Oxfordshire County Council (Highways)

- 9.2. The current accesses into the site are via Banbury Road to the east and Staverton Road to the north, these will remain the main access points. The existing property at 96 Woodstock Road will also become a major component of the site as it will form the proposed nursery building and student accommodation, this will be discussed in greater length later in this report.
- 9.3. The site is considered to be in a highly sustainable location with Banbury Road and Woodstock Road both being heavily used by pedestrians and cyclists. The site is well located to make use of the local amenities available in Summertown and the City Centre. Both roads are currently undergoing corridor studies which are likely to result in improved cycle and pedestrian infrastructure, potentially in the form of segregated cycle lanes and improved crossings amongst other measures.
- 9.4. The closest bus stops on Banbury Road are approximately 50 metres northbound whilst the southbound bus stop is directly opposite the care home access, albeit the closest crossing point is 70 metres south of the access. The closest bus stops on Woodstock Road are slightly further with the northbound stop being approximately 250 metres from 96 Woodstock Road and the southbound stop being 200 metres. All stops are served by regular services in both directions. There is a toucan crossing 135 metres from 96 Woodstock Road which forms part of the current cycle route along a section of Woodstock Road and starts/ends at Staverton Road, this restarts at the other end of Staverton Road when it meets Banbury Road. The Traffic Regulation Order (TRO) allows cyclists to use the bus lanes on both Woodstock and Banbury Roads.
- 9.5. There are a number of short-term parking bays on Staverton Road and Rawlinson Road which are approximately 125 metres and 95 metres respectively from the proposed nursery on Woodstock Road. The access to the nursery will be controlled by a bollard and only lowered for the use of the disabled parking bay and deliveries outside of peak times (controlled via condition). The Staverton Road and Banbury Road accesses will remain unchanged and due to the lowering of on-site car parking there is likely to be a reduction in vehicle usage. The accident statistics do not suggest an issue

relating to the use of the existing access points and with the lowering of parking and sustainable transport corridor improvements, the proposed arrangement is considered acceptable.

#### *Traffic Generation*

- 9.6. The student accommodation is proposed as car-free with the exception of disabled bays which will be controlled by tenancy agreements and amendment to the Traffic Regulation Order (TRO). The related trip generation is therefore understandably low and unlikely to generate significant trips. The exception to this is drop-off/pick-up at the start and end of terms. This will need to be controlled via a Student Accommodation Management Plan which will be conditioned. This will need to allocate time slots for students to spread the trips out across a weekend.
- 9.7. Additional rooms in the care home are not being created as part of this application but were approved as part of planning application 15/01104/FUL. The proposal includes car parking accepted at that stage and as such it is not considered that the care home will generate increased trips which will be assessed as part of this application.

#### *Nursery*

- 9.8. A trip generation assessment for the nursery has been undertaken using TRICS software. The assessment has been undertaken using the correct parameters and appropriate surveys. This shows a total of 21 trips in the AM peak (08:00-09:00) and 19 trips in the PM peak (17:00-18:00). In order to get a better understanding of the likely scenario the applicant has undertaken surveys of the Bright Horizon and Balliol College nurseries on Rawlinson Road. These show that across the two sites 31% of parents drive to site, when using that percentage against the 54 children attending the proposed nursery it equates to 17 cars across the drop off period (180 minutes).
- 9.9. Oxfordshire County Council's Travel Plans team have a number of surveys from local nurseries at occupation and 1 year from opening. Following discussions with the team regarding this percentage, it was clear that it was robust and in relation to other nurseries in the area was relatively high. The applicant has undertaken parking surveys of the surrounding streets which are presented in Appendix G of the Transport Assessment. This shows there is capacity available on Staverton Road and Rawlinson Road, albeit the parking survey has not taken into consideration which bays are short term. However, when taking into consideration the drop-off time available for parents and the number of parents driving to site it is considered that the use of the short-term parking bays are acceptable. It should also be noted that due to the time restrictions in the local area, staff will not be able to use the bays and will have to travel to site by the use of sustainable modes of transport.
- 9.10. Several discussions were had with the applicant regarding the nursery and the access off Woodstock Road. There was major concern regarding multiple vehicles entering and exiting the site at peak times with the high number of cyclists and pedestrians using the network and the potential waiting

time to exit the site. There is also concern around parents stopping on Woodstock Road to drop off children. Although there are double yellow lines, this can still occur. Throughout the meetings with the applicants it was agreed that parking would be reduced on-site from 3 bays to 1 accessible bay with the access controlled by a rising bollard. It was also agreed that the nursery would deploy a member of staff to ensure on-street parking does not occur. The average stopping time at the local nurseries previously mentioned is 6.6 minutes so it may be unlikely that parents would stop on a road such as Woodstock Road for that long a period in peak times when they have the options available so close. It should also be mentioned that places within the nursery are to be prioritised for University College staff first, then Oxford University and then local residents which will likely reduce driving to the site. As such, with the changes to the access this is now deemed acceptable on highway grounds.

### *Car Parking*

- 9.11. Car parking across the site is to be significantly reduced. At present, there are 67 spaces, mostly used informally by University College staff. This is to be reduced to 31 broken down as follows:
- 1 disabled bay for the nursery
  - 17 bays for Fairfield care home as agreed previously.
  - 6 disabled bays for the student accommodation
  - 7 bays for the use of University College staff.
- 9.12. As discussed previously, the nursery car parking has been reduced from 3 bays to 1 accessible bay controlled via a bollard. Short term parking on Rawlinson Road and Staverton Road will be used for parents and staff will travel sustainably to site.
- 9.13. The student accommodation will be car-free other than 6 accessible bays. The car-free nature will need to be enforced via tenancy agreements and variation to the Traffic Regulation Order (TRO) at the applicant's expense.
- 9.14. 17 bays are to be provided for Fairfield care home, this was agreed previously in application 15/01104/FUL and maintains the same level of parking as currently in place.
- 9.15. The largest decrease relates to the University College bays which are being reduced from 50 down to 7. These are required for maintenance, residential fellows and porter. Whilst this may be a higher number than we would expect, the large reduction shows a clear willing to promote modal shift and as such, the level of parking is accepted.
- 9.16. There is however an issue with the car parking layout as a number of the bays do not have adequate reversing space behind to easily manoeuvre. The bays adjacent to 19A only have 5.5 metres behind and all the bays accessed off Banbury Road only appear to have 5 metres behind for manoeuvring. Oxfordshire County Council's parking standards state that parking spaces should have 6 metres behind for manoeuvring and all bays should be 5m long by 2.5m wide if unobstructed and 2.7m wide if obstructed



on 1 side. There appears to be at least 1 bay obstructed on 1 side which does not have the sufficient width whilst it does not appear all regular bays measure 5 x 2.5. A condition is therefore required to show this.

#### *Cycle Parking*

9.17. The applicant has stated that 150 cycle spaces will be provided for the student accommodation which is over the required standard. The cycle storage appears to be well located throughout the site to make use of the access points. This is beneficial for students wanting to make the most of the sustainable location and is welcomed by the highway authority.

9.18. 129 spaces will be retained throughout the site for the existing uses whilst 16 spaces will be provided for the nursery (8 for parents/children plus 8 for staff). The applicant has stated that the 8 staff spaces for the nursery will be to the south of the play area, it is not clear if this is included as part of the cycle storage which is presumably for the student accommodation. Clarification is required for this point in addition to assurance that all cycle storage throughout the site is covered.

#### *Servicing & Deliveries*

9.19. Servicing and deliveries must not take place at peak times and must take place within the site with no turning on the public highway. This will be secured via condition.

#### *Emergency Access*

9.20. Vehicle tracking has been provided for emergency vehicles which is accepted. However, it does not appear from the fire tender drawing that an area of the site can be accessed. This needs to be clarified.

#### *Refuse Collection*

9.21. The care home will be collected kerbside on Staverton Road as currently happens whilst the nursery will have refuse collected on Woodstock Road. The student accommodation will have refuse collected internally and moved to a refuse store within 10 metres of Banbury Road and then collected kerbside. This is accepted.

#### *Construction*

9.22. The applicant has submitted a draft Construction Traffic Management Plan (CTMP) which will need to be conditioned and finalised once a contractor has been appointed. The basic principles of the CTMP are acceptable, however, there are a few additions that need to be made, such as:

- It should be made clear where contractor parking will take place, this should not be in the surrounding streets.
- Deliveries should not take place between 07:30-09:30 & 16:30-18:30
- It should be stated clearly that construction vehicles will not be allowed to reverse onto the public highway or turn within the road.

- Banksmen must be in position at all times the site is open.

### *Travel Plan*

9.23. The submitted travel plan has been checked against our approved guidance. Our comments on the submitted travel plan are included below.

- In certain circumstances the private car if it is used for car sharing can be part of encouraging more sustainable travel. The focus for travel plan purposes is a reduction in single occupancy vehicle (SOV) trips.
- Para 3.9 Some thought should also be given to the parts of the university that the students will need to access on a daily basis and about the travel options available to them to make these trips.
- Para 4.5 How will drop off and pick ups for the on site nursery be managed? What time of day will these take place?
- Para 4.7 How will the car park be managed? Will employees be allowed to park on site? How will it be ensured that at nursery drop off and pick up times will not cause congestion on the site or overspill parking on the roads around the site.
- Para 4.11 It would also be worth considering scooter parking for the nursery. Will the development be installing any electric charging points?
- Para 5.3 A student travel information pack will need to be developed for students and will be available to give them either electronically or in a paper format before they move into their accommodation. This will need to be submitted to the LPA for approval.
- Para 6.2 For students the travel plan target will be to maintain the student accommodations car free status and to monitor that students are not bringing vehicles with them into Oxford.
- Para 6.12 The travel information pack for students should include a large scale map (street names should be legible) which has the site at the centre and features the facilities and services that students will need to access on a day to day basis, these will include bus stops, shops, university destinations etc. A site plan should show the location of cycle parking. The guide would include details of drop off and pick up arrangements for students when they move in and move out. The time taken to get to destinations by walking and cycling should be specified in minutes.
- Para 6.15 The TPC for the site will also be expected to liaise with the university and ensure that this travel plan takes into account any university wide travel plans or initiatives.
- Table 12 Action Plan any actions included in the action table need a start and end date / review date. They should be specific and detail what will actually be done.
- Para 7.1 TPC contact details to be sent to the Travel Plan Team at Oxfordshire County Council.
- Para 7.6 A month after any survey has taken place the monitoring report which will discuss progress of the travel plan towards achieving targets will be sent to the Travel Plan Team at Oxfordshire County Council.

- If appropriate <https://liftshare.com/uk/community/oxfordshire> will be promoted as the car share provider of choice.

NB: The Applicant has since confirmed that they will address all points raised above

#### Oxfordshire County Council (Lead Flood Authority (LFA))

- 9.24. Initial comments from the LFA raised issues and the Applicant submitted amended information in response. The LFA were re-consulted and their comments will be verbally updated at committee:

#### Oxfordshire County Council (Education)

- 9.25. The proposed development consists of 142 student bedrooms and 8 self-contained student flats. It is understood that some of the accommodation would be for mature students, who may bring children needing school education with them, but the information provided does not allow for an accurate assessment of likely pupil numbers. However, it is expected that local education capacity would be sufficient to meet the needs of the proposed development.
- 9.26. The application documents refer to the delivery of a new nursery on the site; this provision of additional early years capacity in the Oxford City area would be supported by the County Council.

#### Historic England

- 9.27. On the basis of the information available to date, Historic England do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant. It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals.

#### Thames Water Utilities Limited

- 9.28. *Waste Comments:* Thames Water would advise that with regard to foul water sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.
- 9.29. *Water Comments:* The proposed development is located within 5m of a strategic water main. Thames Water do not permit the building over or

construction within 5m, of strategic water mains. The proposed development is located within 15m of a strategic water main. Thames Water requested conditions be added to any planning permission requiring details and piling method statement. N.B. Since then the Applicant has contacted Thames Water directly and demonstrated to their satisfaction that there would be no adverse impact within 5m or 15m of the strategic water mains. Thames Water confirmed proposed works would be acceptable as a result.

- 9.30. On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommend their standard informative be attached to the permission setting out minimum water pressure.

Environment Agency

- 9.31. This planning application is for development we do not wish to be consulted on.

Natural England

- 9.32. Natural England has no comments to make on this application.

Thames Valley Police (TVP)

- 9.33. Does not wish to object to the proposals. However, TVP consider some aspects the design and layout to be problematic in crime prevention design terms. TVP commend the applicants for providing within their Design and Access Statement (DAS) a specific section entitled 'Site Security & Operations Strategy'. This states that the development will be 'Informed by Secured by Design (SBD) principles'. To ensure that the opportunity to design out crime is not missed, TVP request that a condition be placed upon any approval for this application that SBD accreditation is applied for and the development not occupied until the accreditation is gained. TCP offer further specific advice on the application regarding security & boundary treatments, lighting, landscaping and planting, CCTV, secure access points and doors and windows in order to obtain SBD accreditation.

**Public representations**

- 9.34. 122 local people and organisations, and a petition from Staverton Road, commented on this application from addresses in:

- Banbury Road: 112, 96, 110, 119, 129, 94A, 94B,
- Belbroughton Road: 2, 3, 4, 5, 8, 9
- Blenheim Drive: 42,
- Chalfont Road: 4, 5, 12, 23, 28, 37, 61, 69
- Charlbury Place, 276 Woodstock Road: 3
- Charlbury Road: 4, 12, 61
- Complins Close: 6
- Cunliffe Close: 1, 2, 6, 20, 22, 24, 70

- Fitzharrys Road: 24
- Frenchay Road: 20, 28, 31, 32, 34, 36, 83
- Garford Road: 2
- Harpes Road: 1
- Hids Copes Road: 15
- Hobson Road: 9
- Islip Road: 7
- Kingston Road: 82, 93, 97
- Lathbury Road: 6, 26
- Linton Road: 18, 19
- Moreton Road: 17
- Northmoor Road: 7, 9c, 29
- Polstead Road: 5, 11, 12, 23, 25
- Rawlinson Road: 3, 4, 5, 6, 11, 12, 14, 15, Flat 5,
- Ridgeway Road: 34
- Rolfe Place: 10
- Salisbury Crescent: 32,
- St. Margaret's Road: 7, 31
- St. Margaret's Area Society
- Petition from Staverton Road residents
- Staverton Road: 2B, 9, 12, 19, 13, 14, 22, 23, 24, 28,
- Tackley Place: 10
- Temple Road: 48
- Thackley End: 9, 28, 32, 40, 42, 48, 49, 50, 55,
- The Mews, Rawlinson Road
- Victoria Road: 36
- Victorian Group of the OAHS
- Woodstock Road: 98, (flat 1), (flat 2), 100 (flat 2), (flat 3) The Studio, 110A, 116, 122, 126, 161, 165, 177, 207
- Bristow Park, Belfast
- 9405 N Buchanan Ave Portland OR USA
- Park Lane, Abingdon: 28
- Withington Court, Abingdon: 36
- 2 Queens Park Rise Brighton

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

- Is a nursery necessary / required
- Over-development of site
- Additional students rooms will make it overcrowded
- Noise impact on neighbouring properties
- Development will harm the special character/appearance of the Conservation Area
- Removal of boundary wall & 132 trees will give concerns to the character of the area and massive impact on biodiversity on site
- Unacceptable impact on biodiversity and habitat damage

- Precedent will be set for future development
- Increase in pollution/poor air quality
- Increase to traffic to/from the site
- Loss of privacy to both students/nursery aged children
- Development deprives the area of valuable green land
- Development brings no benefits to the community (gated development)
- Removal of existing boundary will destroy the setting of 25 Staverton Road
- Scale/massing of the proposed development is inappropriate in a residential setting
- If approved, the construction period will have an enormous impact on congestion; pollution; putting pedestrians and cyclists at risk
- This proposal is too huge in scale, with a disproportionate and permanent impact on the nature of the area
- The scale of this development will seriously disturb the balance between institutional building and private housing in the local area
- Development not in accordance with St. Margaret's and Summertown neighbourhood plan
- The removal of so many trees goes against the City Council's climate emergency and is unsustainable
- Not necessary for another nursery in the area
- Flooding will become an issue by paving over more land
- Likely effect on nearby nursery; i.e. air pollution; noise; disturbance
- Development feels more of a "student village"
- This proposed development is primarily for the purpose of student accommodation and will not help meet Oxford's need for low-cost housing
- Does this proposed development have a need for a nursery, gym and café in this residential neighbourhood

9.36. Further comments were received from the addresses below in relation to the second round of consultation on 4<sup>th</sup> June:

- Councillor Howson
- Oxfordshire County Council
- Residents of Banbury, Rawlinson, Staverton & Woodstock Roads
- Natural England
- Thames Valley Police
- The Victorian Society
- Banbury Road: 118
- Bardwell Road: 16
- Belbroughton Road: 4, 5, 10
- Cunliffe Close Householders & Residents Association
- Cunliffe Close: 6
- Frenchay Road: 9, 32, 36
- Garford Road: 2

- Kingston Road: 97
- Linton Road: 18, 19
- Northmoor Place: 4
- Polstead Road: 23, 25
- Rawlinson Road: 4, 5, 5(garden flat), 15(flat 2), The Mews,
- St. Bernard's Road: 82
- Staverton Road: 9, 13, 28
- Woodstock Road: 100(flats 2&3), 100, 110A, 161

Comments can be summarised as:

- The submitted information and plans do not change previous comments made;
- Remain very strong views in the neighbourhood that this development is too large; too intrusive and too poor a fit for the conservation area
- Concerns from residents haven't been addressed by the University but merely "explain away" the objections
- No evidence provided that the development will do anything more than house accelerated growth in student numbers
- Relocating the nursery drop off to Rawlinson Staverton Roads is not workable; it will cause obstructions and danger to other road users (as many will "pull up" on the Woodstock Road). Strongly object to the relocated drop off, Staverton Road is a major through-route for children cycling and walking to school
- Reference by University that it has the endorsement of ODRP, objection to this as ODRP do not seek to understand the impact on a neighbourhood
- Developers claim the site is only a small proportion within a wider conservation area – the local community reject the University's assertion utterly. The development will cause harm to climate; to conservation, to community
- University should be asked to dramatically scale back its ambition
- Development would set a damaging precedent
- Too large and inappropriate in the Conservation area
- Development will have an adverse impact on an attractive and historic area of North Oxford
- Appears the comments from ODRP's letter have been ignored by the amendments and is hard to see any changes.
- ODRP did not refer to University College's plans as an "exemplar"
- The suggested changes to access arrangements in respect of the proposed nursery do not alleviate resident's concerns about safety

### **Officer response**

9.37. Some comments received related to the financial gain of the development to staff of Univ or Univ itself. This is not a planning consideration.

## **10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the principle determining issues to be:

- Principle of Student Accommodation:
- Principle of Nursery
- Affordable Housing
- Design and Heritage
- Residential Amenity
- Landscape and Trees
- Biodiversity
- Transport
- Flood Risk and Drainage
- Land quality
- Air Quality
- Noise
- Archaeology
- Energy Efficiency
- Lighting
- Other
- Planning Obligations

#### **a. Principle of Student Accommodation**

10.2. At the heart of the National Planning Policy Framework (NPPF) remains a presumption in favour of sustainable development, which should be approved without delay unless material considerations dictate otherwise. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions (para.117). Any proposal would be required to have regard to the contents of the NPPF along with the policies of the current up-to-date development plan, which include the newly adopted Oxford Local Plan 2036 (OLP) and the Summertown and St Margaret's Neighbourhood Plan (SMNP).

10.3. Policy S1 of the OLP states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF, working with applicants so that sustainable development can be approved that secures economic, social and environmental improvements. Planning applications that accord with Oxford's Local Plan (and, where relevant, with neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise. Development should make efficient use of land making best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford in accordance with RE2 of the OLP.



- 10.4. Policy SR2 sets out that where appropriate the Council will seek to secure physical, social and green infrastructure measures to support new development by means of planning obligations, conditions, funding through the Council's Community Infrastructure Levy (CIL) or other mechanisms.
- 10.5. The large number of students resident in Oxford has an impact on the availability of general market housing. Provision of purpose built student accommodation in suitable locations can help to reduce the demand from students on the general housing stock. Policy H8 of the OLP sets out the criteria for locating student accommodation and permission will only be granted for student accommodation which is on or adjacent to an existing university or college campus or academic site, hospital or research site, city or district centres, or an allocated site. The policy also sets out other criteria for new student accommodation development including restricted occupation to full-time students enrolled in courses of one academic year or more; agreed term time and out of term time management regimes; out of term time use by non-students; indoor communal amenity space for larger schemes; operational and disabled parking only. Any loss of student accommodation is resisted unless new student accommodation is re-provided.
- 10.6. The provision of student accommodation on Univ's extended campus site situated between two main arterial routes, Woodstock and Banbury Roads, within this residential suburb of Oxford is considered an acceptable use in principle in accordance with H8 of the OLP. The proposal would make best & most efficient use of land owned by Univ to provide student accommodation for existing students at the College, thereby releasing family housing stock back on to the market and would contribute towards the University of Oxford target of 2,500 students who live outside purpose built student accommodation (which reduces to 1,500 by April 2022) in line with H9 of the OLP.
- 10.7. The National Planning Practice Guidance (NPPG) (Paragraph 021,) requires that student accommodation should now be considered as contributing towards the supply of housing, based on the amount of accommodation it releases onto the housing market. Based on the ratio of one house released on the open market per 2.5 student rooms provided by a new development (based on the nationally used Housing Delivery Test standard) the equivalent of 57 houses would be released back onto the general housing market as a result of the student accommodation.
- 10.8. The development provides adequate indoor communal amenity space and generous outdoor space also. The students would be on full time courses of a year or more. The College has a car free policy for students and the application site has been developed as a car-free site for students. Conditions imposed could secure use as student accommodation and occupation by those on full time courses together with out of term time use, a management regime and a mechanism for preventing students bringing cars to Oxford. In conclusion subject to conditions, the proposal would accord with Policy H8 of the OLP.

**b. Principle of a Nursery:**

- 10.9. OLP Policy H5 prevents development that would result in a net loss of one or more self-contained dwellings on a site, except in certain circumstances where it would involve a change of use of a dwelling to form a primary health care facility, children's nursery or community hub providing community benefits and certain criteria are met.
- 10.10. There is a need for the nursery provision in the City and in relation to this development the Applicant states that there are 400 people on the waiting list across the University for nursery places. The nursery would be open to all staff and students of University College and its need is driven by the current and anticipated demand within the College. In the early stages there is no ambition to offer admissions to those other than children of staff and students of University College and then the University of Oxford to meet existing demand. However were this extended to the public in the future, there would be a strict operational restraint to only offer to the public should they live within a short walking/ cycle distance. The operation and management of the nursery could be secured by condition.
- 10.11. The County Council (Education) has commented that the provision of additional early years capacity in the Oxford City Area would be supported by the County Council. In terms of location nurseries are found elsewhere within residential areas of Oxford and the policy allows for conversion of dwellings. No issue is raised in this respect. Two other day care nurseries are located within similar locations close nearby namely, Balliol Day Nursery, Rawlinson Road and Bright Horizons, No.92 Woodstock Road. There is also St Johns Nursery in Bainton Road.
- 10.12. The proposed development as a whole would result in a net gain of 6 new self-contained units, class C3, within the site, albeit they would only be available to persons at Univ. There would therefore be no net loss in residential use as a result of the development and the exception criteria to this policy does not need to be applied in this case. As such it complies with policy H5 of the OLP.

**c. Affordable Housing:**

- 10.13. Policy H2 of the OLP36 sets out affordable housing provision from new developments. In relation to student accommodation it states that developments of over 25 student units (or 10 or more self-contained student units) would trigger a financial contribution towards affordable housing, unless it meets the exemption tests:
- i) The proposal is within an existing or proposed student campus site;  
or
  - ii) The proposal is for redevelopment of an existing purpose-built student accommodation site which at the date of adoption of the Plan is owned by a university and which will continue to be owned by a university to meet the accommodation needs of its students.
- 10.14. The development lies within an existing Univ campus which includes No.115 Banbury Road, providing student bedrooms and ancillary

accommodation. Furthermore it is also for the redevelopment of an existing student accommodation site which is owned by the applicant Univ before the plan was adopted and will continue to be owned by them. The development would therefore meet the tests for exemption and not be required to contribute towards affordable housing under policy H2 of the OLP.

**d. Design & Heritage:**

- 10.15. In relation to design the 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).
- 10.16. In considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 193). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (para 194).
- 10.17. Development proposals that would lead to substantial harm or result in total loss of the significance of a designated heritage asset should be refused unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm (para 195).
- 10.18. Where development would lead to less than substantial harm to the significance of a designated heritage asset that harm should be weighed against any public benefits the proposed development may offer, including securing its optimum viable use (para 196).
- 10.19. Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require 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).
- 10.20. Policies DH1 and DH3 of the OLP are consistent with the NPPF because they include the balancing exercise identified in paragraphs 195-196

of the NPPF. DH1 requires new development to be of high quality that creates or enhances local distinctiveness and that meets the key design objectives and principles set out in Appendix 6.1 of the OLP for delivering high quality development in a logical way that follows morphological layers and is inspired and informed by the unique opportunities and constraints of the site and its setting.

- 10.21. DH3 states that planning permission or listed building consent will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset and locality. For all planning decisions for planning permission or listed building consent affecting the significance of designated heritage assets, great weight will be given to the conservation of that asset and to the setting of the asset where it contributes to that significance or appreciation of that significance. Development that would or may affect the significance of heritage asset either directly or by being within its setting must be accompanied by a Heritage Assessment. Substantial harm to or loss of Grade II listed buildings, or Grade II registered parks or gardens, should be exceptional. Substantial harm to or loss of assets of the highest significance, notably scheduled monuments, Grade I and II\* listed buildings, Grade I and II\* registered parks and gardens, should be wholly exceptional. Development that will lead to substantial harm to or loss of the significance of a designated heritage asset, planning permission or listed building consent will only be granted if it meets the tests set out in the policy. Where a development proposal will lead to less than substantial harm to a designated heritage asset, this harm must be weighed against the public benefits of the proposal.
- 10.22. Policy RE5 states that the Council seeks to promote strong, vibrant and healthy communities and reduce health inequalities. Proposals that help to deliver these aims through the development of environments which encourage healthier day-to-day behaviours and are supported by local services and community networks to sustain health, social and cultural wellbeing will be supported. Developments must incorporate measures that will contribute to healthier communities and reduce health inequalities and for major developments details of implementation and monitoring should be provided.
- 10.23. Policy RE2 seeks to ensure development proposals make efficient use of land making best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford. Development should be of an appropriate density for the use, scale (including heights and massing), built form and layout, and should explore opportunities for maximising density.
- 10.24. Standards of amenity (the attractiveness of a place) are major factors in the health and quality of life of all those who live, work and visit Oxford. Policy RE7 is an all-encompassing policy covering different aspects to ensure a standard of amenity. Development should protect amenity, not result in unacceptable transport impacts affecting communities, occupiers and neighbours, and provide mitigation measures where necessary.

- 10.25. Policy HOS2 of the Summertown and St Margaret's Neighbourhood Plan (SSMNP) states that development will be supported where it responds positively to local character and distinctiveness. Proposals should demonstrate that the design and use of development will protect those features identified as making a positive contribution to the character of the area concerned and clearly show how the design guidance has been considered. Those developments that do not do this will not be supported.
- 10.26. Policy HO3 of the SSMNP supports development proposals of both traditional and innovative designs where they respect the local heritage and character of the neighbourhood. Contemporary and innovative designed development will be supported where the scale, layout, density, orientation, and massing responds to and protects the valued features of local character. Traditional design proposals should complement the local character in material and design. Development that results in the loss of green space or the loss of trees would not be supported in accordance with Policy ENS1 and Policy ENC3 respectively. Proposals to reinstate front gardens and garden walls will be supported. Proposals that incorporate sustainable construction methods and use of resources, reduce carbon emissions, future-proof against the impacts of climate change and that provide adequate storage for recycling waste will be supported.
- 10.27. Policy HOS4 of the SSMNP relates to backland development and those proposals that intensify existing residential areas will be supported where this can be achieved through good design and without harming local amenities. Any attractive prevailing character of the area should be protected.

*Significance of the heritage asset(s)*

- 10.28. The North Oxford Victorian Suburb Conservation Area (NOVSCA) was designated on 6<sup>th</sup> May 1968 as one of the first areas nationally to be designated following the passing of the Civic Amenities Act 1967 which brought this class of designation into being.
- 10.29. The primary significance of this conservation area derives from its character as a distinct area, imposed in part by topography as well as by land ownership from the 16<sup>th</sup> century into the 21st century. At a time when Oxford needed to expand out of its historic core centred around the castle, the medieval streets and the major colleges, these two factors enabled the area to be laid out as a planned suburb as lands associated with medieval manors were made available. This gives the area homogeneity as a residential suburb. In the eastern and central parts of the area as a whole, this is reinforced by the broad streets and the feeling of spaciousness created by the generously proportioned and well-planted gardens.
- 10.30. The historical value of the conservation area derives from the major contribution of a small number of respected architects to the development of an almost rural ethos that contrasts significantly with the lanes and alleys of the city centre. The quality of the buildings reflects aesthetic value as is demonstrated by the listing on the National Heritage Register of 73 buildings and structures, all at Grade II except the Grade I listed Radcliffe Observatory

and church of St Philip and St James. To the north-east of northern boundary of the site but within the suburban block is No.121 Banbury Road, Grade II listed. However, it is not just the bricks and mortar that emphasise aesthetic value, as the positive contribution of trees, front gardens where they survive, broad streets and the retention of elegant street furniture all add to the conservation area's significance. Communal value is manifest in a range of important indicators. The conservation area is greatly valued by residents, visitors and those who work there for the quality of its buildings and shared spaces.

10.31. The NOVSCA is divided into eight separate character areas and the site falls into three of the defined character areas:

10.32. Banbury Road Character Area covers the eastern portion of the site, including 115 Banbury Road (Fairfield). The aspects of this area that contribute to its significance are;

- a wide road, wide pavements and large houses set back from the street
- High quality buildings are to be found in the character area, with large houses in spacious plots.
- This quality is distinguished by 25 designated buildings on the National Heritage List, the highest concentration in the CA as a whole
- Progressing north towards Summertown, the buildings take on Arts and Crafts features and the variety of the materials used varies; there are still a few significant buildings in the Gothic idiom interspersed
- Views are confined to up and down the street, with few buildings taking advantage of corner sites
- There are occasional views into the side streets, and therefore into the character areas to east and west of the arterial route.
- An abundance of mature trees, mostly in the private domain, softens the flat landscape
- The road is still a major thoroughfare, and its busyness means it is well used.

10.33. Staverton and Lathbury Roads Character Area covers the northern tip of the site. Staverton Road, the southernmost of these two east-west roads lies to the north of the site and the gardens of its southern properties bound the northern edge of the site. This area is characterised by;

- Two curving streets of early twentieth century houses set at angles to the road
- The streets are broad creating a feeling of spaciousness
- Buildings are primarily residential with some houses adapted for other uses, e.g. a nursery
- The suburban character derives from most of the houses being semi-detached, typically of two storeys with attic space

- There are no listed buildings in this area, but there is an integrity to the building styles deployed and Nos 1-3 Lathbury Road by Mountain make a distinctive contribution to the streetscape
- For the most part there are short, inviting views due to the curves in the streets
- Occasional glimpses beyond the houses are possible, but despite the staggering each building is set close to the next
- Where retained or only partially retained, front gardens make a vital contribution to the character of the area
- The Woodstock Road end of the two streets is more verdant with large mature trees in comparison with the Banbury Road end which is more open, with smaller garden trees visible
- Calmness is a major feature of the area, although since the roads connect the two major arterial roads north out of the city centre, they are used as alternatives to Rawlinson Road and St Margaret's Road

10.34. The third character area that covers the greater portion of the site is the St Margaret's Character Area. This character area has the following key characteristics that contribute to its significance;

- Village-like atmosphere created by communal buildings
- The only character area to have mature trees in the public domain
- Wide roads
- The character area is distinguished by the greatest variety of houses and plot sizes, with large detached and semi-detached buildings on the east side and smaller scale houses between Woodstock Road and the canal.
- Gaps between buildings are generally narrow but offer glimpses into gardens behind
- Front gardens where retained contributed significantly towards the area's character
- Mature trees in private gardens contribute to a feeling of openness on the eastern side of the character area.

10.35. The application is accompanied by a Heritage Statement and a detailed Design and Access Statement (DAS) which clearly set outs the history of the site and how it developed. The DAS describes the present arrangement, identifying the important buildings, trees and boundaries that inform the character of the whole site and in particular how the site divides into a number of distinct spaces describing the character of each. P17 of the DAS illustrates clearly the positive and negative features of the present site, including looking at aspect, sun's path, identifying trees that make an important contribution to both the character of the site itself but also importantly through their contribution to the content of glimpsed views a contribution to the character of the wider conservation area. Whilst Redcliff Maud is not listed, its significance and contribution has been taken into account in the design, as has the close relationship with the Fairfield Residential Home (FRH). Care and attention

has been placed to the consideration of places that are safe, inclusive and accessible, which promote health and wellbeing for residents and visitors alike.

10.36. The proposal has been the subject of community engagement with both the local community and key stakeholder groups and has been subject to two Oxford Design Review Panels (ODRP). The two ODRP letters can be found at Appendix 1. The ODRP were positive about the proposal and considered that it had the potential to be an exemplar for developments coming forward in the NOVSCA.

10.37. Residents' comments received raise objection to the development on the basis of harm to the character and appearance of the NOVSCA, overdevelopment, loss of garden(s) and loss of green infrastructure (trees and planting), inappropriate density and scale of development.

*Response to the site and its context*

10.38. Officers consider that this is a well-considered and sensitive design response to the site and its context. It has been designed with a landscape first approach to the development that has been informed by the significance of existing trees on site and a clear understanding of the significance, character and appearance of the NOVSCA, as well as that of the existing site. The new buildings have been designed as buildings set within gardens creating new and improving existing garden spaces with new tree planting reflecting the principals of the original development of the conservation area. The siting of the new buildings and their scale and massing has been designed to create a series of different gardens across the site, reinforcing the existing gardens and setting up new views and connections between the different garden spaces. The importance of gardens to the development reinforces the place of gardens in the Victorian Suburb and particularly in this part of the suburb where gardens tend to be more generous than they are in the western parts of the Victorian suburb. Appendix 2 provides some of the sections through the site and shows the relative heights and massing of existing and proposed buildings [N.B. not all submitted sections have been reproduced in this appendix].

10.39. It is intended to restrict and prohibit vehicle movement within the centre of the site where pedestrians would be the major form of movement again reflecting the important and distinctive garden character that the design seeks to reinforce and that is such an important characteristic of the conservation area, in particular St Margaret's Character Area which covers the major part of the site.

10.40. It has been designed with all ages and abilities in mind and would create a unique multi-generational site that builds on the existing relationship with FRH. AHealth Impact Assessment (HIA) has been submitted with the application and satisfactorily demonstrates, together with other relevant submitted documents, that the site has been positively designed throughout for health and well-being and would create a strong, vibrant and healthy community therein in accordance with RE5 of the OLP.



10.41. In determining this application significant weight must be given to the extant permission to build 6 pavilions in the rear garden of No.115 (15/01102/FUL refers) which were two storey contemporary buildings (with basement) providing 30 student rooms and ancillary facilities. This is a legal fall-back position. The proposed Water Court buildings (east & west) sit in the same location and footprint as the 6 pavilions and therefore the principle of buildings in this location has been accepted. The proposed Banbury Road and Walnut Lawn Villas sit on the footprint of existing extensions to No.115 Banbury Rod and thus the principle of replacing these with further built form is acceptable.

*No.115 Banbury Road*

10.42. On the eastern side of the site, in the Banbury Road Character Area, the design proposes to retain the original 1897 No.115 Banbury Road, a large Victorian, red brick Gothic villa, removing later additions to the building on its north east, north west and southern sides. It is proposed to restore the C19 frontage, removing some of the trees that presently crowd the front aspect of the villa but importantly retaining significant trees and reinstating the front of the house. It is intended that this aspect of the development should be its principal, public face, which reinstates its grandeur and would greatly enhance its appearance within the street scene. The present vehicular entrance would be closed returning the more typically enclosed frontage to the street and focussing the view from Banbury Road to FRH along the existing access. This would be done through the introduction of carefully designed tree planting to mirror existing trees on the northern boundary with Thackley End and the siting of the Walnut Lawn Villa to the southern edge of the access. This would reinforce the importance of the glimpsed view to the significance of the conservation area. The small outbuilding contemporary with No.115 along the access would be retained and preserve the domestic character of the conservation area.

*Banbury Road Villa*

10.43. The proposed Banbury Road Villa and integrated porters lodge, would replace the southern 2 storey and single storey extension to No.115 Banbury Road. The extensions are architecturally poor that detract from the significant character of the Banbury Road Character Area of NOVSCA and the character and appearance of No.115. The new building would be sited so as to appear subservient to No. 115, lower in height and set back at its nearest point and then stepping forward at its southern end to align with the building line of No.113 thus making a transition from the generous setting of No.115 to the tighter curtilage of No.113. It is here that the Porter's Lodge would be placed and this arrangement of new buildings would set up an important glimpsed view into the site, and a boundary between the public and the private reiterating that found in the conservation area and elsewhere in College Quads. This careful response to the context of the site but also to the occupant will help to root the new building in place. It is considered that the new building would form an appropriate relationship to its surroundings and would preserve and enhance the character of the NOVSA.

### Walnut Lawn Villa

The proposed Walnut Lawn Villa, which would house the student cafeteria at ground floor, would be sited to the rear of No.115 replacing existing single storey extensions. These extensions are also of no architectural merit. The new building would be tucked behind No.115, and lower in ridge height, and for the most part hidden until you reached the vehicular access on to Banbury Road when the building would be partly visible (noting also that new tree planting is proposed along this access road that would screen it). This building would maintain a distance No.115 and FRH, facing onto the garden to the rear of No.115 (called Walnut Garden due to proposed tree planting here), and reading as a building within a garden.

### Water Court Villas (East & West)

- 10.44. The Water Court Buildings, on the site of the original 6 pavilions, sit almost in the middle of the site and adjacent to the boundary with Rawlinson Road gardens. They have been designed to relate to one another across a new water feature and set within the gardens. In massing they would be similar to the proposed Walnut Lawn Villa and also the main 3 storey element of FRH, although approximately 2.1m higher. Due to their position deep within the site they would not be visible from Banbury Road. They would be adequately separated by the gardens spaces between No.115 Banbury Rd, Banbury and Walnut Lawn Villas (Walnut Lawn) and the Gym & Mulberry Lawns to the west. They would not be visible from public views from Rawlinson Road, but the gables ends would be from their rear gardens. Given the surrounding space to other buildings on site and distance in access of 40m to the closest part of any dwelling on Rawlinson Road, it is considered that they would not be unduly high or appear overly large in massing when viewed from Rawlinson Road properties buildings, tempered by existing mature garden trees. The covered seating building would be a relatively small garden building that forms an end stop to the water feature at the southern end and would be screened from the south by existing and proposed tree planting, and would itself screen views into the site and towards FRH from the south.

### *Staverton Road*

- 10.45. The Staverton Road Villa would sit to the rear (east) of No.104 Woodstock Road and next to No. 25 Staverton Road. Both properties are occupied as student accommodation. To the south west are the mid-century flat roof accommodation blocks of Philp Dowson that provide more student rooms and break away from the traditional Victorian street pattern. The layout of the block between Nos.104 & 102 and the existing access from Staverton Road has been compromised by the insertion of the Dowson buildings. No. 25 Staverton Rd is a traditional Victorian Villa with its own front and rear gardens and it is typical of other dwellings in this road. Opposite the site on Staverton Road is No.28A, which is an infill development in the rear garden of No.106 Woodstock Road. The proposed building has been sited and designed to reinforce the distinctive curve of road, rhythm and layout of the villas on this street allowing it to sit comfortably in its context. Here the gaps

between buildings are tight and this addition would reinforce that pattern. A front garden with new planting and boundary wall would reinforce the character of the street. It would transition in ridge and eaves heights between No.25 Staverton Rd and No.104 Woodstock, and the massing has been broken down in a staggered frontage to reflect that of the street and again respond to the domestic character. It is considered that it would be a positive addition to the Staverton Road street scene, preserving the character and appearance of this part of the NOVSA.

#### *Woodstock and Terrace Pavilions*

- 10.46. The proposed Woodstock Road and Terrace pavilions to the west of the site have been designed to respond to the change in layout of this part of the site, set within garden and of a similar height and massing to the Dowson Buildings. These building would be lower in height than the Woodstock Road properties and Redcliffe Maud. Sufficient distance would be maintained from the new nursery, rear of the Woodstock Road properties to the west, and Redcliffe Maud to east, and Rawlinson Road properties to the south. From Woodstock Road glimpsed views of the Woodstock Pavilion may be possible between Nos.94 & 96 Woodstock Road and Nos. 96 & 98 Woodstock Road at certain times of the year due to existing trees and shrub planting along the street frontage joint boundaries. It is considered that they would not harm the character of the NOVSA as a result of their location.

#### *Nursery*

- 10.47. Recognising the local significance of the Garden House, built to the rear of No.98 by Geoffrey Beard a founding partner of Oxford Architects Partnership and a former Head of the School of Architecture at what is now Oxford Brookes University for himself, the development would keep the better part of this distinctively 1960's mono-pitched roof single storey building and adds to it in a design that intelligently respects the form and massing of the original building. It would extend across the garden, and up to the rear of, No.96 Woodstock Road. Existing ground floor windows of No.96 would be blocked up and a replacement window in the south elevation inserted to maintain light. There would be no access through the building into the nursery from No.96 itself. The existing parking area and access to No.96 would be used for the nursery. The nursery would be tucked behind No.96 and therefore not visible from Woodstock Road due to the existing trees and boundary treatment.

#### *No.25 Staverton Road, Redcliffe Maud and FRH*

- 10.48. The development includes re-routing of the access from Staverton Road to the car parking area for FRH and Managers House through the garden of No.25 Staverton Road (student accommodation). It would have a negative impact on this garden area. However, re-routing the access this way would enable the restoration of Radcliff Maud's original front garden, which would enhance Redcliff Maud and its setting. Officers concur that this part of the site has not been well managed in the past; the setting of Redcliffe Maud has been eroded by, incongruous cycle parking and high brick walls and the

architecture of its front façade eroded by an unsympathetic single storey extension. Whilst Redcliffe Maud is not listed is it a fine example of Edwardian architecture and has appropriately been treated as a non-listed heritage asset as part of the development proposals. The benefit of re-routing the access would be to enable the original front garden to Redcliffe Maude to be re-instated, thus improving its setting. By re-establishing the front garden and the building's setting, it would also facilitate the removal of the recent extension and re-instatement of the front elevation thus there would be an improvement and enhancement architecturally of Redcliffe Maud. Another building benefitting from the removal of the access would be the Managers House to FRH, which would gain a large south facing garden and that currently is small, north facing and overshadowed. The proposed access through No.25 could be reversed at any time in the future and materials used for the access could also mitigate its visual appearance. Overall there would be significant benefits that on balance Officers consider would outweigh the negative impact on No.25 in this case.

10.49. There would be no alterations or works to FRH. To the southern elevations facing Rawlinson road would be planted with pleached trees to reduce the large white expanse and reflectivity of these elevations. This would soften and overall improve the appearance of the building and is therefore considered acceptable.

10.50. In summary therefore it is considered that the development in siting, layout, height and massing would appropriately respond to the site, its context and the character and appearance of NOVSCA.

#### *Appearance*

10.51. The proposed buildings have been designed to reflect and respond to those of the neighbouring and adjacent buildings, both on the site and surrounding streets. In appearance the Banbury Road Villa, Walnut Court, two Water Court Buildings and Staverton Road Villas have been designed to respond to the existing character and appearance of the surrounding Victorian buildings using pitch roofs, gables and bays and influenced by the Arts and Crafts Movement in a contemporary manner. The form of the villas is essentially a relatively simple, linear plan of three storeys which allows for larger shared spaces at ground floor with study bedrooms at first and second floors. The second floor rooms have been designed to pick up some of the defining characteristics of the attic rooms in the houses that surround the site, built into the eaves of gables that provide interesting internal spaces. The facades also mark the internal circulation space and stair cases & lifts, cleverly incorporating lift over runs and servicing into the feature chimney stacks.

10.52. The Woodstock and Terrace Pavilions respond to the Philip Dowson buildings adjacent with flat roof, strong vertical rhythm and large window openings. These buildings would be of timber construction and appearance with green roofs and built using sustainable and low carbon methods of construction. The alterations and extensions to Garden House would again reflect and appropriately respond to the existing building using mono pitch

roofs of similar size and pitch and flat green roof elements. It is proposed to use red metal cladding on the pitched roofs and part of the facade, together with brick matching brickwork. A covered outdoor space for play, integrated seating, buggy & cycle storage.

10.53. The architectural response is considered to be of high quality, bringing surprise, delight and variety that would enhance the NOVSCA and its immediate surroundings. A condition securing details of materials prior to each phase of the development would ensure the quality of the development.

10.54. Other outbuildings, structures and gates/ piers and boundary walls have been designed to respond in appearance, height and materiality to the existing site and context and are considered acceptable subject to further details of materials.

#### *Harm to the Conservation Area*

10.55. The significance of the NOVSCA and particularly the key characteristics of the individual character areas that cover the application site have been identified in the supporting documents in particular the DAS and the Heritage Statement. The design of the proposed development has been based upon a thorough understanding of these characteristics and their contribution to the overall significance of the conservation area (as evidenced in the DAS). The existing interior of the block has been already been disrupted by Redcliffe Maude, the Dowson buildings and more recently by FRH, and including loss of boundary walls. The development would only be visible where changes are proposed along the Banbury Road, Staverton Road and to the rear of Nos.96 & 98 Woodstock Road. The proposed Banbury Road and Staverton Road Villas appropriately respond to their context (siting, massing, appearance, and materiality) and together with new landscaping, tree planting and boundary treatment would preserve and enhance the character and appearance of that part of the conservation area in which they sit. It is therefore considered that there would be no harm to the conservation area as a result of these buildings.

10.56. Building within rear garden areas in the NOVSCA is considered acceptable provided they are designed so as to maintain that sense of garden and green which is of part of the conservation area's significance. The buildings set within the site have been designed as buildings within gardens, reinforced by the new garden spaces and tree planting proposed. They would not be visible from the public realm. As such it is considered that there would be no harm to the character or appearance and consequently there would be no harm to the significance of the conservation area as a result.

10.57. It is only those buildings that can be clearly seen from the public realm within the site that are considered to cause harm. From the Woodstock Road, the proposed Woodstock Pavilion would alter the green back drop to the existing houses fronting Woodstock Road and as such the character and appearance at this point and consequently the significance of the conservation area. However views of this building would only be glimpsed between buildings and through existing trees and planting, and the building is

set back some way into the site and would not be visually prominent. There would as a result be some harm to the character and appearance of the conservation area at this point. It is considered to be less than substantial harm to the significance of the NOVSCA and of a low level.

#### *Public Benefits of the Scheme*

- 10.58. As the proposal would result in less-than-substantial harm to the character and appearance of the Conservation Area, resulting from the Woodstock Pavilion, this will need to be justified against the public benefits, including the optimum viable use, in accordance with the NPPF and DH3 of the OLP. In carrying out this balancing exercise, great weight should be given to the conservation of this designated heritage asset.
- 10.59. In redeveloping the site the proposal would make a significant positive contribution to Oxford's significant housing need by effectively releasing existing housing stock back into circulation for the general population. This would amount to the equivalent of 57 houses. This would constitute a public benefit and given the need for housing in Oxford this is afforded a high level of weight in this case.
- 10.60. 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 high quality buildings and landscape that would raise the standard of design in this area and Oxford and would create a unique multi-generation living environment.
- 10.61. 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 a high level weight.
- 10.62. The development would protect and enhance features identified as making a positive contribution to the character of the conservation area including a high quality landscaping and tree planting by reinstating the front garden to No.115 Banbury Road, removing poor quality architectural additions, and additional tree planting that would positively enhance the character of the area. This is afforded moderate weight.
- 10.63. These public benefits together would have a high level of benefit to the public. In weighing up the benefits against the harm of the proposal it is considered that the high level public benefits would outweigh the low level of less-than-substantial harm identified above in this case.
- 10.64. 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. It is considered that the low level of 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 in accordance with paragraphs 194-196 of the NPPF and DH3 of the OLP.

### *Summary*

10.65. The development has been designed with a clear knowledge and understanding of the site, its surroundings and the significance of the NOVSCA. The development in siting, layout, height and massing would appropriately respond to the site, its context and the character and appearance of NOVSA. The architectural response is considered to be of high quality, bringing surprise, delight and variety that would enhance the NOVSCA and its immediate surroundings. It has been positively designed for health and wellbeing and would create unique multi-generation living across the site.

10.66. 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. It is considered that the low level of 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 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 193 and 196 of the NPPF, policies and policies DH1 and DH3 of the OLP and policies HO2, HO3, HO4, ENS1 and ENC3 of the SSMNP.

### **e. Residential amenity**

10.67. Policy H14 seeks to ensure reasonable privacy, daylight and sunlight (internal and external) for existing and future residential occupants and developments that are overbearing would be refused. In assessing the impact of a development orientation, existing and proposed boundary hedges/ walls/ fences/ trees etc. and whether a development would significantly compromise the privacy of new and existing homes is taken into account. Policy H15 requires that dwellings provide good quality living accommodation for the intended use and comply with national space standards. Policy H16 ensures adequate outdoor space for new dwellings and for those with proposed communal space that this is varied, adaptable, and resilient and has opportunities for communal gardening/food growing.

10.68. The design approach to the proposal has been to create individual quad areas, which provide surveillance over communal areas while ensuring privacy to surrounding occupiers. The orientation of the buildings lends themselves to views over the site and sequence of gardens, and minimise views to the surrounding properties. In addition, the design seeks to provide private spaces while also maximising the sense of community within each student accommodation building through integral communal areas with shared kitchen facilities and seating. This has allowed a satisfactory balance to be achieved for existing and future students with regard to their own privacy and a communal sense of living. The design also allows for integration with the

elderly and with nursery children with joint access to the rose garden and orchard which would have new small allotments in them. The development therefore accords with the requirements of policy H16 of the OLP.

10.69. Internally the self-contained flats are classed as dwellings and therefore should accord with policy H15 which requires compliance with national space standards. All the flats comply with the space standards in accordance with H15.

10.70. In terms of impact on neighbouring properties, the proposed Banbury Road Villa would replace the existing 2 storey mid-century extension to No. 115 which sits back behind the rear façade of No.113 Banbury Road, d'Overbooks College. The new building would be set back further than existing and projects forward towards the Banbury Road to almost align with the front of No.113. No.113 adjoins the joint boundary wall at single storey level and has small upper floor windows facing towards No.115 that serve a staircase. The new villa would have a set of three windows on all three floors serving a corridor on each floor that would face towards No.113. In relation to siting and visual impact, it is considered that the development would not result in a worse situation than as currently exists and would not appear overbearing or result in overshadowing. In relation to overlooking, the windows serve corridors and as occupied by students is unlikely to result in a significant overlooking or loss of privacy. There would be no adverse impact on the amenity of No.113 as a result.

10.71. In relation to Fairfield Residential Home (FRH), an Overshadowing Analysis has been submitted, which analyses the impact of the effect of Water Court West, Water Court East and Walnut Lawn Villas on ground and first floor rooms of FRH. The analysis uses the 45 degree guideline and Daylight factor analysis which is the ratio of the internal light level to the light level outside. The analysis also takes into account existing obstructions nearby. The report demonstrates that a more than acceptable level of light would still be achieved by the rooms within FRH. It is considered that due to the distance of these new buildings to FRH, their location relative to FSH and the orientation of the site means that direct light and a shadowing effect would only be felt at certain periods during the day and more so at certain times of the year. It is also considered that the information submitted satisfactorily demonstrates that adequate levels of light would be maintained in those rooms most effected by the buildings. As such, any impact would not be so significant to warrant refusal in this case.

10.72. No. 98 Woodstock Road, is divided into 3 residential flats, and would be closest to the Woodstock Pavilion. There would be a separation distance of approximately 35.8m between the rear elevation of No.98 and the Woodstock Pavilion. As such, it is considered that there would be no overbearing or overshadowing impact as a result. The rear amenity space to No.98 would not be visible from the Woodstock Pavilion as it would be obscured from view by the roof of the proposed nursery. The distance between the buildings means that there would be no significant loss of privacy into either respective building as a result. The proposed nursery would abut the rear garden of No.98 Woodstock at a minimum distance of approximately



7.5m from the rear elevation of this building as existing. Given the single storey nature of this proposed element, it is not considered that this building or use would result in any harmful loss of privacy through overlooking or overshadowing.

10.73. The nursery would be extended southwards behind No.96. It would be approximately 4.5m away from the joint high brick wall of No.94 Woodstock Road to the south. The extension would be single storey and the proposed windows facing No.94 would be concealed behind the existing brick boundary wall. As such, it is considered that the proposed building would not result in overlooking or have an overbearing or overshadowing impact on No.94. The existing roof of the house would be replaced by a slightly steeper pitched roof. It is considered that this would not significantly impact upon the existing southerly light to the garden of No.102 Woodstock Road.

10.74. To the south of the Woodstock Pavilion is a large existing outbuilding that sits to the rear of both Nos.94 Woodstock Road and No.12 Rawlinson Road. The proposed Woodstock Pavilion would be approximately 8m away from this building and the existing mature walnut tree that sits in between would be retained. There would be no adverse impact on this outbuilding as a result of the development.

10.75. In relation to No. 100 Woodstock Road, the closest of the proposed student accommodation buildings would be the Terrace Pavilion. There would be a separation distance of approximately 37m between the rear elevation of Terrace Pavilion and No.100 Woodstock Road. It is considered that there would be no harmful loss of privacy as a result of overlooking. The Terrace Pavilion would be sited at the bottom end of the garden to No.100's garden. However, bedroom windows face east/west to avoid direct overlooking from habitable rooms. There would be windows at the end of the corridors to this building facing south. However, the corridor windows would face the mature trees at the bottom end of the garden. As such, it is considered that sufficient private amenity would be retained elsewhere in the garden and there would be no significant harm to warrant refusal in this case. Again, due to location and orientation of the Terrace Pavilion building there would be no adverse overbearing or overshadowing impact.

10.76. In relation to the properties on Rawlinson Road, these properties have long rear gardens. The Water Court Villas would sit approximately 6m from the joint boundary with Nos.2, 4 and 6 Rawlinson Road. This boundary is a high brick wall (approximately 1.8m) and existing trees (on either side of the boundary) along it. The closest property would be No.4 Rawlinson Road which would be approximately 40m to the south of the covered seating building at the southern end of the water feature and 44m to the end gable of Water Court Villa (east). No.6 Rawlinson Road would be approximately 51m from Water Court Villa (west). There are no windows in these buildings facing Rawlinson Road and therefore no loss of privacy would result. It is considered that due to the separating distance the proposed villas would not be overbearing on these properties and due to orientation they would not cause overshadowing. It is proposed to plant additional Scot Pine trees along this boundary behind 2, 4 and 6 Rawlinson Road. Two existing trees within the

site and on the line of the joint boundary between Nos.6 and 8 Rawlinson Road are proposed to be removed and replaced by Scots Pines and a Beech set farther into the garden. The removal of these trees would not adversely impact on the amenity of these gardens although it would initially change the outlook experienced by them and visibility of the building would be lessened over time as these trees reformed the screening the existing trees provide. However, it is considered that the loss of these trees and mitigating tree planting would not alter officers' consideration of the impact in respect of overbearing, overshadowing or loss of privacy. In the short term the change in trees in this location would be most noticeable, however over time this would be mitigated.

10.77. Thackley End sits to the north of the site and is accessed from Banbury Road. It is a series of blocks of flats set with gardens and has large mature trees lining the joint high brick boundary wall with the site. The majority of the proposed development would be obscured from view by the existing FRH or No.115 Banbury Road. The proposed Walnut Lawn Villa is the most proximate building to Thackley End and, at three storeys, would be larger in scale than the existing single storey extensions to Fairfield House that would be removed. At its closest point, the proposed Villa is approximately 35m from the closest westerly block of Thackley End and 12.5m to the joint boundary. As such, given the distance and the mature trees in between it is considered that there would be no adverse impact as a result of overlooking, overshadowing or overbearing to either the flats or their gardens.

10.78. No.117 also sits to the north of the site and also has large mature trees next to the joint high brick boundary wall with the site (both front and rear of it). It is a much larger building that aligns with No.115 Banbury Road and Thackley End wraps around it. At its closest point, the proposed Walnut Lawn Villa would be approximately 14.5m away from the nearest corner of No.117 and 12.5m to the joint boundary. It is considered that there would be no adverse impact as a result of overlooking, overshadowing or overbearing to No.117 or its garden.

10.79. In summary the development would not result in an adverse overbearing or overshadowing impact or loss of privacy to existing or proposed residential amenities and the proposal accords with policies H15, H16 and RE7 of the OLP.

#### **f. Landscape and Trees**

10.80. OLP Policy G7 states that permission will not be granted for development that results in the loss of green infrastructure features such as hedgerows, trees or woodland where this would have a significant adverse impact upon public amenity or ecological interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated. Policy G8 states that development proposals affecting existing Green Infrastructure features should demonstrate how these have been incorporated within the design of the new development where appropriate.

- 10.81. The proposed landscape design by Kim Wilkie is a thoughtful and comprehensive landscape that would respond to the inter-generational community that is intended to use the site. The site design has been centred on retention and revealing of the key mature specimen trees within the site, removal of smaller and poor quality trees together with new specimen tree planting across the site and within the Orchard, including second generation Lebanon Cedars, Scots Pines, Walnuts and Mulberry trees. The proposal also includes the reinstatement of front gardens, the small scale domestic gardens of Staverton Road and the larger scale, more dramatic landscape of the principal frontage on Banbury Road which is considered to be a positive enhancement for both character and appearance of the conservation area.
- 10.82. The reintroduction of important tree species with the potential for distinctive, visible tree canopies from the public realm will also be a positive benefit for the character and appearance of the conservation area, reinforcing the significance of the “back garden” spaces that characterise the interior of suburban blocks in North Oxford and that importantly inform the key glimpsed views.
- 10.83. The Tree Survey included in the FLAC ‘Planning Submission (Arboriculture) Arboricultural Impact Assessment’ provides an accurate record of the significant trees on site, their quality and value, and the constraints they impose on site layout.
- 10.84. The proposals would require removal of a significant proportion of the number of existing trees within the site. The Tree Impact Analysis records that of a total of 332 trees surveyed across the site (of which 190 were surveyed as individuals and 142 as components of tree groups), it is proposed to remove 132 to facilitate the development. Of these 55 trees would be removed to enable construction of the development and 77 to facilitate the landscape scheme.
- 10.85. It is noted that no high quality (Category A) trees are to be removed, but 30 moderate quality (Category B) trees will be removed and 102 of the trees to be removed are low quality (Category C). Also that 85.6% of the trees to be removed are relatively small having a height of less than 11 metres.
- 10.86. Some of the existing hedges are shown removed; most significantly a heavily reduced Leyland cypress hedge which runs along part of the eastern boundary of the site with Thackley End, which has already happened.
- 10.87. Balanced against the tree removals, 78 new trees of various species, all of which have been selected to be appropriate for the site characteristics and to support the special character and appearance of the North Oxford Victorian Suburb Conservation Area, would be planted as part of a comprehensive landscaping scheme. An orchard in the north east part of the site would be retained and enhanced by new fruit tree planting improved access and small allotment patches.
- 10.88. Tree removals would change existing public views from outside the site in Banbury Road and Staverton Road to an extent and would also affect the

outlook from several neighbouring residential properties. However, it is considered that the new tree planting proposed would adequately mitigate the losses. Particular impacts include (not exclusively):

- 10.89. Banbury Road: The proposals include removal of 42 various existing trees (mostly low quality and value holly and cypress trees) along the Banbury Road frontage, which is defined by a high (approx. 2m) brick wall, and would alter the existing public views from the street. However, the tree removals would open up views of 2 very high quality cedar trees, which are typical of the original Victorian planting, and provide an opportunity to improve the garden setting of No.115 Banbury Road. It would also secure succession tree planting including a new cedar tree. In addition, it is intended to plant a new avenue of lime trees along the existing access from Banbury Road to the proposed Walnut Lawn Villa and FRH behind No.115. On balance, it is considered that the changes represent a significant improvement in the landscape design which would enhance the character and appearance of the North Oxford Victorian Suburb Conservation Area in this part of the site;
- 10.90. Thackley End: A Leyland cypress hedge runs along part of the eastern boundary of the application site with Thackley End and this would be removed and replaced with a native species hedge (as already agreed with the LPA under a s211 notice). Although this would increase inter-visibility between the application site and Thackley End, there would be landscape and biodiversity benefits, together with a reduction in overbearing impact, and the character and appearance of the North Oxford Victoria Suburb Conservation Area would be enhanced as a result. This is therefore considered acceptable.
- 10.91. Staverton Road: A large mature horse chestnut (7091) that had stood on the west side of the access road from Staverton Road, and which had been prominent in public views from Staverton Road, was felled recently (by agreement with the LPA under a 's211 notice') because it had significant basal decay, and its condition was deteriorating. The proposals include a new row of 5 beech trees planted along the access road and this would provide appropriate mitigation in public views for the loss of the horse chestnut tree and other various required trees removals within the site in order to construct 27 Staverton Road;
- 10.92. Woodstock Road: It is considered that public views would not be significantly affected by proposed tree removals as a result of the Woodstock Villa or extension to Garden House for the Nursery. Views into the site are limited and glimpsed between Nos.94 & 96 Woodstock Road and Nos. 96 & 98 Woodstock Road and only at certain times of the year due to existing trees and planting along the street frontage joint boundaries. The proposals include the planting of a new holm oak tree in the front garden of No. 96 Woodstock Road that would benefit public amenity and enhance the character and appearance and character of the North Oxford Victorian Suburb Conservation Area. The layout has been designed to retain both Walnut trees 7026 and 7006 to the rear of No.96 in order to reduce the impact on the private outlook from No.101 Woodstock Road south-east towards the Woodstock Pavilion and north-east from No.94 Woodstock Road and retain the sense for green backdrop which is characteristic of the area. An additional magnolia tree

would be planted in the nursery garden in front of the Pavilion. The construction of the proposed Woodstock Road Villa would require facilitation pruning of the trees and there would be encroachment of construction into the Root Protection Area of 7006. However, it is considered that this would not be detrimental to the future viability and amenity value of these trees provided they are adequately protected during the construction phase of development. This could be secured by condition.

- 10.93. Rawlinson Road: Norway maples (7061) and (7062) are tall boundary trees which will be visually prominent above the boundary wall in the private outlook from several properties in Rawlinson Road. However, both trees are regrown pollards and have rather poor structural condition. Construction of the proposed Water Court Villa East requires 7062 to be removed. 7061 could be retained. However it is considered that removal of 7061 provides a significantly better opportunity for new tree planting. It is therefore proposed to remove both trees and to plant 10 no. Scots pine along the boundary and 1 cut-leaved beech to replace them. On balance, given the limited long-term landscape potential of the Norway maple trees, this is considered acceptable.

#### Tree Canopy Cover:

- 10.94. A Tree Canopy Cover Assessment by FLAC has been submitted with the application which sets out the existing base line canopy and estimated predicted canopy cover as a result of the development initially and at 16, 25, 40 and 60 year intervals. It also assesses predicted canopy cover in a no development scenario. The Assessment also provides plans showing the Canopy Area which eliminates overlapping and double counting of tree canopies. The methodology has been agreed with the Tree Officer and Officers are satisfied that the assessment robustly demonstrates the impact on tree cover as a result of the proposed development.
- 10.95. The proposals would require the removal of 132 from 332 existing trees recorded within the application site. Of these 55 trees would be removed to construct the built development and 77 required to facilitate the landscape scheme. As mentioned above a large amount are low quality trees and 85.6% of the trees are relatively small having a height of less than 11 metres.
- 10.96. The cumulative effect of removing trees would result in an initial estimated reduction in Tree Canopy Cover of about 21.5% in area across the application site. However, it is estimated that more than 40% of the site would remain tree covered; 41.9% of site area being under Tree Canopy Cover on completion of the development immediately following after new tree planting. This is compared with an average of 25% for St Margaret's Ward and 21% for Oxford overall (Oxford Tree Canopy Cover Assessment, Treeconomics 2015).
- 10.97. New tree planting would however mitigate the lost Tree Canopy Cover and this mitigation would increase over time as the new trees grow. The FLAC Tree Canopy Cover Assessment shows that the existing level of Tree Canopy Cover across the site is expected to be recovered to above existing levels sometime within 25 years. The existing Tree Canopy Cover area is shown to be 11,868 m<sup>2</sup> in the Canopy Area Plan (CAP) and is predicted to be

13976m<sup>2</sup> in year 25 following development, indicating a net increase of 2018m<sup>2</sup> or approximately 17.8% Tree Canopy Cover over 25 years compared with the current level of Tree Canopy Cover as a result of the growth of retained and newly planted trees. Indeed the modelling predicts existing Tree Canopy Cover area would be recovered and exceeded within 16 years.

10.98. Without any development of the site Tree Canopy Cover would continue to increase within the application site as the existing trees grow over time. The FLAC Tree Canopy Cover Assessment predicts that if the development takes place, after 25 years Tree Canopy Cover might be around 8% below that which might be expected were the site was not developed.

10.99. However, a benefit of the development is that the investment in new tree planting it would bring should deliver a succession of mature Tree Canopy Cover at the site over time. It is considered that by virtue of factors such as species, age, life expectancy, condition, location etc, many of the existing trees at the site have potential to make a contribution to the site for between 20-40 years and when these trees reach the end of this period the Tree Canopy Cover is expected to decline. If the development and new tree planting were to be implemented then it is predicted that the Tree Canopy Cover would be significantly increased after 40 years (43.1 %) and 60 years (up 53.2%) compared with if it were not.

10.100. As a result of the initial reduction in Tree Canopy Cover at the site there is likely to be a reduction in some of the multiple functional benefits that are associated with this green infrastructure; these are 'ecosystem services' such as carbon sequestration and storage, improved air quality, biodiversity etc. It is not possible to accurately quantify the impacts specifically for the site, or to assess how they affect climate change.

10.101. The Oxford i-Tree Eco Study (OCC and Treeconomics, 2018) estimated that there are approximately 248,200 trees in the city which cover an area of about 750ha (7,500,000m<sup>2</sup>). Cumulatively these trees remove an estimated 2,500 tonnes of carbon from the atmosphere each year, estimated to be worth £619,000, and store 76,400 tonnes of carbon worth £18.8 million. They also filter an estimated 65 tonnes of airborne pollutants each year, worth more than £1.12 million in social damage costs.

10.102. In this context the 2959m<sup>2</sup> of Tree Canopy Cover area that would be lost initially (taking account of tree removals and new tree planting immediately following completion of development phases 1 and 2) to facilitate the proposed development represents a very small fraction of the entire Tree Canopy Cover of the City and the ecosystem services it provides. The Tree Canopy Cover Assessment provides evidence that this loss is expected to be temporary and would be fully mitigated by new tree planting, so that Tree Canopy Cover within the site would be expected to exceed existing levels within 16 years as a result of the growth of new and retained trees.

10.103. Officers consider that it would not be feasible to significantly reduce the number of trees being removed to construct the quantum of student accommodation proposed. Although it might be possible to reconsider the

landscape design to retain more trees, the improved landscape design and soft landscaping that would deliver benefit to the character and appearance of the NOVSCA and benefits of the succession tree planting would be lost. Other elements of the landscape proposals, such as shrub and hedge planting would further mitigate the predicted 8% temporary loss of Tree Canopy Cover at 25 years compared with the without development scenario. For these reasons it is considered on balance that the proposals meet the requirement of policy G7 of the OLP.

- 10.104. To ensure that the tree planting delivers the necessary mitigation for tree removals, the applicant should monitor Tree Canopy Cover following development, and undertake appropriate proactive management action, such as additional tree planting, as necessary to ensure that Tree Canopy Cover loss is fully mitigated, and if possible enhanced over time, as predicted in the Tree Canopy Cover Assessment. A Tree Canopy Cover Monitoring Plan could be secured by a planning condition if planning permission is granted.
- 10.105. In summary therefore the proposals require the removal of a significant proportion of existing trees on the site, however new tree planting is also included as part of a comprehensive soft landscaping scheme proposed by Kim Wilkie. The majority of trees to be removed are relatively small, low quality and value trees, and on balance, it is considered that the residual visual impacts (taking account of tree removal and tree planting), will not be significantly harmful to public amenity in the area. The improved landscape design would help to preserve or enhance the special character and appearance of the North Oxford Victorian Suburb Conservation Area.
- 10.106. The cumulative effect of removing trees would result in an initial reduction in mature Tree Canopy Cover across the application site and a reduction in some of the multiple functional benefits that are associated with this green infrastructure; these are 'ecosystem services' such as carbon sequestration and storage, improved air quality, biodiversity etc. However, it is estimated that the site would remain with Tree Canopy Cover of around 40% immediately after completion of the development.
- 10.107. New tree planting would mitigate the lost Tree Canopy Cover and this mitigation would increase over time as the new trees grow. It would also have the additional benefit of diversifying the age class structure and species mix of trees within the site, so that Tree Canopy Cover should become more resilient and sustainable and enhance the character of the NOVCA. As such the development accords with G7 and G8 of the OLP.

#### **g. Biodiversity**

- 10.108. OLP policy G2 states that development that results in a net loss of sites and species of ecological value will not be permitted. Compensation and mitigation measures must offset the loss and achieve an overall net gain for biodiversity and for major development this should be demonstrated in a biodiversity calculator.

- 10.109. A primary ecological appraisal has been submitted with the application. The surveys undertaken have confirmed the site is of relatively low ecological value to protected species, however evidence of a bat roost has been found within No.96 Woodstock Road. The roost would remain unaffected by the proposed development and therefore Officers are satisfied that there would be no harm to protected species. Whilst there would be a large number of trees removed, the proposed tree planting would satisfactorily mitigate that loss, together with proposed shrub planting (as discussed in section h above) The submitted biodiversity calculator demonstrates that overall there would be a net gain in biodiversity of 16.77% as a result of the mitigating planting proposed. This exceeds the 5% net gain requirement of Policy G2 of the OLP.
- 10.110. In order to ensure protected species are protected and a net gain in biodiversity would be achieved conditions requiring a construction environmental management plan (CEMP: Biodiversity), Landscape and Ecological Management Plan, Approach to tree works that may affect protected species, a scheme of ecological enhancements , and a lighting strategy for biodiversity should be imposed if planning permission granted. As such the proposal accords with Policy G2 and the NPPF.

#### **h. Transport**

- 10.111. Policy DH7 of the OLP sets out requirements for bike and bin stores and external servicing features should be considered from the start of the design process. Policy M1 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport. In accordance with policy M2, a Transport Assessment for major developments should assess the impact of the proposed development and include mitigation measures to ensure no unacceptable impact on highway safety and the road network and sustainable transport modes are prioritised and encouraged. A Travel Plan, Delivery and Service Management Plan and Construction Management Plan are required for development of this type and size.
- 10.112. Policy M3 sets out the Council's policy for motor vehicle parking. In Controlled Parking Zones (CPZs) or employer-linked housing areas (where occupants do not have an operational need for a car) where development is located within a 400m walk to frequent (15minute) public transport services and within an 800m walk to a local supermarket or equivalent facilities (measured from the mid-point of the proposed development) planning permission will only be granted for residential development that is car-free. In the case of the redevelopment of an existing or previously cleared site, there should be no net increase in parking as existing on site and a reduction will be sought where there is good accessibility to a range of facilities. Expansion of existing operations on existing large sites should provide a comprehensive travel plan for the whole site, demonstrating opportunities to enhance and promote more sustainable travel to and from it.
- 10.113. A Transport Assessment and Travel Plan, Draft Construction Management Plan and draft Delivery and Servicing Plan have been submitted



with the application. The existing site contains 67 car parking spaces dotted throughout, of which 17 are for FRH and 50 for Univ. There are 117 existing cycle parking spaces, of which 14 are for FRH. The site is accessed and serviced from Banbury Road and Staverton Road including FRH and Manager's House. Garden House (site of the nursery) is accessed and serviced from the Woodstock Road (at No.98). It has 3 car parking spaces (and cycle parking) to the front of 98 Woodstock Road and access is controlled by an existing lifting barrier.

10.114. It is proposed to reduce car parking overall to 31 spaces across the site (8 with electric charging points). Of these 18 spaces would be for FRH, 5 disabled spaces on the Banbury Road access, one space for the nursery and 7 for Univ for maintenance, residential fellows and porter. 295 cycle parking spaces would be provided in a mixture of enclosed and open storage across the site for students, staff and nursery and retention of the existing provision for FRH. Servicing and deliveries to the whole site, including FRH and nursery, would be managed centrally by Univ (in agreement with FRH) and accessed via the existing access points. The Nursery deliveries and servicing would be from Woodstock Road at out of peak hours and managed via Univ through the service provider. Emergency vehicles (ambulance) for FRH would still be able to access the home as existing via Banbury Road.

10.115. The County Council as Highways Authority (HA) has raised no objection to the development having considered submitted and amended information and plans (see their full comments at paragraphs 9.2-9.22 above). They have suggested conditions and a unilateral undertaking to ensure the development is managed appropriately and would not have an adverse impact on the highway network and parking.

#### *Vehicular parking and traffic generation*

10.116. The site is located in a highly sustainable location, bounded by both Woodstock and Banbury Road which have good public transport links into and out of the City; bus stops are within 70m and 260m (max) on the Banbury and Woodstock Road respectively. It is also in an existing CPZ. The development would significantly reduce existing car parking on site by 46%, and would significantly contribute towards the strategic aim of reducing traffic movements and reducing air pollution within the City. It also meets the requirement for no net increase in parking on existing sites.

10.117. In respect of the students, Univ's own policy is that students are not allowed to have cars in Oxford. This accords with policy H8, which allows limited parking for disabled persons and operational parking. Vehicular movements therefore would be low except at start and end of term times. This impact could be managed and controlled via a condition a Student Accommodation Management Plan. This would need to allocate time slots for students to spread the trips out across a weekend. In terms of the wider site (excluding the nursery which is dealt with separately below), the level of traffic movements from cars and servicing & deliveries as a result of the development, taking into account the large reduction in car parking and associated movements, would be low. Students owning cars could be further

secured via a tenancy agreement condition and deliveries & servicing controlled via a management plan. The HA has requested that the site be excluded from eligibility for CPZ parking permits to ensure that there is no increase in parking in the area, restrict existing residents access to on-street parking and the low-car nature of the site is met, and the TRO amended accordingly. The applicant has agreed to this and this would form the subject of a Unilateral Undertaking given to the County.

- 10.118. In respect of the nursery, the HA previously expressed concern regarding multiple vehicles entering and exiting the site at peak times and vehicles stopping on the Woodstock Rd resulting in an adverse impact on the highway. It has subsequently raised no objection to the development following consideration of the additional information on management of pick/up and drop off, management of the nursery and allocation of places, and a revised parking plan for the nursery to one space which would be controlled via a barrier/ bollard. Residents have raised concerns regarding the impact of the nursery on traffic and parking.
- 10.119. As set out above the nursery would be primarily for Univ and the University of Oxford to meet existing demand. Should members of the public be able to apply for a space, only children of those living within a 10minute walking catchment area or within 1000m of the nursery would be taken. The nursery is in a very sustainable location with bus stops outside the site.
- 10.120. The Transport Assessment shows that the nursery would likely generate a total of 21 trips in the AM peak (08:00-09:00) and 19 trips in the PM peak (17:00-18:00). Surveys of the Bright Horizon and Balliol College nurseries nearby show that across the two sites 31% of parents drive to site. When applying the same percentage against the 54 children attending the proposed nursery, a total of 17 cars are anticipated during the whole drop off period (180 minutes). This would be a worst case scenario and due to the College's and wider University's ethos for sustainable modes of travel and the fact that most staff do not drive to work due to restricted workplace parking, the level of trips could be lower.
- 10.121. In relation to parking at drop off times for the nursery, there are a number of short-term parking bays on Staverton Road and Rawlinson Road which are approximately 125 metres and 95 metres respectively from the proposed nursery on Woodstock Road. These spaces are only a few minutes' walk to the site and are time restricted. The access to the nursery would be controlled by a rising bollard or barrier. This would only be lowered/ raised for the use of the disabled parking bay and deliveries outside of peak times. There would be a designated staff member at drop-off/ pick up that would manage the operation of the car parking and ensure parking on Woodstock Road would not happen. Parents would be encouraged to use public transport, cycling or walking, informed of the procedure for dropping/off picking up, the limited spaces for car parking and location and other management controls within the nursery management itself.

#### Cycle parking

10.122. The development would provide 295 cycle parking spaces for students and staff, within several cycle stores and open stands located across the site, which exceeds the Policy requirement. Staff cycle parking would be provided adjacent to the Woodstock Pavilion. Concern has been raised by residents that the footpath to the southern boundary would become a cycle highway. This would not be the case, the pathway has been designed so as to separate cycle movements from pedestrian movements within the site and allow easy access of some of the cycle storage. The College does not allow cycling within its grounds and this would be true for this site. The Porters and Staff would manage this. All cyclist would have to dismount and push their cycles across the site or along this southern path to the various cycle stores. The existing cycle parking provision for the FRH would be affected by the development. As such the development would provide adequate cycle parking in accordance with policy M5 of the OLP.

#### Servicing and deliveries

10.123. Servicing and deliveries to the site would be via the existing accesses on Banbury Road and Staverton Road, and in a similar way to the existing situation. Refuse and waste servicing would also be done from these access points. This would include Fairfield's Residential Home, with the College undertaking to manage the waste for them. The only exception would be the Nursery which would be serviced by small rigid vans from Woodstock Road, as currently, but vehicles should be restricted to out of peak hours times and would only have access to the courtyard, via the controlled barrier, whilst unloading in accordance with the comments of the County Council to avoid harm to the highway network. Servicing and Deliveries could be managed via a condition requiring a Servicing and Deliveries Management Plan and as such it would accord with Policy RE7

10.124. In summary, the development would provide benefits from a significant reduction in car parking on site, adequate cycle parking, low levels of traffic generation and would not harm the highway network. Subject to conditions and unilateral undertaking, the development accords with M1, M2, M3, M4 & M5 of the OLP.

#### **i. Flood risk and Drainage**

10.125. The site lies within flood Zone 1. Policy RE3 relates to flood risk management and directs new developments to flood Zone 1 and developments over 1ha in these areas should be accompanied by a Site Specific Flood Risk Assessment (FRA). Policy RE4 requires developments to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. Details of this may form part of the FRA or a drainage strategy.

10.126. In relation to surface and groundwater flow and groundwater recharge any development that would have an adverse impact on groundwater flow will not be permitted in accordance with policy RE4. The City Council will, where necessary, require effective preventative measures to be taken to ensure that

the flow of groundwater will not be obstructed. Developers are encouraged to separate foul and surface water sewers on all brownfield sites delivering new development. A Foul and Surface Water Drainage Strategy must be provided for all new build residential development of student accommodation of 250 study bedrooms or more. This development falls below this threshold.

- 10.127. A revised Flood Risk Assessment (FRA) and drainage strategy report have been submitted. There would be a reduction in the discharge rate from the previous developed site as a result of the development. Surface water run-off from the proposed development is proposed to be attenuated using modular tanks and permeable paving prior to discharge at Greenfield run-off rates to the public sewer network. A green roof is proposed for part of the nursery. Foul water would drain from the site via a new foul water network, using existing connections to discharge to the public sewer where possible. Thames Water has raised no objection to the application in respect of infrastructure capacity or foul or surface water connections. The applicant has sought to address previous comments from the County as Lead Flood Authority, and their further comments are awaited at the time of writing the report. These will be verbally updated at committee.
- 10.128. Residents raised an issue regarding groundwater flooding of a basement of a property in Rawlinson Road and concern that the development would exacerbate such flooding. The updated FRA assesses further the potential to increase the risk of groundwater flooding and it deems it negligible. This is due to the fact that the proposed foundations of some new buildings would be similar to the existing buildings. Furthermore, the depth of new foundations would be around 1.6-1.9m below ground level and the assessment found the current groundwater at 1-3m below ground level. Therefore ground water would be unobstructed from the current flow path. Officers consider that the FRA satisfactorily demonstrates that there would be no increased risk of ground water flooding as a result of the development.
- 10.129. In respect of sustainable drainage the Drainage Strategy suggests use of attenuation tanks. These are not generally accepted unless otherwise unavoidable, as they do not provide the wider benefits of SuDS (water quality, amenity, and biodiversity). The amended Drainage Strategy states that the underground attenuation tanks cannot be removed from the design, as there is insufficient space within the landscaping of the site for more sustainable 'green' solutions such as basins, ponds, or wetlands in order to make up the shortfall currently accommodated by underground tanks. However, the amount of landscaped area within the site would suggest otherwise, and if carefully designed would offer solutions to prevent siltation from further lowering discharge rates. It is therefore suggested that a condition is imposed requiring submission of a final drainage strategy with details of revised sustainable drainage methods to enable this to be explored. Subject to the condition the development would accord with policy RE4 of the OLP.

#### **j. Land Quality**

- 10.130. Policy RE9 requires a land quality assessment report where proposals would be affected by contamination or where contamination may present a

risk to the surrounding environment. The report should assess the nature and extent of contamination and the possible impacts it may have on the development and its future users, biodiversity, the natural and built environment; and set mitigation measures to allow the development to go ahead safely and without adverse effect.

- 10.131. It is considered that due to the extent of proposed demolition and development, and previous historical uses of the land, significant depths of made ground are likely to be present which may present a potential contamination risk. As a result, an intrusive ground investigation is required to quantify potential risks to human health and the surrounding environment. The could be secured by conditions requiring a phased risk assessment, submission of a validation report, and details submitted should unexpected contamination be found on site. As such the policy accords with policy RE9 of the OLP.

#### **k. Air Quality**

- 10.132. Improving local air quality, mitigating the impact of development on air quality and reducing exposure to poor air quality across Oxford is key to safeguarding public health and the environment. The whole of the city was declared an Air Quality Management Area (AQMA) in September 2010. Policy RE6 ensures that the impact of new development on air quality is mitigated and exposure to poor air quality is minimised or reduced. Existing and new occupants will be accounted for and any additional negative air quality impacts identified from new development will require mitigation measures to ameliorate these impacts during operational and construction phases. Sensitive uses, such as residential, should be located away from poor air quality areas, be designed to reduce impact and mitigated through air quality measures where necessary. Major developments that carry a risk of exposing individuals to unacceptable levels of air pollution must be accompanied by an Air Quality Assessment (AQA). Where an AQA demonstrates harm to air quality, permission will not be granted unless specific measures are proposed and secured to mitigate those impacts.
- 10.133. The application is accompanied by an AQA which states that current baseline air pollutant concentrations in the area of the proposed development are well within the relevant health-based air quality objectives. On that basis, it is considered that current and future occupants of the proposed development would be exposed to acceptable air quality and the site is deemed suitable for its proposed future use in this respect. The impact from vehicular movements associated the impacts from these vehicles are considered to be negligible. With the removal of old inefficient boilers and replacement with new ones, overall there would be a net reduction in the emissions of NOx. The result of this would be a positive effect on air quality in the region of the proposed development. During construction the emissions from HGVs would be negligible, however dust emissions from demolition pose a medium risk on surrounding highly sensitive receptors and as such measures would be required in order to mitigate the impact. These could be secure by condition requiring a Construction Environmental Management Plan (CEMP). It should be noted that a CEMP would include the requirements of a CMP.

- 10.134. Officers conclude that there would be no negative air quality impacts over current and future receptors as a result of the new development, subject to a CEMP condition, and as such the proposal accords with policies RE6 and RE7 of the OLP.

#### **I. Noise:**

- 10.135. Noise and vibration have a significant effect on amenity and people's health and wellbeing. The management of noise should be an integral part of development proposals and considered as early as possible. Policy RE8 states that planning permission will only be granted for development proposals which manage noise to safeguard or improve amenity, health, and quality of life. Those that generate an unacceptable impact will be refused. Measures to mitigate the impacts of noise and vibration associated with demolition and construction will be secured through Construction Management Plans in line with Policy M2.
- 10.136. The site is located in north Oxford enclosed by the main two roads, Woodstock Road (A4144) and Banbury Road (A4165), which define the West and the East limit of the site respectively. To the north and south the site is bounded by residential houses on Staverton Road and Rawlinson Road, respectively. The noise environment at the site is dominated by traffic on Banbury Road and Woodstock Road. It is otherwise a relatively quiet site.
- 10.137. A revised Noise Impact Assessment (NIA) by Max Fordham has been submitted with the application. Noise effect level categories for the project have been defined for each noise source with reference to Planning Practice Guidance (Noise) and relevant good practice guidance documents. The report presents the findings of an environmental noise survey of the existing noise levels on the site and considered proposed plant against this background level. From the submitted documentation and assessments the overall assessment of noise impact resulting from the development would be a "low impact" on existing neighbouring properties. Mitigation measures are suggested within the NIA.
- 10.138. It is considered that the general aspects of the development that are anticipated to produce significant levels of activity noise are the nursery playground, the Student Gym and the Student Common Space. Of these, the Gym and Common Space are likely to pose the most onerous requirement in terms of noise break-out due to their proximity to Fairfield Residential Home, particularly if there is any amplified music. It is expected that these spaces would be mechanically ventilated and cooled and the external doors and windows could be kept closed to contain sound. Noise level could be mitigated through measures for loud speaker and exercise equipment, secured by condition.
- 10.139. In respect of potential noise from the nursery playground. The external play area adjoins Nos.100 and 94 Woodstock Road, at the far end of their rear gardens and not the outdoor space immediately outside the rear of the dwellings. As such, the external play area will be separated from the area of the garden likely to be most intensively used by residents. In addition the

boundaries to Nos.100 and 94 Woodstock Road are formed by high brick walls and both gardens have trees within the gardens at the rear. The large mature walnut trees to the rear of the nursery would be retained. Nurseries are considered to be an accepted use within residential area. It is acknowledged that there would be a degree of noise at certain times and periods during the working week when the playground is used. In this case it is considered that the degree of separation from the playground, high walls and trees within gardens would mitigate some of this noise. Further mitigation measures could be put in place within the management operation strategy of the nursery to further limit noise should this be necessary. Break out noise from the building itself could be mitigated by noise attenuation measures.

10.140. Given the location of the site, the demolition and construction works should be carried out in a controlled manner as significant noise, dust and vibration issues may be caused during construction and these should be addressed by the applicant prior to any works being carried out on site. This could be secured through a CEMP condition.

10.141. Officers agree with the assessment and mitigation measures within the NIA. Conditions are suggested should permission be granted to secure mitigation measures including the design details of the building and structures, noise emission restriction levels from plant, machinery and equipment; mitigation measures for loud speaker and exercise equipment. Subject to these conditions the proposal would accord with policy RE8. Mitigation measures during construction including hours of working would be imposed through a CEMP and as such it would also accord with policies RE7 and M2 of the OLP.

**m. Archaeology:**

10.142. Policy DH4 states that within the City Centre Archaeological Area, on allocated sites where identified, or elsewhere where archaeological deposits and features are suspected to be present (including upstanding remains), applications should include sufficient information to define the character, significance and extent of such deposits so far as reasonably practical within a Heritage Assessment and, if applicable, a full archaeological desk-based assessment and the results of evaluation by fieldwork.

10.143. Development proposals that affect archaeological features and deposits will be supported where they are designed to enhance or to better reveal the significance of the asset and will help secure a sustainable future for it. Proposals which would or may affect archaeological remains or features which are designated as heritage assets will be considered against the policy approach in policy DH3.

10.144. Archaeological remains or features which are equivalent in terms of their significance to a scheduled monument are given the same policy protection as designated heritage assets and considered against policy DH3. Proposals that will lead to harm to the significance of non-designed archaeological remains or features will be resisted unless a clear and convincing justification through public benefit can be demonstrated to

outweigh that harm, having regard to the significance of the remains or feature and the extent of harm. Where harm to an archaeological asset has been convincingly justified and is unavoidable, mitigation should be agreed with Oxford City Council and should be proportionate to the significance of the asset and impact.

10.145. An archaeological desk based assessment was submitted with the application. The limited results from previous trenching on part of the proposed building footprint at this site (undated features, ridge and furrow remains) has been noted. The wider site has general potential for prehistoric and Roman activity on the Summertown Radley gravel terrace with a poorly defined Roman cemetery located just to the south-west.

10.146. Given the site constraints it is considered that a condition could secure targeted trial trenching followed by further mitigation as appropriate, with the work targeted on the new footprints that have not previously been investigated (i.e. the Staverton Villa, Nursey and Woodstock Pavilion sites). As such it would accord with policy DH4 of the OLP.

**n. Energy Efficiency:**

10.147. Policy RE1 states that planning permission will only be granted where it can be demonstrated that sustainable design and construction principles have been incorporated. In respect of carbon emissions the policy requires for major developments at least a 40% reduction carbon emissions from a 2013 Building Regulations (or future equivalent legislation) compliant base case. This reduction could be secured through on-site renewable energy and other low carbon technologies and/ or energy efficiency measures.

10.148. An Energy Statement has been submitted with the development. The development would have a fabric-first approach to minimise heat loss. Mechanical ventilation with heat recovery is proposed in order to minimise space heating loads. Air source heat pumps will provide domestic hot water. These measures ensure that the overall carbon emissions associated with the buildings are very low and will achieve more than 40% reductions in carbon emissions compared to a gas-fired part L compliant baseline.

10.149. It is considered that the Energy statement demonstrates compliance with the new Local Plan target of 40% carbon reduction relative to the minimum requirements of the current Building Regulations in accordance with policy RE1. A condition should be imposed on any permission requiring the development to be built in accordance with the approach and measures set out in the Energy Statement.

**o. Lighting;**

10.150. Neighbours have raised concern about lighting and the impact on their gardens. The College has confirmed that lighting would be kept to a minimum, and low luminance. In particular small lights to light footpaths and lights at entrance doors. It is not their intention for this to be a brightly lit campus and they are aware of neighbours' concerns and biodiversity implications (foraging



bats). A condition securing further details of the lighting to ensure amenities and biodiversity would not be adversely affected could be imposed on any permission. As such the development would accord with policies RE7 and G2 of the OLP.

**p. Other matters**

10.151. Concern has been raised by residents that the café would adversely impact on the Summertown district shopping centre. The café would principally be for use by University College students residing on the site and by others from the College and University. The intent is for it to be operated as a student cafeteria with subsidised prices and with a view to providing nutritious meals for students on the site of their accommodation. The College also state that the café will not be advertised nor will it seek passing trade as it is not open to the public. FRH and the nursery may use it as part of the multi-generational site strategy however. Access to the café would be controlled via the Porter's Lodge and internal security gates. The café would perform a different function to that of another publicly accessible café (under use class A3). Summertown has a diverse and varied provision of shops, restaurant and cafes and takeaways. This ancillary use would not significantly compete with these existing uses in Summertown. In fact the additional students on site could be said to enhance the viability of Summertown rather than detract from it because there would be potentially more people visiting Summertown than otherwise. As such it is considered that the development would not harm the viability of the Summertown District Centre and it would not be reasonable or necessary in this case to restrict the use and operation of the café.

**q. Planning obligations**

10.152. It is considered that the travel plan monitoring contribution and financial sum toward amending the TRO could be secured through a unilateral undertaking and given the small sums involved, this could be done directly between the County Council and Applicant.

**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.

- 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 a nursery for University College Oxford, and the University of Oxford also. It would provide unique multi-generational living for students, elderly and nursery age children. Officers consider that would be of high quality design that appropriately responds to the site and surroundings. The significance of the conservation area has been understood and the development would preserve and enhance the conservation area in general, except in one certain location. Here it is considered that harm to the NOVSCA would result in a low level of less than substantial harm. It is also considered that the higher level of public benefits of the development would outweigh the harm in this case namely: contributing towards the provision of housing, providing student accommodation on College land thereby releasing housing to the general market, high quality architecture, a unique multi-generational community, positive enhancements to the NOVSCA through re-instatement of front gardens, Victorian tree planting and removal of poor quality architecture. The development has been carefully designed so that there would be no adverse impact on neighbouring residential amenities.

11.5. Whilst there would be a large number trees removed and a loss of tree canopy cover and ecosystem services it provides, it is considered that this loss would be adequately mitigated by new tree planting and the comprehensive high quality landscape scheme that would diversify the age class structure and species mix of trees, bringing resilience and sustainability to tree canopy and enhance the character of the NOVSCA, would represent a very small fraction of the entire Tree Canopy Cover of the City and the ecosystem services it provides. There would be a net gain in biodiversity and no harm to any identified protected species. The development would be of sustainable design and construction principles achieving a 40% carbon reduction requirement. There would be no adverse flood risk & drainage, land contamination or air quality impact.

11.6. There would be a significant reduction in car parking and adequate cycle parking, there would be no harm to the highway network. Recognising that the Nursery would be principally for Univ and University of Oxford and proposed operation and management strategies that would be put in place, it is considered that there would be no significant adverse impact on the highway and on street parking. There would be no adverse impacts as a result of the student accommodation proposed. Adequate cycle parking would be provided across the site.

11.7. 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. Policy SR1 of the OLP 2036 repeats this.

- 11.8. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF and policy SR1 for the reasons set out within the report. Therefore in such circumstances, planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 11.9. 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 Local Plan 2016-2036, when considered as a whole, and that there are no material considerations that would outweigh these policies.
- 11.10. 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 Services) of a legal agreement or unilateral undertaking under section 106 of the Town and Country Planning Act 1990 and other enabling powers and subject also to the conditions in section 12 below.

## **12. CONDITIONS**

:

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

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

2. Subject to conditions requiring updated or revised documents submitted with the application, the development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy SR1 of the Oxford Local Plan 2016-2036.

3. Prior to the commencement of each phase of development in accordance with the approved Phasing Plan excluding demolition and enabling works a schedule of materials together with samples of the exterior materials to be used shall be submitted to and approved in writing by the Local Planning

Authority before the start of work on the site above ground and only the approved materials shall be used unless otherwise agreed in writing by the Local Planning Authority.

Samples panels of all exterior materials shall be constructed and made available to view on site prior to commencement of each relevant phase above ground.

Reason: To ensure high quality development and in the interests of the visual appearance of the North Oxford Victorian Suburb Conservation Area in which it stands in accordance with policies DH1 DH3 of the Oxford Local Plan 2016-2036.

4. Prior to commencement of each phase of development in accordance with the approved Phasing Plan including demolition and site clearance a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the following matters:-

- the routing of construction and demolition vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
- access arrangements and times of movement of construction and demolition vehicles (to minimise the impact on the surrounding highway network),
- times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
- hours of working;
- travel initiatives for site related worker vehicles;
- signage for construction traffic, pedestrians and other users of the site;
- piling methods (if employed) and controls on vibration;
- earthworks;
- hoardings and security fencing to the site;
- noise limits;
- control of emissions;
- Dust mitigation measures including the medium risk site specific dust mitigation measures identified in the IAQM Guidance on the assessment of dust from demolition and construction (pages 24-27);
- waste management and disposal, and material re use;
- wheel cleaning / wash facilities to prevent prevention of mud / debris being deposited on public highway;
- contact details of the Project Manager and / or Site Supervisor;
- layout plan of the site;
- materials storage including any hazardous material storage and removal.
- Engagement with local residents and neighbours

The approved Construction Environmental Management Plan shall be implemented accordingly throughout the demolition and construction period.

Reason: In the interests of the amenities of neighbouring occupiers, in accordance with the results of the dust assessment and policies RE1, RE6, M1 and M2 of the Oxford Local Plan 2016-2036.

5. No development related works for either phase of the development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Prehistoric and Roman remains in accordance with Policy DH4 of the Oxford Local Plan 2016-2036.

6. Prior to the commencement of each relevant phase of the development 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 and approved in writing by the Local Planning Authority:

Phase 1 shall incorporate a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model and preliminary risk assessment. If potential contamination is identified in Phase 1 then a Phase 2 investigation shall be undertaken.

Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals.

Phase 3 requires that a remediation strategy, validation plan, and/or monitoring plan be submitted to and approved in writing by the Local Planning Authority to ensure the site will be suitable for its proposed use.

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

7. Neither phase of the development shall be occupied until any approved remedial works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

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

8. Any contamination that is found during the course of construction of either phase of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

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

9. Each phase of the development shall be implemented in strict accordance with the approved Energy Statement. Prior to the full occupation of each phase of the development evidence shall be submitted to the Local Planning Authority to confirm that the energy systems have been implemented according to details laid out in the approved Energy Statement to achieve the target performance.

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

10. Prior to the commencement of the development as a whole or each relevant phase of the development, a finalised drainage strategy for the site shall be submitted to and approved in writing by the Local Planning Authority. This shall take into account comments by the Lead Flood Authority and include Sustainable Drainage. The approved strategy shall be implemented within each phase of the development and thereafter retained.

Reason: To avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policy RE 2 of the Oxford Local Plan 2016-2036.

11. Prior to first occupation of each phase of the development as set out on the approved phasing plan, a Sustainable Drainage (SUDs) Maintenance Plan (SDMP) shall be submitted to and approved in writing by the Local Planning Authority. The SDMP must be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics and shall provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function in perpetuity. The approved SDMP shall be implemented prior to occupation of each phase and shall thereafter be maintained in accordance therewith unless otherwise agreed in writing by the Local Planning Authority.

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

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

The approved Biodiversity CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: The prevention of harm to species and habitats within and outside the site during construction in accordance with Policy G2 of the Oxford Local Plan 2016-2036.

13. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to occupation of each phase of the development. It shall include the following:
- Description and evaluation of features to be managed;
  - Ecological trends and constraints on site that might influence management;
  - Aims and objectives of management;
  - Appropriate management options for achieving aims and objectives;
  - Prescriptions for management actions;
  - Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
  - Details of the body or organization responsible for implementation of the plan; and
  - Ongoing monitoring and remedial measures.
14. The Landscape and Ecological Management Plan (LEMP) shall also include details of the mechanism(s) by which the long-term implementation of the plan

will be secured by the developer with any relevant management body(ies) responsible for its delivery. Long-term management shall be for a minimum of 20 years. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details upon first occupation of the development.

Reason: The prevention of harm to species and habitats within and outside the site Policy G2 of the Oxford Local Plan 2016-2036

15. In accordance with paragraph 4.12 of the Preliminary Ecological Appraisal Report produced by GS Ecology (December 2019) and Bat Conservation Trust Guidelines (2016), any tree with potential to support roosting bats shall be inspected prior to removal by a licenced ecologist. A precautionary soft-fell approach shall then be undertaken.

The protected species and habitat surveys shall be considered valid for a period of no more than twelve months from the date of completion. Any survey that has expired prior to any tree works within either phase of development take place shall be re-surveyed and the surveys submitted to and approved in writing prior to works commencing.

Reason: To comply with the requirements of the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017, Protection of Badgers Act 1992 and Wildlife and Countryside Act 1981 (as amended).

16. Prior to the commencement of development as a whole or each relevant phase of development, a scheme of ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme will include confirmation of landscape planting of known benefit to wildlife, including nectar resources for invertebrates. Details shall be provided of artificial roost features, including bird and bat boxes, and a minimum of 10 dedicated swift boxes. Other features, such as hedgehog domes and invertebrate houses shall be included. Any new fencing will include gaps for the safe passage of hedgehogs. The ecological enhancements shall be incorporated into the scheme and be fully constructed prior to occupation of the each relevant phase of the development and retained as such thereafter.

Reason: To comply with the requirements of the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017, Wildlife and Countryside Act 1981 (as amended) and Policy G2 of the Oxford Local Plan 2016-2036.

17. Prior to occupation of each phase of the development, a lighting design strategy for buildings, features or areas to be lit shall be submitted to and approved in writing by the Local Planning Authority. No lighting shall be



directed towards existing or new vegetation. All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy, and these shall be maintained thereafter in accordance with the approved strategy. No other external lighting shall be installed without prior written consent from the Local Planning Authority.

Reason: In the interests of residential amenity and to comply with the requirements of the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017, Wildlife and Countryside Act 1981 (as amended) and Policies RE7 and G2 of the Oxford Local Plan 2016-2036.

18. Subject to condition 20, the student accommodation hereby permitted shall only be occupied by full time students attending courses of one academic year (or 51 weeks where one week is designated for cleaning, maintenance and decoration) or more at an academic institution in Oxford, and by no other person or persons; where the duration of a student lease is shorter than a full academic year, the weekly rent shall be equivalent to the weekly rent for a student lease of 52 weeks (or 51 weeks where one week is designated for cleaning, maintenance and decoration). The accommodation shall be occupied in accordance with the details submitted unless otherwise agreed in writing by the Local Planning Authority. The residential accommodation shall be occupied as student accommodation or as short term occupation only and shall not be occupied as residential dwellings.

Reason: For the avoidance of doubt. The proposed development has been designed for the specific principle use as student accommodation. It is not suited to other residential uses without substantial alterations given the limited internal space per unit and lack of amenity space to comply with policy and in accordance with Policy H8 of the Oxford Local Plan 2016-2036.

19. During term time the development hereby permitted shall be used for student accommodation as specified in the submitted application and for no other purpose without the prior written approval of the Local Planning Authority. Outside term time the permitted use may be extended to include accommodation for cultural and academic visitors and for conference and summer school delegates. The buildings shall be used for no other purpose without the prior written approval of the Local Planning Authority.

Reason: To avoid doubt and to allow the Local Planning Authority to give further consideration to other forms of occupation which may result in the loss of student accommodation in accordance with Policy H8 of the Oxford Local Plan 2016-2036.

20. 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 in writing by the Local Planning Authority. The study bedrooms shall only be let on tenancies

which include that clause or any alternative approved in writing by the Local Planning Authority.

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

21. Prior to occupation of the development, a finalised 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 shall be submitted to and approved in writing by the Local Planning Authority in advance of the 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.

22. Notwithstanding the submitted Travel Plan, prior to first occupation of the either phase of the development hereby permitted, a finalise Travel Plan for the whole of student accommodation and ancillary facilities shall be submitted to and approved in writing by the Local Planning Authority. The accommodation shall thereafter operate in accordance with the approved 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.

23. Notwithstanding the submitted Travel Plan and Nursery Information Pack, prior to first occupation of the nursery hereby permitted, a finalised Travel Plan for the nursery and finalised travel information pack shall be submitted to and approved in writing by the Local Planning Authority. The nursery shall thereafter operate in accordance with the approved Travel Plan and all parents shall be given an information pack on acceptance of their nursery place.

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.

24. The development hereby permitted shall not be occupied until the Order governing parking on roads in the immediate vicinity of the site has been varied by the Oxfordshire County Council as highway authority to exclude the site, subject to this permission, from eligibility for residents' parking permits and residents' visitors' parking permits unless otherwise agreed in writing by the Local Planning Authority.

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

25. The cycle and car parking relevant to each phase of the development hereby approved shall be implemented prior to occupation in accordance with the approved plans including the electric vehicle charging points (and relevant infrastructure) and shall be retained for those purposes at all times thereafter.

Reason: To ensure adequate cycle parking provision and a reduction in car parking in accordance with M3 M4 and M5 of the Oxford Local Plan 2016-2036.

26. Notwithstanding the submitted car parking layout, prior to commencement of development a revised car parking layout to address the County Council's comments shall be submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall be implemented prior to occupation in accordance with the approved plan including the electric vehicle charging points (and relevant infrastructure) and shall be retained for those purposes at all times thereafter.

Reason: To ensure a reduction in car parking in accordance with M3 and M4 of the Oxford Local Plan 2016-2036.

27. Prior to first occupation of the development details of security measures including CCTV and external lighting shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be installed prior to occupation and thereafter retained.

Reason: In the interest of Secure by Design, Community Safety and neighbouring amenities in accordance with Policies RE7 and DH1 the Oxford Local Plan 2016-2036.

28. The development shall not be occupied or used until confirmation of Secure By Design accreditation has been received by the Local Planning Authority.

Reason: In the interest of Secure by Design, Community Safety and neighbouring amenities in accordance with Policy DH1 of the Oxford Local Plan 2016-2036.

29. The cafe shall be ancillary to the student accommodation use of this site and shall not be open to trade to members of the public or advertise as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid doubt.

30. A tree canopy cover assessment of the trees on site shall be undertaken by a competent arboriculturalist appointed by the applicant at 10 and 20 years from the date of completion of each phase of development and shall be submitted

in writing to the Local Planning Authority for written approval. Should the canopy cover achieved at either of these intervals be demonstrably (25% or less) below that which is set out within the approved Supplementary Tree Canopy Cover Loss and Gain Analysis prepared by FLAC dated January 2020, additional tree planting proposals shall be submitted in writing to the Local Planning Authority for written approval, and shall be implemented thereafter in accordance with a planting timescale to be agreed in writing by the Local Planning Authority.

Reason: To secure the tree canopy mitigation policies in accordance with G7 and G8 of the Oxford Local Plan 2016 – 2036.

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

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

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

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

33. 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 with G7 and G8 of the Oxford Local Plan 2016 – 2036.

34. 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 accordance with policies G7 and G8 of the Oxford Local Plan 2016 – 2036.

35. Notwithstanding the submitted Arboricultural Method Statement (AMS), a finalised AMS for each phase of the development or development as a whole, 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 G7 and G8 of the Oxford Local Plan 2016 – 2036.

36. Notwithstanding the submitted Tree Protection Plan (TPP), a finalised TPP for each phase of the development, shall be submitted to and approved in writing by the Local Planning Authority (LPA) prior to the commencement of each phase of the development. 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. The development shall be carried out in strict accordance with the approved tree protection measures contained within the approved Tree Survey and Arboricultural Method Statement unless otherwise agreed in writing by the Local Planning Authority.

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

37. Development shall not begin on any phase of the development 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 G7 and G8 of the Oxford Local Plan 2016 – 2036.

38. Prior to occupation of the nursery, an Operation and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. It shall include details of nursery place admissions with a restriction preventing those members of the public who do not live within a short walking/ cycle distance of the nursery from gaining places, and how drop off/ pickup will be managed in accordance with the submitted Transport assessment

Reason: To prevent additional adverse impact on parking in the area and highways safety in accordance with policies RE7, M1 and M2 of the Oxford Local Plan 2016 – 2036.

39. The proposed nursery access shall be restricted by a controlled bollard or barrier which shall only be lowered for disabled users and deliveries (outside of peak times). This shall be implemented and operational prior to first occupation and shall remain in place for the duration of the buildings use as a nursery. The nursery shall ensure staff are properly trained in the use of the bollard and traffic management to ensure parents do not stop on Woodstock Road. Nursery staff shall not have use of the parking area for their own cars.

Reason: In the interests of highway safety and the efficient operation of the public highway in accordance with policies RE7, M1 and M2 of the Oxford Local Plan 2016 – 2036.

40. Prior to occupation of the nursery, a finalised Delivery and Service Management Plan shall be submitted to and approved in writing by the Local Planning Authority stating the size and frequency of service and delivery vehicles accessing the site for the different uses. These must not take place between the peak hours of 07:30-09:30 or 16:30-18:30 and must show the loading, parking and turning areas that they will use within the site.

Reason: To mitigate the impact of delivery vehicles on the highway network at peak times in accordance with policies RE7, M1 and M2 of the Oxford Local Plan 2016 – 2036.

### **13. APPENDICES**

- **Appendix 1** – Two letters from ODRP
- **Appendix 2** – Sections through the site

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

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

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

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

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## CONFIDENTIAL

Andrew Grant  
University College,  
Oxford, OX1 4BH  
United Kingdom

8<sup>th</sup> August 2019

Our reference: DCC/1041

### **Oxford County Council: University College**

Dear Andrew Grant,

Thank you for providing the Oxford Design Review Panel with the opportunity to advise on this proposal at the Oxford Design Review Panel (ODRP) Review on 25<sup>th</sup> July 2019.

#### **Summary**

In 2014 Design Council reviewed a joint proposal for a smaller section of the Fairfield Homes and University College site which included the proposal for student accommodation for University College and the now built Fairfield Homes.

Since that time University College has re-evaluated their proposal which now seeks to expand the vision, brief and site boundary. We support the proposal of a single vision for the College's Banbury/Staverton/Woodstock Road site as it sets up a framework for development ensuring that future growth contributes to a broader vision for North Oxford and strong sense of place. This site is an excellent opportunity for University College to deliver a high-quality, community-driven place that also contributes to the character of the North Oxford Victorian Suburb Conservation Area. We recognise that University College has the ambitions to deliver a scheme with these attributes and is actively seeking to contribute to the legacy of Oxford.

Whilst we support the bringing forward of a single masterplan, the overall approach – site layout, landscape and architecture - requires further development. We think the scheme is not yet sensitively integrated in this quaint, green and historical setting for a few key reasons. Firstly, it is being developed in the absence of a detailed assessment of the conservation area which would assist in clarifying the complex relationship between the physical and natural assets and key views on and around the site. Secondly, the proposed density of student accommodation appears to overload this site, in terms of building mass and potentially height. Thirdly, some existing buildings outside the remit of this brief present site layout challenges which this scheme must work harder to mediate.





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In terms of the current design approach, we welcome the initial landscape analysis and treatment, but think more work needs to be done to make the site more legible and navigable for its users. The blanket treatment across the site through repetitive buildings adds to the unclear spatial and movement hierarchy and would benefit from further articulation based on its uses, context and orientation. Finally, the integration between the mix of users of this site, namely students and the elderly, has major potential for this scheme and Oxford, but requires much more consideration in the design approach.

### **Juxtaposition of Users and Uses**

The shared elderly care, student accommodation and nursery site provide an exceptional opportunity to create a multi-generational community that is enriched by its diversity of demographics. Whilst we recognize the specific needs of these user groups, the day-to-day movements and activities of these groups do not appear to be well thought through, for instance in terms of entrances, safety, access and shared spaces. We encourage the design team to actively find opportunities for cross-over activities and spaces, key routes and outdoor furniture. We also urge the team to consider how staff will use the site, ensuring they have access to amenity and designated high-quality spaces consider to also ensure their health and well-being and create a more desired community orientated place.

### **Heritage & Wider Context**

Any development within the North Oxford Victorian Suburb Conservation Area needs to be led by the onsite and surrounding heritage assets notably open spaces, trees, key views and buildings of historical significance. Over time the site has become cluttered with additions to buildings, boundary walls that impede permeability and way finding and ad hoc placement of carpark and servicing spaces. We support the striping away of some of this clutter to increase clarity across the site. In this regard, we think the proposed removal of the more recent building additions to the Victorian buildings along Banbury Road are sound. It is our view that Redcliffe Maud House is of a special character. We therefore encourage the project team to conceive of and treat it in the way a listed building would be treated in the event of it being listed in the future. In developing the masterplan further we encourage the design team to consider carefully the characteristics of each building's site which might in turn inform shifts in orientation, scale and architecture, responding better to the immediate context.

This proposal should be informed by the policy context for the North Oxford Victorian Conservation Area, but also set out exactly what and why particular moves have been made to address the special characteristics of this site. The three different character areas in policy – Banbury Road, Woodstock Road and the garden area in between the two – should begin to inform the site layout and architectural approaches, suggesting different character areas, building styles and open spaces across the length of the site.





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### Masterplan

A great deal of landscape analysis has informed the current proposal. The retention and celebration of key trees as well as buildings creates a strong basis for the placemaking qualities of the site. We encourage the project team to use this analysis to develop a more robust landscape vision for the future site with stronger lines of axes for views and wayfinding that better defines the site layout, buildings and open spaces.

Convoluting and unintuitive movement routes combined with non-hierarchical open spaces and buildings and entrances are creating poor legibility across the masterplan. Many of the proposed open spaces are largely similar in size/use/type creating a sense of sameness across the site. This condition is exasperated by the repetitive 'villa' buildings which have the same architectural language, scale and perpendicular orientation. Currently the open spaces appear as gap spaces between buildings rather than carefully considered, useable and programmable public realm. The architecture should frame, and support public uses not define them. In developing the open spaces, we encourage the design team to think more carefully about how they will be used and how their design could foster community.

We are not convinced that the Banbury - Staverton Road route is the primary, desired path and subsequently question whether it should act as the main route. The movement between Redcliffe Maud House - Terrace Villa - Staverton Road does not appear intuitive and this right-angled, pathway route compromises the overall strategy of a series of open spaces linking movement across the site. Whilst we recognise that the team intends there to be a main route through the centre of site, it is currently compromised and redirected around buildings, contradicts intuitive movement lines and does not appear central in the masterplan. Notably the proposed path from Banbury Road awkwardly abuts the Water Court East Villa which weakens the importance of this path. We encourage the team to refine and potentially relocate this route and develop its character as a 'main street' to provide a clear journey through the site. The architecture could help facilitate this; one option discussed at the review was to draw the route through the buildings. There are also three separate, potentially interchangeable, entrances from Banbury Road and the design does not currently determine a hierarchy and a clear 'main entrance'.

We are not currently convinced of the value and necessity of the bike path at the south of the site. It appears likely to impact the existing vegetation and tree roots, quality of surrounding spaces and the permeability benefits are limited as the path is only for use for onsite residents. If the bike path is to provide students with the ability to bring and park their bikes as close to their dwelling as possible we are not sure a designated path is necessary. One alternative is to remove the bike path and instead encouraging cyclist to dismount at the edges of the site and walk their bike along the central route to their building. This will also assist in centralising movement and activity on site.





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### **Building impediments**

We recognise that some of the existing buildings on the site create a series of awkward spaces and juxtapositions of buildings and uses that can be difficult to resolve. Given the Fairfield Residential Home is essentially an island within the College site it is essential that these issues of disconnection and isolation are mitigated as much as possible and the daily life of those residents embraced into the College masterplan. Currently the masterplan is not working hard enough to address the issues and at times emphasising them. For example, the layout of the entrance to Fairfield Residential Home, servicing and carpark spaces and Walnut Court Villa which includes the student Café appears disparate and the uses in conflict with one another. We encourage the team to better address and manage the range of conflicting uses in this space through the design.

The layout of the Staverton Road entrance and spaces surrounding the nursery may not be able to act as pick-up/drop off, facilitate servicing and provide a secondary entrance to the wider site as is being proposed. Given the size of this space and frequency of proposed use, we think that this space is being asked to do too much and will be inevitably overloaded. A key obstacle to resolving this part of the masterplan is the Fairfield Residential Homes managers' house. Its location and adjacent carpark bring into question how efficiently the space is used and how well it is integrated with the wider masterplan through the movement strategy. There are potential solutions to this issue, for example, acquiring the property, reconsidering the use and function of the spaces to the north and south as a potential open space or refining the key movement route between Banbury - Staverton Road. We encourage the design team to ensure the proposal does not inhibit future development, particularly in the event of changes in land ownership.

The nursery use is greatly needed for both college and public use and we encourage the project team to continue their endeavor to deliver it. The design of the nursery building and spaces, however, was not presented in detail and subsequently we are unable to provide detailed comment. Based on the initial proposal, we think a slightly taller building would be more suitable to better reflect the heights of the surrounding existing buildings. A single-story proposal may not be appropriate in this location. We encourage the design team to use the upcoming analysis of the nursery use to understand how parents and children will arrive. If, as is typical across Oxford, many users will arrive on bike then the proposal is not currently providing sufficient space for this drop-off/pick-up to safely and comfortably occur.

### **Massing and Scale**

The current configuration and massing of the proposed buildings appear to overload the site and is a possible indication that the quantum of development is too high, especially for the North Oxford Victorian Suburb Conservation Area. The buildings appear bulky in their proportions and dominate the surrounding open space, appearing uneasy in their context. Notably the proposed four gables are uncharacteristic of the conservation area with most buildings in the surrounding area having either two or three. We encourage the





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design team to use their existing and upcoming analysis of the conservation area to understand common open-to-built spatial relationships as well as scale of the urban fabric.

The Woodstock Road Villa appears oversized for its proposed location and compressed within two boundaries. The north-south orientation between two boundaries walls emphasises this condition and creates additional issues such as the foreshortening of the views from Woodstock Road. The building proposed three storeys is too high for this location. We encourage the design team to fundamentally rethink the Woodstock Road Villa which should include a smaller footprint, decreased height and reconsidered orientation.

The 'Banbury Road Villa' is in our view currently the most successful proposed building as it appears to be responding to the adjacent property in height, footprint and orientation as well as celebrating and emphasising the onsite landscape qualities by wrapping the mature cedar trees.

### **Architectural Language**

A common design language across the buildings can work in this location to create the impressions of a unified place. However each proposed building should respond also to the immediate idiosyncratic characteristics of its surrounding site which will lead to subtle variations in language, articulation, orientation and footprint. For example, the Philip Dowson buildings contrast but successfully a compliment the Redcliffe Maud House.

In general, the repetition and lack of hierarchy creates an overly formal, dominant architectural language across the site which in our view is inappropriate. The repetition of the buildings exasperates this sense of formality. The lack of hierarchy within the architecture of each building makes the fronts and backs of the buildings and their the relationship with adjacent open spaces unclear. Additionally, the blanket architectural language does not capture the various uses within the buildings, specifically the ground floor shared spaces such as the gym and common space. Elements such as the gables are dominant features in the building design and should therefore be more carefully thought through in terms of views and their immediate settings. We welcome the red brick material treatment but suggest that the developed design further informs the material selection.

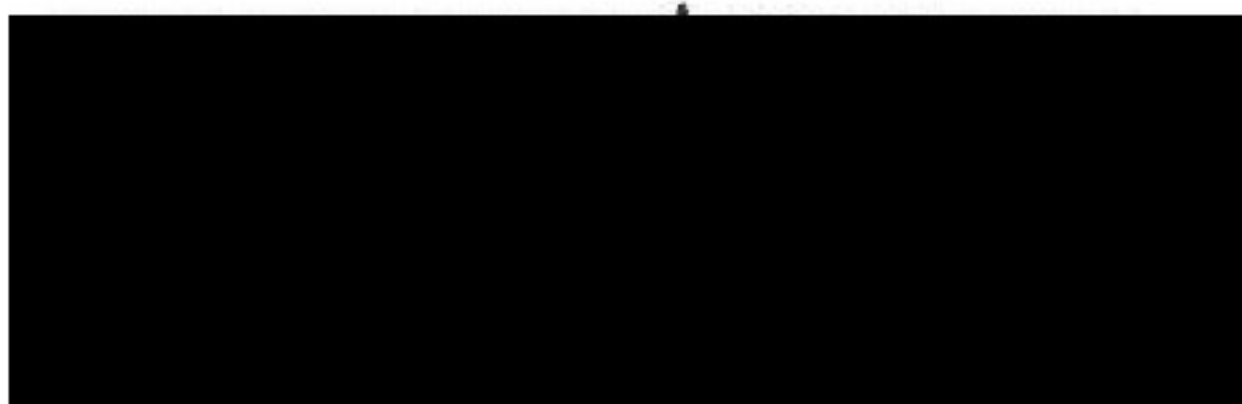
Thank you for consulting us at this stage in the project, and please keep us informed of the progress of the scheme. If there is any point that requires clarification, please contact us.





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Yours sincerely,



**Catherine Horwill**

Design Council Advisor

Email: [Catherine.Horwill@designcouncil.org.uk](mailto:Catherine.Horwill@designcouncil.org.uk)

Tel: +44(0)20 7420 5233

### Review process

Following a site visit, (and) discussions with the design team and local authority, the scheme was reviewed on 27 June 2019 by Mike Hayes (Chair) Maayan Ashkenazi Allison Brooks Jess Bryne-Daniel, Kathryn Davies and Dan Jones. These comments supersede any views we may have expressed previously.

### Confidentiality

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

### Attendees

Dr Andrew Grant

University College, Oxford

Angela Unsworth

University College, Oxford

Tilo Guenther

Níall McLaughlin Architects

Níall McLaughlin

Níall McLaughlin Architects

Kim Wilkie

Nick Paterson-Neild

Barton Willmore

Lorraine King

Barton Willmore

Ali Shaw

Max Fordham

Richard Todd

Bidwells

Felicity Byrne

Oxford City Council

### Design Council

Victoria Lee

Catherine Horwill



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Andrew Grant  
University College,  
Oxford, OX1 4BH  
United Kingdom

15th November 2019

Our reference: DCC/1041

### **Oxford Design Review Panel: University College**

Thank you for providing the Oxford Design Review Panel with the opportunity to advise on the updated proposal for the University College Masterplan at the Design Review on 31st October 2019. This letter supercedes the Design Review letter dated 8 August 2019 following the first review of this scheme on 25 July 2019.

#### **Summary**

The project team has positively and constructively responded to the panel's previous advice and recommendations from the previous review of this important scheme in the North Oxford Victorian Conservation Area. Since the previous review, we recognise the hard work and strategic moves to realise these changes to the scheme. This has resulted in a positive step change in the quality of the emerging project.

The ambition in the supporting letter on Enhancing Community through Inter-generational Interactions and the concept of a social landscape is very welcome. The landscape design and clarification of routes and their hierarchy provide a legible, green framework through which the buildings and their use can emerge. We think that the sensitive reorganisation of the scheme now places all the buildings and routes in approximately the right locations. The nursery is better located as well as the Pavillions (Woodstock and Terrace) to the west of the site. We are also pleased to see that the height, scale, massing and architectural expression of buildings across the site have been greatly improved. We feel that the current design has many strengths in its approach to heritage, which can be illustrated through the heritage analysis and by referencing to this analysis and policy statements to clearly justify the design decisions.

This project has the potential to be an exemplar for a whole new wave of developments coming forward in the North Oxford Victorian Conservation Area. The comments and recommendations below are aspects which can benefit from finetuning and further clarification but should be read in the context that the project is moving in the right direction. We hope that our comments and advice will assist the college, design team and local authority to deliver a project worthy of being such an example.

#### **Social agenda**

We welcome the intergenerational ambition of college's social brief. At this stage, we suggest building on this brief and developing a clear strategy which details how the different users will interact with the site and one another at different times of the day. A light touch social curation could be expressed through an 'operational management plan' in the next phase of design. In the development of this plan, we recommend the design team consults the work of Mathew Kaplan on inter-generational spaces, ageing and place.



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As the residential home is for a less mobile cohort the opportunity for interaction can be accommodated in an informal way. An allotment could provide a space for shared use and interaction. In the development of the landscape design and activation of buildings and open spaces, the design team should also respect the close proximity of care home bedrooms. Thoughtful planning will be required for activities that may spill out into the landscape.

We accept the need for controlled access within the site for a more secure premises but suggest the project team considers the strategy in further detail. For example, to gate off the whole site raises a challenge for balancing access for residents, visitors and the broader community. We question whether there is some benefit in occasionally sharing some of the common spaces (the common room, the cafe etc) with the local community and how this could be safely accomplished. Visitors to the nursery and care home pose a similar security challenge; these guests require access to only specific spaces within the campus but need to be excluded from all other areas. We encourage the design team to explore further possibilities for the architecture and public realm design that helps with these considerations, perhaps through rethinking the security perimeter, or management of the site.

**Landscape**

We welcome the thoughtful reorganisation of the landscape. There is now improved legibility of the east-west pedestrian path. The new cut-throughs, in the gabled villas, promote a strong visual connection across the site. The retention of large specimen trees and many valuable smaller examples, strategy for reinstating the front gardens of the villas, onto Banbury Road and Woodstock Road, and removing the tarmac and low-quality annexes are positive. The reduced car parking will enhance the street frontage to the conservation area. The reduction of staff car parking within the site and introduction a traffic management regime are also positive aspects of the scheme.

We encourage the design team to explore even more opportunities for glimpses that may connect the landscape in a delightful way. We are reassured to hear that parts of the landscape are intended to be less formal. We welcome more vibrant activities, such as a basketball hoop or table-tennis table, possibly on the Gym Lawn, and softening of lines or longer grass elsewhere. We believe that the landscape around the more modernist Philip Dowson buildings and the new pavilions might seek inspiration from more modernist exemplars. This landscape has the potential to be even more lively than the Gym Lawn, so might have a more gardenesque character.

The strategy of 'tree-led sociality' is particularly successful but we lament the loss of one particular tree, located within a circular planter, between the Redcliffe-Maud and Dawson buildings. We are pleased to hear that there are efforts to replant a tree here. As the Redcliffe-Maud building is a key feature of and contributes positively to the existing site, we feel that it could be celebrated a bit more in the current proposal, particularly through landscape design and the arrival sequence.

Whilst we welcome the proposal for different open spaces and complimentary uses, the heart of the site could be even clearer in the landscape design. The triangulation of activities, around Walnut Lawn, works well but we suggest considering in more detail how the social activities throughout the day and year in the Water Court Villas, given their proximity to the Fairfield Residential Home, would work. As such, we suggest the management and detailed design of these spaces should be considered further.



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The sense of arrival to the site could also be enhanced. There is a risk that the routes are still somewhat undifferentiated. The eastern gate posts could offer an opportunity to celebrate the entry into the site. We think that dwelling activity on Walnut Lawn itself, could be strengthened by reconsidering the edge planting.

We support the proposed mowing strategy that avoids a “keep off the grass” regime and the activation of the shallow pool. We encourage the design team to consider how it may also play a role in a rainwater harvesting strategy. In the light of climate change, we suggest considering the need for more shading and tree cover across the site in future. The lawns should be designed and managed to thrive in a climate that will become ever more Mediterranean in character. Furthermore, we recommend vertical greening with wisteria, hydrangeas or the like, to produce comfortable microclimates within the landscape. If balconies are incorporated within the proposals, they could provide the opportunity for the students to occasionally go outside in a more private setting, and can also help to mediate between residential and collegiate uses.

### **Heritage**

We also welcome the rigour and detail of the draft heritage statement and recognise the complexity of the scheme and its response to its historic setting. Whilst we think the scheme positively contributes to its setting, it is not fully clear from the current information how the heritage assessment has informed the design approach. It would be of great benefit to distill this analysis into a simple, clear narrative that is readily legible by a layman and can be presented up-front, as a key part of setting the context to the proposal. We are confident the project team could draw out these correlations as the project is developed towards the planning application.

### **Building design**

Overall, the height, mass and location of the buildings is working well, with the exception of Staverton Villa, which appears a little too bulky for its domestic-scaled plot. We also admire the confidence and quality of the emerging architecture and suggest there are a few areas that could benefit from further thought. Sketch views from ground level could help with the development of the detailed design.

We welcome the asymmetry and the diminished expression of mass of the villas through the use of gables, large bay windows and mansard roofs. The introduction of a rhythm of pointed gables, punctuated with bays and chimneys provides a rich experience and signals the status of the project. We recommend the design team continue to soften and/or balance the visual impact of the gabled roofs in this gardenesque setting in the selection of and/or approach to their materiality and colour palette. The roof design of the Water Court Villas should be further considered in terms of its immediate relationship with Fairfield Residential Home given the change in scale and architecture of these buildings. Introducing informal elements, such as pergolas, could help soften the elevational treatment of the Water Court Villas.

The series of quads introduces greater enclosure and relates better to the finer grain of adjacent back gardens. However, we feel that the articulation of the southern edge of the site would benefit from a bit more thought to ensure the relationship between the proposed new typology, with the surrounding neighbourhood is effectively mediated.

We welcome the architectural approach of the new nursery building, but think that the facade may be a little stark and encourage the design team to make this a more delightful experience for the young cohort. We also recommend the design team to introduce some



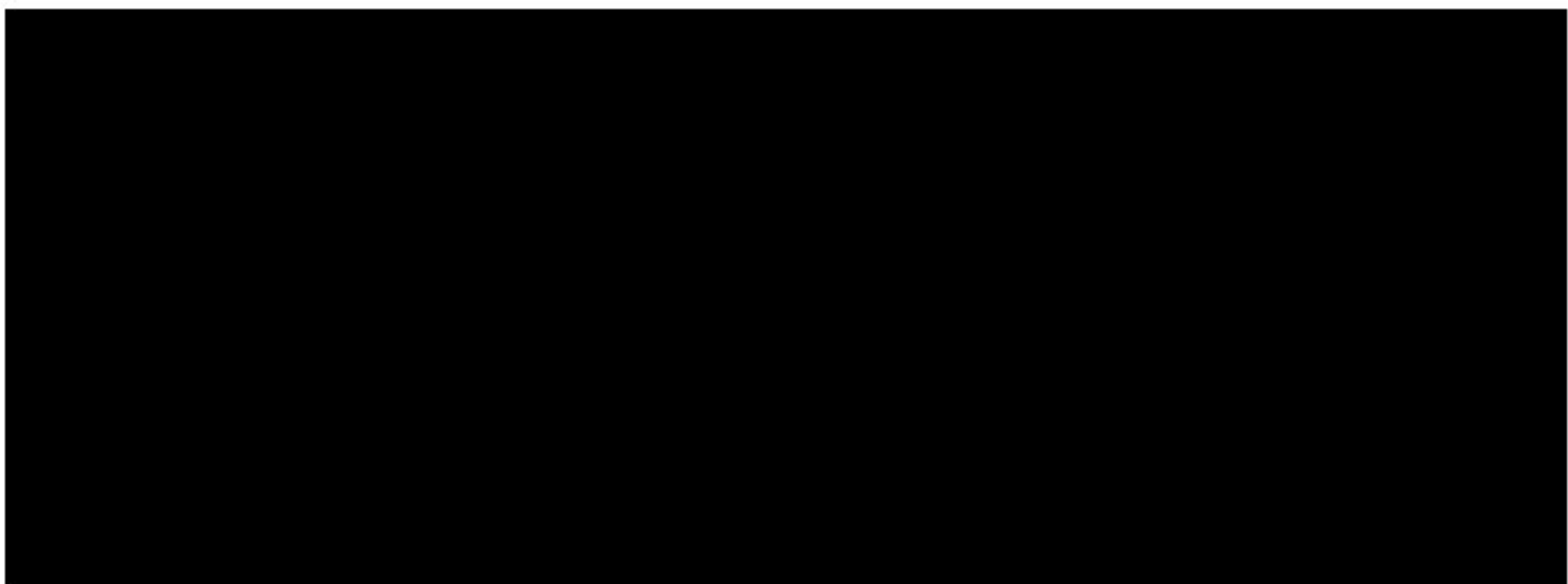


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delightful, dynamic south light into nursery. The close proximity of Water Pavilion is a challenge, since there is an opportunity for overlooking the children’s play space. We feel that this could be addressed in the fenestration, or sensitive programming of the adjacent spaces, within the pavilion.

We think that the pavilions themselves would benefit from further architectural refinement. These pavilions address four different contexts, but all facades have equal weight and treatment. We feel that there is a benefit in introducing some variation in the facades and adjacent landscape design.

Yours sincerely,



**Alan Thompson**  
Advisor  
Design Council  
Email: dc.abe@designcouncil.org.uk  
Tel: +44(0)20 7420 5000

**Review process**  
Following a site visit, discussions with the design team and local authority and a pre-application review, the scheme was reviewed on Dan Jones (chair), Sarah Wigglesworth, Maayan Ashkenazi, Kathryn Davies and Bridget Snaith. These comments supersede any views we may have expressed previously.

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

cc (by email only)

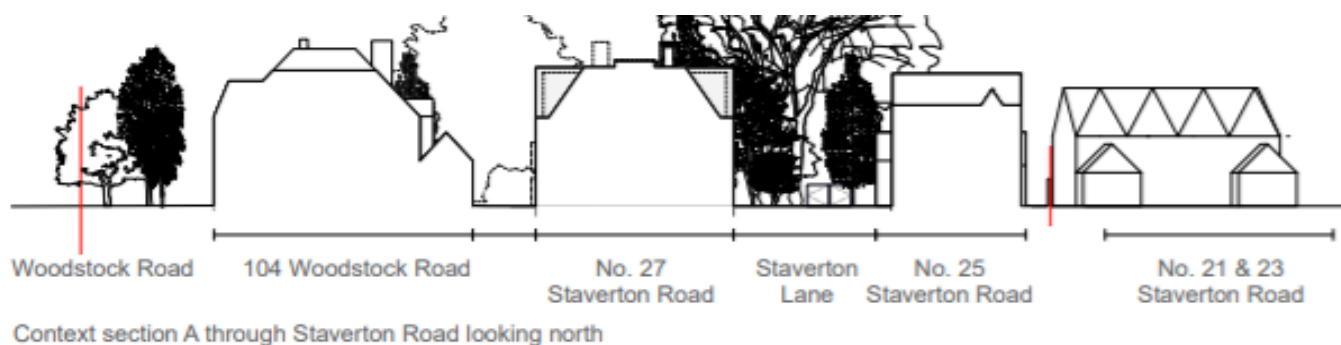
- |                     |                             |
|---------------------|-----------------------------|
| Dr Andrew Grant     | University College, Oxford  |
| Angela Unsworth     | University College, Oxford  |
| Tilo Guenther       | Níall McLaughlin Architects |
| Níall McLaughlin    | Níall McLaughlin Architects |
| Kim Wilkie          | Kim Wilkie Landscape        |
| Nick Paterson-Neild | Barton Willmore             |
| Lorraine King       | Barton Willmore             |
| Ali Shaw            | Max Fordham                 |
| Richard Todd        | Bidwells                    |
| Felicity Byrne      | Oxford City Council         |
| Victoria Lee        | Design Council              |
| Alan Thompson       | Design Council              |



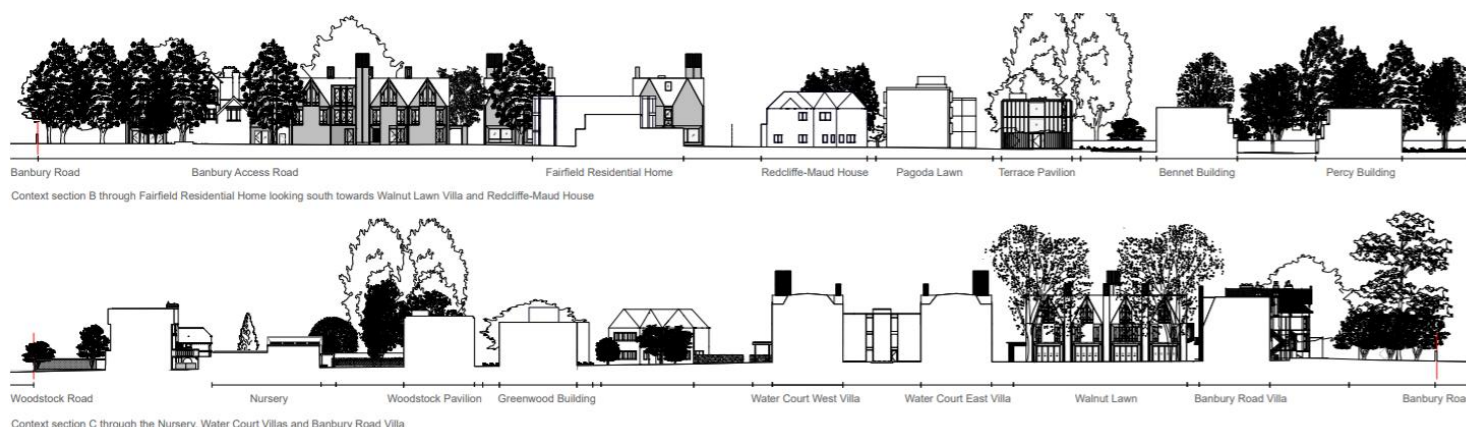
## APPENDIX 2

### Sections through the site showing heights and massing

- a. Section through Staverton Road looking north, showing height and massing of the proposed Staverton Road Villa (No.27)



- b. Section through (Top) from Banbury Road to Woodstock Road showing height and massing of the proposed Walnut Lawn Villa and Terrace Pavilion and;  
(Bottom) Woodstock to Banbury Rd showing height and massing of the proposed nursery Woodstock Pavilion, Water Court Villas and Walnut Lawn Villa.



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## WEST AREA PLANNING COMMITTEE

7th July 2020

**Application number:** 20/00182/VAR

**Decision due by** 25th March 2020

**Extension of time** To be agreed

**Proposal** Removal of condition 7 (Time limit of 6 years from occupation) of planning permission 15/03087/VAR (Variation of condition 7 (Time limit of 3 years) of prior approval 15/00096/PA18 (Application seeking prior approval for development comprising extension to the length of existing north bay platforms, replacement platform canopies, new re-locatable rail staff accommodation building and reconfiguration of short stay and staff car parking under Part 11 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.)) to allow the approved TOC accommodation building to remain permanently.(amended description)

**Site address** Oxford Railway Station , Park End Street, Oxford, OX1 1HS – see **Appendix 1** for site plan

**Ward** Jericho And Osney Ward

**Case officer** Robert Fowler

**Agent:** N/A **Applicant:** Mr Ian Wheaton

**Reason at Committee** The application is before the committee because the previous decision to grant planning permission for the building was approved at committee (15/00096/PA11); this application represents a significant amendment to that 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 Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of

Planning Services considers reasonably necessary

## **2. EXECUTIVE SUMMARY**

- 2.1. This report considers an application to remove Condition 7 of the planning permission that granted the development of the existing temporary train operating company accommodation building (referred to as the 'TOC Building') (reference 15/03087/VAR) which would allow it to be retained for a period of more than six years from occupation.
- 2.2. The aforementioned application 15/03087/VAR was itself a variation of the original permission 15/00096/PA11; an application for prior approval to carry out various improvement works focused on the north-eastern side of the station site that facilitated the delivery of East West Rail Phase I works (formerly referred to as Evergreen 3). The development of the associated track improvements, platform extensions and demolition of previous buildings on the site allowed for the running of services from Oxford to London Marylebone which commenced in December 2016.
- 2.3. The TOC building is in situ and has been occupied since July 2019. The building is a rectangular, two-storey, flat roofed, re-locatable building providing a gross internal area of 1400m<sup>2</sup> for TOC accommodation and food processing space for the three catering companies operating at the station. It is a modular construction with footprint of some 56.4m x 12.2m and is approximately 8.3 metres high. The building is constructed with a buff brick and grey metal cladding finish.
- 2.4. The TOC building is situated to the north-east of the main Oxford Railway Station building and immediately adjacent to the existing short-stay car park. The application site lies outside of the Central Conservation Area.
- 2.5. Whilst at the time the decision to impose Condition 7 of application 15/03087/VAR was justified given uncertainties around the long-term development of the station site, the adoption of the Oxford Railway Station SPD and subsequent work to refresh the masterplan for the station site means that the retention of the TOC building is now justified. Officers consider that as a result, it is appropriate to remove Condition 7 which would effectively allow the TOC building to remain in situ in perpetuity.

## **3. LEGAL AGREEMENT**

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

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

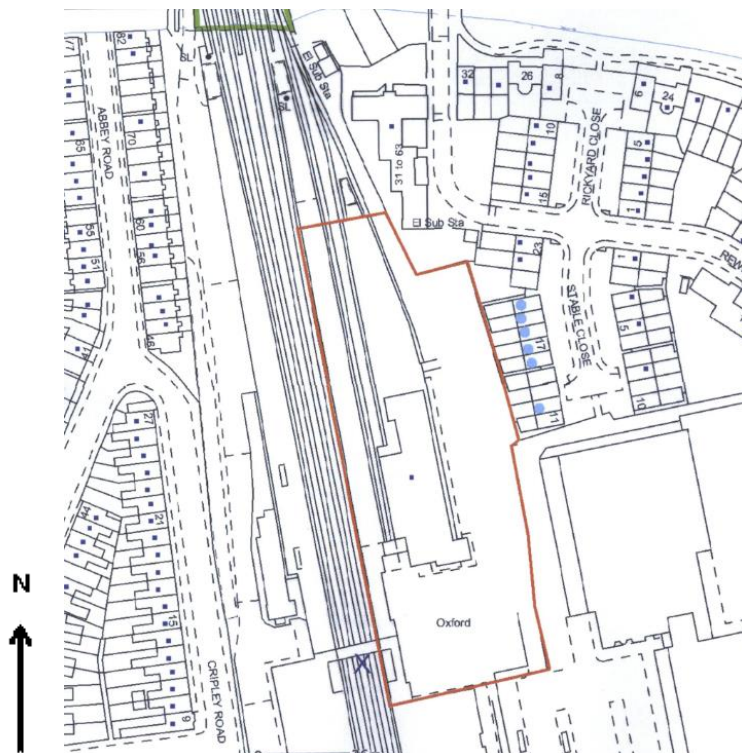
- 4.1. The proposal is not CIL liable.

## **5. SITE AND SURROUNDINGS**

- 5.1. The site is located at the northern end of the railway station site. Whilst this is a City Centre location there are residential properties to the immediate north and east of the application site in Stable Close and Rewley Road. The TOC

building itself is located on higher ground; being the same elevation as the adjacent railway to the west. To the south of the application site lies the existing short-stay car park for the railway station, the bus and taxi waiting areas and the main station building. To the south-east of the application site is the Said Business School.

- 5.2. The site lies outside of the Central Conservation Area and as a result of the presence of larger buildings including the Said Business School between the site and the Conservation Area boundary and the distance from the site to the edge of Conservation Area boundary (300m) it is considered that the proposed development would not impact on the Conservation Area's setting.
- 5.3. The site lies within the high buildings area for the purposes of Policy DH2 of the Oxford Local Plan 2036 where the height of buildings needs to be carefully considered in the context of Oxford's historic skyline. As the building only measures 8.2m in height it does not impact on the setting of listed buildings in the City Centre and a visual assessment is not required in this case.
- 5.4. The site lies to the west of the former Rewley Abbey site; an area of high archaeological potential. The proposals are to retain an existing building and would not impact on archaeology.
- 5.5. There are no trees or vegetation on the site.
- 5.6. See location plan below:



## 6. PROPOSAL

- 6.1. The application proposes to remove condition 7 of planning permission 15/03087/VAR which required that the existing TOC building was removed

after a period of six years from occupation. The removal of this condition would effectively allow the TOC building to be retained permanently.

- 6.2. Application 15/03087/VAR was a variation of the original planning permission 15/00096/PA11 that approved the development of the TOC building, amongst other improvements to the railway that were carried out to enable the running of train services from Oxford to London Marylebone. For clarity, the subsequent variation of conditions application 15/03087/VAR means that this is the extant permission on the site. The planning history of the site indicates that the other conditions associated with the planning permission 15/03087/VAR that included issues relating to land contamination, surface water drainage and remediation have been complied with (reference 15/03087/CND).
- 6.3. The TOC building was occupied in July 2019 and as a result, the existing condition 7 attached to planning permission 15/03087/VAR means that the building would need to be removed by July 2025.

## **7. RELEVANT PLANNING HISTORY**

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

15/00096/PA18 - Application seeking prior approval for development comprising extension to the length of existing north bay platforms, replacement platform canopies, new re-locatable rail staff accommodation building and reconfiguration of short stay and staff car parking under Part 11 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995. (PLEASE NOTE THIS IS NOT A PLANNING APPLICATION BUT A NOTIFICATION SUBMITTED BY NETWORK RAIL FOR PRIOR APPROVAL BY OXFORD CITY COUNCIL.) Following an options assessment, the building has been relocated 2.5m to the south and has been reduced in size at first floor level by 186 sq.m; revised parking layout (AMENDED PLANS). 2PA 10th September 2015.

15/03087/VAR - Variation of condition 7 (Time limit of 3 years) of prior approval 15/00096/PA18 (Application seeking prior approval for development comprising extension to the length of existing north bay platforms, replacement platform canopies, new re-locatable rail staff accommodation building and reconfiguration of short stay and staff car parking under Part 11 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.) to allow the approved TOC accommodation building to remain for 6 years from occupation of the building.. PER 1st December 2015.

15/03087/CND - Details submitted in compliance with conditions 1 (Samples), 3 (Contaminated Land Risk Assessment), 5 (Unexpected Contamination) and 6 (Surface Water Disposal) of planning permission 15/03087/VAR.. SPL 28th January 2016.



## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents
Design	Paragraphs 124 - 132	AOC1, DH1, RE2, S1, RE1	
Conservation/Heritage	Paragraphs 184, 189 - 202		
Natural environment	Paragraphs 148-165, 170 – 183		
Social and community		SP1, RE3, RE8, RE9	
Transport	Paragraphs 102-111	M1, SP1, M3, M5	Oxford Station SPD

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 13th May 2020.

### Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. No objections, the application seeks a retention of the existing building which is not causing highway safety issues.

### Public representations

9.3. Councillor John Howson, objections:

- Various cycle parking and other cycle improvements should be required by condition as part of this application.
- Improvements to access at the western side of the station should be sought.
- The application should be refused to allow Network Rail to address the aforementioned shortcomings of the existing station.

### Officer response

9.4. The comments from the Councillor are highly relevant to the overall masterplan for the railway station site. This application seeks to retain the TOC building on the eastern side of the railway rather than the western side as a direct result of Network Rail's ambitions to carry out improvements and

development on the western side. As a result, this application effectively seeks to address, in the longer term some of the aspirations that are set out in the comment made. Officers consider that refusing this application would not expedite the wider delivery of improvements at the station.

## **10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- I. Principle of development
- II. Design
- III. Neighbouring amenity
- IV. Contaminated Land and Surface Water Drainage

### **I. Principle of development**

10.2. The application seeks the retention of an existing building on the site that is connected to the operation of rail services at Oxford Station. This complies with the requirements of Policies AOC1 and SP1 of the Oxford Local Plan 2036 which allows for development that enhances rail service provision and station facilities. The building is already in situ on the site and replaced previous single storey buildings that made a less efficient use land. Arguably the retention of the TOC building in this location directly facilitates the development of other parts of the station site in a way that broadly conforms to the requirements of Local Plan policies AOC1, SP1 and RE2. The retention of the TOC building in this location does not completely adhere to the requirements of the Oxford Station SPD, notably in terms of the fact that this part of the site was identified within the illustrative masterplan for that document as an area for potential residential development. Notwithstanding this, the continued presence of the TOC building in its current location would not prejudice the wider redevelopment of the station site. A refreshed masterplan of the station site is currently being undertaken which may revisit the potential distribution of different uses within the station site in accordance with the recently adopted Oxford Local Plan 2036.

10.3. As a result of the above, officers consider that the proposed development would be acceptable in principle.

### **II. Design**

10.4. The existing building is already in situ; it has a temporary appearance that arises from its modular construction. Utility, temporary and modular buildings are often found in and around railway station sites and in many cases these buildings can be erected without planning permission. In this context, the building is not out of place. It should also be acknowledged that despite being a modular building it is a relatively high quality building and has been deliberately designed to incorporate a pallet of materials that reflects the immediate context of the site; including the use of buff brick slips that are similar to those used on the adjacent Said Business School. Notwithstanding

this there are clear ambitions reflected in both national policy and Local Plan policy, specifically Policy DH1 to seek buildings with a higher quality design. When the acceptability of the building was originally considered in design terms, both in the context of the original planning permission (15/00096/PA11) and the subsequent variation (15/03087/VAR) it was argued that it was only appropriate because it would be a temporary building. This point was explicitly made in the officer report. Officers have carefully considered this but it is argued that the assessment made that the building's design was only appropriate if it was a temporary building was made at a point in time. The situation in relation to the wider redevelopment of the station site and the opportunity to create design and public realm improvements is more likely to be realised if the existing TOC building is retained. The overall acceptability of the design also needs to be balanced against the other demands made in the recently approved Oxford Local Plan 2036 which recognises the opportunities that exist at the railway station site and the wider West End as an area of change that can deliver a greater quantity of development.

- 10.5. It is important to reflect on the decision made to approve the TOC building in 2015 on a temporary basis in the context of the station redevelopment. It was originally envisaged at that time that some of the accommodation functions provided by the TOC building were likely to be relocated to the west side of the station. This is no longer likely to be case and as a result it is appropriate to consider the retention of the TOC building on a permanent basis.
- 10.6. In reaching the above view officers have been mindful of the visibility of the application site in the public and private realm. The existing TOC building is highly visible from the rear of properties in Stable Close and Rewley Road; it is also visible from the footway/cycle route around the western side of the Said Business School. Whilst there is a predominantly residential character to the area to the north of the application site, the presence of the TOC building and its modular design is not harmful. The building is set back close to the railway line in an area where functional buildings form part of the established context.
- 10.7. It should be recognised that the site previously contained a single storey temporary building prior to the demolition of that building and the development of the new TOC building. The site also contained some surface car parking. In terms of the efficiency of land and the opportunity to contribute to the increased intensity of use and diversity of uses taking place at the railway station the presence (and retention) of the TOC building would be favourable in planning terms.
- 10.8. Having carefully considered the background to the approval of the TOC building and the requirements for buildings to have a high quality design, the retention of the building on a permanent basis would be acceptable in design terms having had regard to the requirements of the Oxford Local Plan and specifically Policies DH1 and M1 and the wider ambitions of the Oxford station redevelopment and West End area of change.

### **III. Impact on neighbouring amenity**

- 10.9. The impact of the TOC building on neighbouring amenity was carefully considered in relation to the original application (15/00096/PA11) and the subsequent variation (15/03087/VAR). It is important to note that amendments were sought at the express direction of the West Area Planning Committee to seek amendments to the originally proposed TOC building to reduce its impact on properties in Stable Close. The building was reduced in size to ensure that there would be no unacceptable loss of light to neighbouring properties and the application 15/00096/PA11 was only approved on that basis. The presence of the building therefore does not give rise to an adverse impact on neighbours in terms of a loss of light and Officers can confirm that the retention of the development would therefore be acceptable in the context of Policy H14 of the Oxford Local Plan 2036.
- 10.10. Conditions of the original planning permission (15/00096/PA11) and the subsequent variation (15/03087/VAR) required that the east and facing windows were obscure glazed and be non-opening below 1.7m from the finished floor level. Officers recommend that this condition is retained to ensure that the TOC building does not have a detrimental impact on the amenity of occupiers in adjacent residential properties through a loss of privacy.

#### **IV. Contaminated Land and Surface Water Drainage**

- 10.11. The proposals seek to retain a building on a permanent basis and there should not therefore be any contaminated land or surface water drainage issues that arise. However, schemes of land quality, site remediation and surface water drainage were all required by condition as part of the original planning permission (15/00096/PA11) and the subsequent variation (15/03087/VAR). Details were approved as required by those conditions and therefore this application is recommended to be approved with the requirements of those approved detailed schemes being carried forward by condition.

### **11. CONCLUSION**

- 11.1. Having regard 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. In the context of all proposals Paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development, this means approving development that accords with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; any adverse impacts of doing so would significantly and demonstrably outweigh the

benefits, when assessed against the policies in this Framework taken as a whole.

#### *Compliance with Development Plan Policies*

- 11.3. Therefore, in conclusion, it is necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which is inconsistent with the result of the application of the development plan as a whole.
- 11.4. The proposal is considered to comply with the development plan as a whole. The principle of development and the partial demolition of the existing building are both found to be acceptable.

#### *Material considerations*

- 11.5. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.
- 11.6. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report.
- 11.7. The proposal will not have an unacceptable impact on heritage assets, the neighbouring amenity, public highways and sustainability. It has been concluded that the development would preserve the character and appearance of the Conservation Area and not impact on the setting of listed buildings. Conditions have been included to ensure this remains the case in the future.
- 11.8. It is recommended that the Committee resolve to grant planning permission for the development proposed and remove condition 7 of 15/03087/VAR. Other conditions are recommended to be re-imposed as set out in Section 12 of this report below.

## **12. CONDITIONS**

- 1 The development shall be carried out and managed in accordance with the approved remediation strategy as submitted and approved in application 15/03087/CND.

Reason: To ensure that contamination at the site is remediated, such that the site does not pose a threat to controlled waters, in accordance with Policy RE7 of the Oxford Local Plan 2036.

- 2 If, during development and occupation of the approved development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and has obtained written

approval from the local planning authority. The remediation strategy shall be implemented in accordance with the timescales agreed by the Local Planning Authority and following the measures as set out in the approved remediation strategy.

Reason: To ensure that any unexpected contamination encountered during the development is suitably assessed and dealt with, such that it does not pose an unacceptable risk to ground or surface water, in accordance with Policy RE7 of the Oxford Local Plan 2036.

- 3 The scheme of surface water disposal approved pursuant to application 15/03087/CND shall be adhered to and maintained throughout the occupation of the approved development in accordance with the specifications and requirements of that scheme.

Reason: To avoid the risk of mobilising contamination into ground / surface water as areas of contamination may be present at this site, in accordance with Policies RE3 and RE4 of the Oxford Local Plan 2036.

- 4 The windows in the east- and north-facing elevations of the rail staff accommodation building (otherwise known as the TOC building) shall be glazed in obscure glass and be non-opening below 1.7 metres above finished floor levels in the rooms they serve and thereafter retained as such.

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

### **13. APPENDICES**

- **Appendix 1 – Site location plan**

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

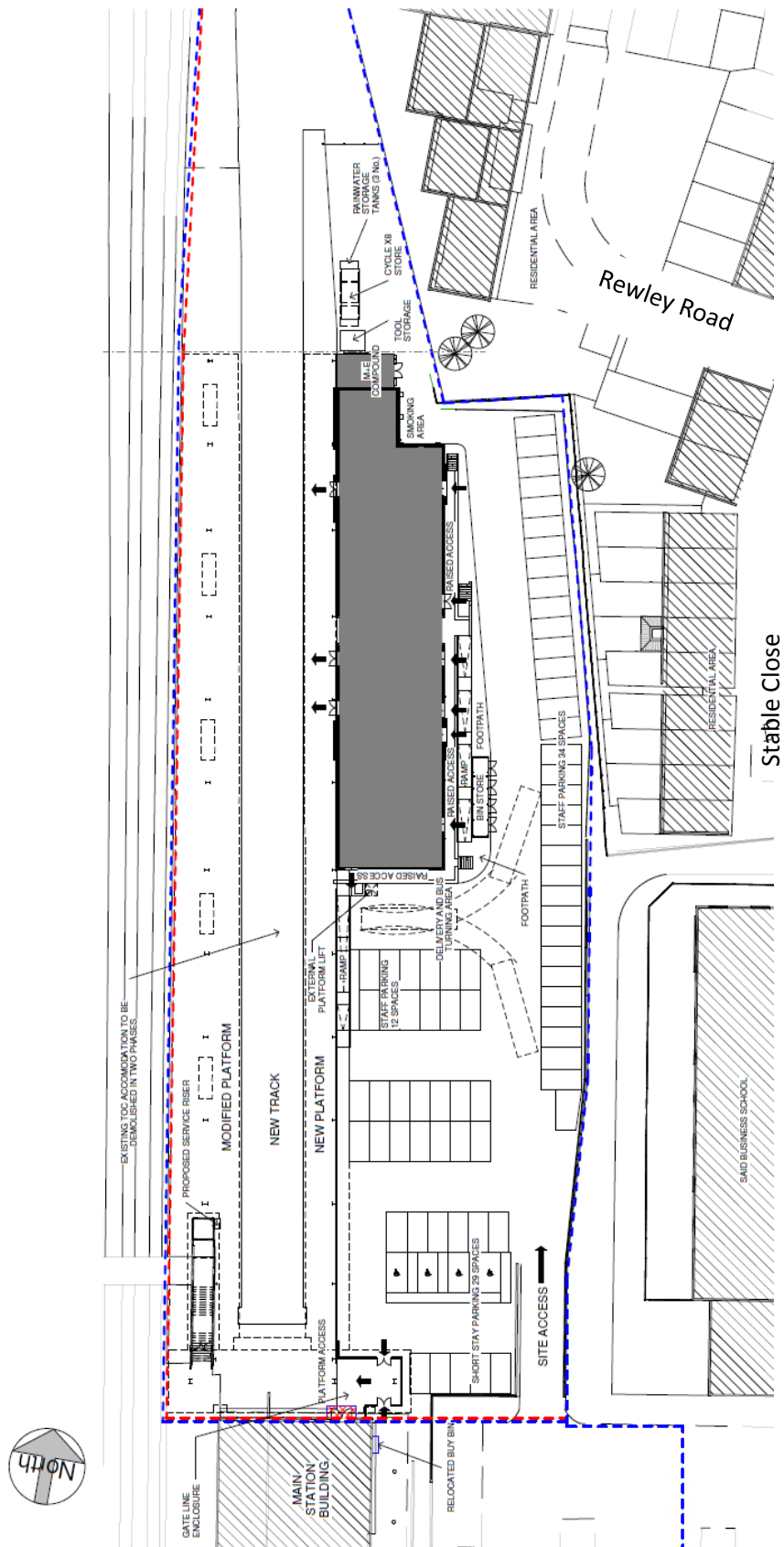
- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection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

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

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

## Appendix 1 – Site Plan

### 20/00182/VAR – Oxford Railway Station



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## **Minutes of a meeting of the West Area Planning Committee on Tuesday 9 June 2020**

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### **Committee members present:**

Councillor Cook

Councillor Hollingsworth

Councillor Tanner (for Councillor Tidball)

Councillor Clarkson (for Councillor Howlett)

Councillor Gotch

Councillor Iley-Williamson

Councillor Wade (for Councillor Harris)

Councillor Kennedy (for Councillor Upton)

### **Officers present for all or part of the meeting:**

Adrian Arnold, Head of Planning Services

Robert Fowler, Planning Team Leader

Andrew Murdoch, Development Management Service Manager

Sally Fleming, Planning Lawyer

Catherine Phythian, Committee Services Officer

Natalie Dobraszczuk, Planning Officer

Mike Kemp, Senior Planning Officer

### **Apologies:**

Councillors Corais, Harris, Howlett, Tidball and Upton sent apologies.

Substitutes are shown above.

### **1. Election of Chair for the Council year 2020-21**

Councillor Colin Cook was elected Chair for the Council year 2020-21.

### **2. Election of Vice Chair for the Council year 2020-21**

Councillor Mike Gotch was elected Vice-Chair for the Council year 2020-21.

### **3. Adoption of the Oxford Local Plan 2036**

The Chair stated that the **Oxford Local Plan 2036** had been formally adopted by Council on 8 June 2020 and that the policies in this document now had full weight in the determination of the applications before the Committee.

## **4. Declarations of interest**

### **All applications**

Councillor Cook stated that as a Council appointed trustee for the Oxford Preservation Trust and as a member of the Oxford Civic Society, he had taken no part in those organisations' discussions or decision making regarding the applications before the Committee. He said that he was approaching all of the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

Councillor Wade stated that as a member of the Oxford Civic Society, she had taken no part in those organisations' discussions or decision making regarding the applications before the Committee and that she was approaching the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

### **Minute 5: 19/03106/FUL**

Councillors Clarkson and Hollingsworth said they would step down from the committee, leave the meeting and take no part in the debate or vote on this item. They were precluded from taking part in this application because of their role as part of the shareholder group of the Oxford City Housing Limited company (the applicant) which could give rise to a public perception of bias should they take part in the decision.

### **Minute 7: 19/03149/FUL**

Councillor Cook stated that he was declaring a non-prejudicial interest in this application as he was an employee of the University and worked in a building adjacent to the application site. However, he had taken no part in the University discussions or decision making regarding the application before the Committee. He said that he was approaching the application with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

Councillors Clarkson and Hollingsworth left the meeting before the next item.

## **5. 19/03106/FUL: Lucy Faithfull House, 8 Speedwell Street, Oxford, OX1 1PX**

The Committee considered an application (19/03106/FUL) for planning permission for the erection of 36 dwellings (C3 Use Class) including 50% affordable housing with associated access, parking and landscaping on the site of the former Lucy Faithfull House.

The Planning Officer presented the report and recommended the following updates:

- A variation to Condition 5 to reduce the number of cycle parking spaces from 76 to 73
- A new condition for the provision of electric charging points for the two disabled parking spaces

Alan Wylde, on behalf of the applicant Oxford City Housing Limited, spoke in favour of the application.

In reaching its decision, the Committee considered all the information put before it. With regard to the height of the development the Committee was persuaded by the arguments put forward in the officer report and the provisions of the new Local Plan for greater variation of building height in the city centre. The Committee concluded that this was a good use of a city centre brownfield site and that the public benefits of the scheme, particularly in terms of the provision of 36 homes, 18 of which would be affordable would outweigh the less than substantial harm presented by the height of the development.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application subject to the inclusion of the new condition and the amendment to Condition 5 detailed above.

The West Area Planning Committee resolved to:

1. Delegate authority to the Head of Planning Services to approve the application following the expiry of the notice period of 21 days and completion of the appropriate certificate as required under the Town and County Planning (Development Management Procedure) (England) Order 2015; for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and subject to the inclusion of the new condition and the amendment to Condition 5; and
2. delegate authority to the Head of Planning Services to:
  - Finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.
  - Decide whether to refer the application back to the West Area Planning Committee following the expiry of the notice period, if considered reasonably necessary.

Councillors Clarkson and Hollingsworth rejoined the meeting at the conclusion of this item.

## **6. 19/02531/FUL: St Pauls House , Walton Street, Oxford, OX2 6ER**

The Committee considered an application (19/02531/FUL) for planning permission for the partial demolition of existing buildings. External alterations and additions to St Pauls House, including external cladding and roof extension to form a fourth floor. Erection of new four storey building fronting Cranham Street. Change of use of extended ground floor to Class A1 (retail), Class A2 (professional and financial services) and Class B1 (office), and provision of nine new Class C3 dwellings (including 4x2 bedroom flats and 5x3 bedroom flats). Provision of four car parking spaces.

The Planning Officer presented the report and gave the following updates:

- The Lead Local Flood Authority had confirmed that they have no outstanding objections to the proposed development and so this clause should be deleted from the recommendation before the Committee and Conditions 17 and 18 would be updated to reflect that position
- The applicant had advised that 100% of the parking spaces would have electric charging points and the application plans would be amended to reflect that

- Condition 10 (Energy Statement) would be updated to reflect that the application was compliant with the 25% energy reduction policy (RE1) of the new Local Plan

The Planning Officer recommended the inclusion of a new condition to require the 4 vehicle parking bays to be restricted to use by the tenants of the commercial units.

Steven Roberts (agent), Paul Southouse (architect) and Ian Ashcroft (applicant) spoke in favour of the application and answered questions from the Committee on the detail of the application.

The Committee noted the design justification for the “recessed alcoves” to the retail units on the Cranham Street frontage but expressed concerns that this may give rise to late night anti-social behaviour.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer’s recommendation to approve the application subject to the changes and addition to the conditions detailed above.

The West Area Planning Committee resolved to:

1. approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report, the amendments to the conditions detailed above and the inclusion of a new condition restricting the use of the car parking bays; and grant planning permission; and
2. delegate authority to the Head of Planning Services to:
  - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

## **7. 19/03149/FUL: Site Of Oxford University Science Area, South Parks Road, Oxford**

The Committee considered an application (19/03149/FUL) for planning permission for public realm works, including hard and soft landscaping, rationalisation of car and cycle parking, provision of new cycle store buildings and creation of public spaces.

The Planning Officer presented the report and recommended the inclusion of two additional conditions for:

- cycle parking to be provided and maintained in accordance with approved plans
- Bicycle Parking Maintenance Plan which would ensure that “abandoned” bikes could be removed in order to maintain adequate provision of cycle parking spaces.

The Planning Officer advised that as the applicant had confirmed that 10% of the car parking spaces would have electric charging points, the application plans would be amended to reflect that.

Steven Roberts, agent, spoke in favour of the application.

The Committee asked questions of the officers about the details of the application in relation to the proposed landscaping and the safety implications of the shared surfaces. The Committee noted that access to the covered bike shelters would be controlled and that this would be secured by the new condition.

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

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application subject to the inclusion of the two additional conditions relating to cycle parking detailed above.

The West Area Planning Committee resolved to:

1. approve the application for the reasons given in the report and subject to the required planning conditions set out in section 11 of the report and subject to the addition of two new conditions relating to cycle parking and grant planning permission; and
2. delegate authority to the Head of Planning Services to:
  - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

## **8. Minutes**

The Committee resolved to approve the minutes of the meeting held on 19 May 2020 as a true and accurate record.

## **9. Forthcoming applications**

The Committee noted the list of forthcoming applications.

## **10. Dates of future meetings**

The Committee noted the dates of future meetings.

**The meeting started at 3.00 pm and ended at 4.45 pm**

**Chair .....**

**Date: Tuesday 7 July 2020**

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