

To: Council

Date: 17th December 2012

Item No:

Report of: Head of Law and Governance

Title of Report: PETITIONS SCHEME – PORT MEADOW, OXFORD – DAMAGED VIEW

Summary and Recommendations

Purpose of report: To advise on the procedure that Council needs to follow under the Council's Petitions Scheme in respect of large petitions, and to provide information specifically on the petition entitled 'Port Meadow, Oxford – Damaged Views'.

Report Approved by:
Legal: Michael Morgan

Policy Framework: Not applicable

Recommendation(s): Council is RECOMMENDED to follow the procedure for large petitions in the Council's Petitions Scheme by hearing the head petitioner for the petition entitled "Port Meadow, Oxford – Damaged view" and to then debate the petition and decide how to advise the Executive.

Introduction

1. A petition entitled "Port Meadow, Oxford – Damaged view" was handed in to the Council. The petition contains 1666 signatures. The petition reads as follows:-

"Port Meadow comprises 400 acres of common land within the Oxford ring road.

It is a Scheduled National Monument (rated above an SSSI) and is a spiritual and environmental haven which has been used by the people of Oxford for centuries.

It's place of outstanding beauty, greatly valued by all residents of Oxford, and is particularly noted for its open aspect. Up to now, its views have been sensitively protected.

But now the people who should have been protecting it on our behalf (Oxford City Council) have damaged views by allowing the building of a series of massive blocks around the perimeter of the south east corner of Port Meadow.

The historic 'dreaming spire' view from the Meadow of the grade 2 listed St Barnabas Church tower has been all but obliterated from sight. Previously, when Waterways was developed close to the perimeter of Port Meadow, care was specifically taken to protect the view from Port Meadow from this destructive type of massing. The current build completely changes the character of the Meadow.*

for images see: www.portmeadow.org/damaged_views

Given that:

1. *Oxford City Chief Planning Officer signed a form saying no Environmental Impact Assessment (EIA) was needed as Port Meadow is "not a sensitive area and mitigation can be provided"*
2. *No detailed landscaping/mitigation has been proposed.*
3. *Oxford City Council failed to consult widely about this.*

We ask that you sign our petition to request:

- ***A retrospective EIA is urgently carried out now and recommendations made which the City Council would have to ensure are carried out.***
 - ***Details of landscaping should be agreed which would hide the buildings in summer and soften their impact in winter.***
 - ***Oxford City Council should be given training in proper consultation, and how to carry it out effectively"***
2. Council adopted a Petitions Scheme (as required by the Local Democracy, Economic Development and Construction Act 2009) in July 2010. The scheme says that petitions containing over 1,500 signatures will be debated by full Council. The 2009 Act says that in order for signatures on a petition to count, they must give the signatories name and address and those people so signing must live, work or study in the authority's area. A sufficient number of signatures to achieve the 1,500 mark have accompanying names and addresses. It is not of course possible to check whether any signatories from outside Oxford work or study in the City.
 3. Our Petitions Scheme says that the petition organiser will be given five minutes at Council to present the petition and that Council will then

debate the petition. Where the issue is one on which the Council's Executive is responsible for reaching the final decision, the Council will decide whether to make recommendations to inform that decision. The petition, the subject of this report is not one for the Executive to consider.

Comments from the Head of City Development

Public Consultation

4. The planning application was received in November 2011 and normal consultation procedures undertaken. This involved consulting various statutory undertakers accordingly, namely Thames Water, The Environment Agency, Oxfordshire County Council, Natural England and Thames Valley Police. An advertisement appeared in the Oxford Times and 6 site notices were erected at various locations along Roger Dudman Way: at the Youth Hostel located at the junction with Botley Road; on the sign advertising the Coop Nursery; opposite the Thames Wharf flats; at the entrance to the existing Castle Mill student accommodation; and at the gates leading to the cycle path north towards Walton Well Road. A site notice was also placed on the northern gate to cycle path from Walton Well Road car park. In addition subscribers to the planningfinder notification system would have been informed whilst a weekly list of all planning applications received is produced and circulated to subscribers including the Oxford Civic Society, Oxford Preservation Trust, Wolvercote Commoners and other individuals.
5. Lastly, prior to the planning application being submitted the University held an exhibition of its proposals at the Castle Mill student accommodation on 24th October 2011 which it reported to be well attended. Invitations to the exhibition were sent to ward councillors, interested parties such the Oxford Preservation Trust, Oxford Civic Society, Jericho Community Association, West Oxford Community Association, Waterways Residents' Association, Eagle Works Residents' Association, Network Rail, Cripsey Road Allotment Association and all occupiers of Venneit Close and Castle Mill.
6. Each of the statutory agencies consulted responded but none raised objection. Network Rail also commented, but again did not raise objection. Comments from others were received from the Cripsey Road Allotment Association, (who also addressed the West Area Planning Committee when it considered the planning application indicating their concerns had been met); two residents of Alexandra Road; two residents of Castle Mill; and one resident of Venneit Close. Their main concerns related to the loss of the cycle route during construction and the need for alternative routes; existing access arrangements from Roger Dudman Way; issues arising during construction; that views across the allotments would be lost; and that the development was overambitious. All comments were made publicly available and

summarised in the officers' report to committee on 15th February 2012 when the application was approved on a vote of 8 to 1.

Environmental Impact Assessment

7. The requirement for an Environmental Impact Assessment (EIA) is set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The Regulations set out 2 Schedules of development. The development at Roger Dudman Way did not fall within any of the categories of development within Schedule 1 where an EIA would always be required. The relevant types of development within this schedule are installations such as oil refineries, nuclear power stations, steelworks, ports, waste disposal installations etc. Schedule 2 describes developments which may require an EIA in certain circumstances. This schedule covers a wide variety of developments, only one category of which could conceivably apply to this site, and that is category 10(b): *Urban Development Projects*. Examples of Urban Development Projects listed in the Regulations are shopping centres with car parks, sports stadiums, leisure complexes etc exceeding a size of 0.5ha.
8. Although the Roger Dudman Way site exceeds that minimum size, that does not mean an EIA is necessarily required. Rather guidance on the requirement is given elsewhere in the Regulations and in Department of Communities and Local Government Circular 2/99. Specifically in relation to Urban Development Projects the Circular states at paragraph A.19 that: *"Development proposed for sites which have not previously been intensively developed are more likely to require an EIA if the site area for the scheme is more than 5 ha; or it would provide a total of more than 10,000 sq m of new commercial floorspace; or the development would have significantly urbanising effects in a previously non – urbanised area (eg a new development of more than 1000 dwellings)."* In this case the development area is 1.2ha; the development is not of commercial floorspace; it is less than 10,000 sqm; and consists of brownfield former railway sidings and railway operational land.
9. Whilst this is a significant development, that does not mean that an EIA was automatically required to be submitted. Port Meadow bears designations as a site of Special Scientific Interest (SSSI) and Scheduled Ancient Monument (SAM). However these designations relate to its nature conservation and below ground archaeological interest, which officers assessed as not being significantly impacted by the development. In assessing that no EIA was required, regard was also had to a similar extant planning permission for student accommodation approved in outline in 2000 and in detail in 2002, of which only the first phase was constructed as the existing Castle Mill development, and which had a similar relationship to Port Meadow.

10. There are no provisions within the EIA Regulations to require the applicant to undertake an Environmental Impact Assessment following the grant of planning permission.

Landscaping and Mitigation

11. A condition of planning permission was that a landscaping scheme be submitted and approved, whilst the accompanying legal agreement secured a sum of £10,000 towards off site planting. Other mitigation was achieved in reducing the overall height of the development from that originally proposed in the planning application, and in the choice of more subdued colours and tones for external finishes than those originally proposed.

Recommendation

12. Council is being recommended to follow the procedure for large petitions in the Council's Petitions Scheme and decide how it wishes to proceed.

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Background papers: None

Version number: 1

CASTLE MILL. - NOTE OF CONSULTATIONS UNDERTAKEN PRIOR TO SUBMISSION OF PLANNING APPLICATION AND ITS DETERMINATION.

1. Councillors : Cllr. Susanna Pressel ; Cllr. Colin Cook
2. Residents : all residents of Venneit Close by letter. ; all residents of OU Castle Mill.
3. Organisations :
 - a. Cripsey Meadow Allotment Association – Wendy Skinner- Smith
 - b. West Oxon. Community Association.
 - c. Jericho Community Association - Jenny Mann
 - d. Osney Island Residents' Association - Stephen Lynam
 - e. Oxford Waterside Residents' Association - Stuart Skyte
 - f. Wolvercote Commoners - Andrew Burchardt
4. Commercial Organisations :
 - a. North Oxford Property Services - managing agents for Venneit Close
 - b. Lucy Block Management Ltd.
 - c. Mid counties Co-operative Society - owners of Turbo teds, Richard Holmes consultant surveyor ; Jennifer Goold -Coop, Amy Bishop - Nursery.
5. Statutory consultees :
 - a. Oxford City Council
 - b. Oxfordshire County Council
 - c. Natural England
 - d. Environment Agency
 - e. Network Rail
6. Organisations invited to exhibition by e-mail and telephone calls
 - a. Oxford Preservation trust
 - b. Oxford Civic Society
 - c. Oxford Archaeological and Historical society.

West Area Planning Committee

15th February 2012.**Application Number:** 11/02881/FUL**Decision Due by:** 6th February 2012

Proposal: Extension to existing student accommodation at Castle Mill to provide additional 312 postgraduate units consisting of 208 student study rooms, 90 x 1 bed graduate flats and 14 x 2 bed graduate flats, plus ancillary facilities, 360 covered cycle spaces and 3 car parking spaces.

Site Address: Castle Mill, Roger Dudman Way, **Appendix 1.**

Ward: Jericho And Osney Ward

Agent: Terry Gashe

Applicant: The University Of Oxford

Recommendation: Committee is recommended to support the development in principle but defer the application in order to draw up an accompanying legal agreement and delegate to officers the issuing of the Notice of Planning Permission on its completion.

Reasons for Approval.

- 1 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 2 The development seeks to provide purpose built student accommodation at a site allocated for the purpose which is already partly built out for that use, and where the previous planning permission for the remainder of the site remains extant. The site is a brownfield one and lies adjacent to the main line railway into Oxford station to the south and was formerly used for railway related activities. Due to its linear form adjacent to the railway lines and its poor access from Botley Road, the site is ill suited to commercial development, family housing, or other uses which would generate significant levels of traffic. It is well suited to the needs of the University's graduate students however as it would enjoy good links by foot and cycle to the city centre, Walton Street and North Oxford. As such the development makes good and efficient use of the land. Whilst there is some impact in long distance views from Port Meadow, such impact falls to be weighed in the balance with the benefits of the development and the mitigation proposed in response.

- 3 Many of the public comments received express concerns about cycle and pedestrian access to the site, either from Roger Dudman Way or via Walton Well Road to the north. The latter access is intended to be closed during construction. Although these concerns are acknowledged, measures are in hand to create alternative pedestrian routes and to improve current conditions along Roger Dudman Way. On other matters the buildings proposed on up to 5 floors are large but make good use of what might appear an unpromising development site; issues of biodiversity and the relationships to the neighbouring allotments addressed; and the site safeguarded from flood risk. The site is sustainable with good levels of energy efficiency included within the development. There are no objections from statutory organisations.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples
- 4 Student accommodation - management controls
- 5 Landscape plan required
- 6 Landscape carry out after completion
- 7 Landscape management plan
- 8 Car/cycle parking provision before use
- 9 Control of car parking
- 10 Students - no cars
- 11 Restrict delivery times
- 12 Soundproofing from railway noise
- 13 Safeguarding from vibration
- 13 Scheme of lighting and CCTV
- 15 Groundwater quality
- 16 Surface drainage scheme
- 17 Land contamination
- 18 NRA
- 19 Badgers - management plan.
- 20 Wildlife enhancements
- 21 Construction Environmental Management Plan
- 22 Construction Travel Plan
- 23 Public art

Legal Agreement.

1. Financial contribution towards affordable housing.
2. Permissive public rights for pedestrians and cyclists to pass through the application site.
3. Contribution to indoor sports: £5,100 (City)
4. Contribution to library facilities in the City: £5,355 (County).
5. Contribution to cycling facilities: £11,730 (County).
6. Contribution towards off site landscaping (City): £10,000.

Principle Planning Policies.

Oxford Local Plan 2001-2016.

CP1 - Development Proposals
CP6 - Efficient Use of Land & Density
CP8 - Design Development to Relate to its Context
CP9 - Creating Successful New Places
CP10 - Siting development to meet functional needs
CP11 - Landscape Design
CP13 - Accessibility
CP14 - Public Art
CP17 - Recycled Materials
CP18 - Natural Resource Impact Analysis
CP21 - Noise
CP22 - Contaminated Land
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
NE11 - Land Drainage & River Engineering Works
NE12 - Groundwater Flow
NE13 - Water Quality
NE14 - Water and Sewerage Infrastructure
NE21 - Species Protection
NE23 - Habitat Creation in New Developments
HE10 - View Cones of Oxford
SR9 - Footpaths & Bridleways
DS22 - Cripsey Rd, North End Yard - Ox University Use

Oxford Core Strategy 2026.

CS2 - Previously developed and greenfield land
CS4 - Green belt
CS9 - Energy and natural resources
CS10 - Waste and recycling
CS11 - Flooding
CS12 - Biodiversity
CS13 - Supporting access to new development
CS17 - Infrastructure and developer contributions
CS18 - Urban design, town character, historic environment
CS19 - Community safety
CS25 - Student accommodation

Sites and Housing Development Plan Document (DPD) - Proposed Submission

HP5 - Location of Student Accommodation
HP6 - Affordable Housing from Student Accommodation
HP11 - Low Carbon Homes
HP15 - Residential cycle parking
HP16 - Residential car parking
SP26 - Land north of Roger Dudman Way

Supplementary Planning Documents.

1. Planning Obligations (2007)

2. Parking Standards, Transport Assessment and Travel Plans (2006)

Other Policy Documents.

1. PPS1: Delivering Sustainable Communities.
2. PPS3: Transport.
3. PPS5: Planning for the Historic Environment.
4. PPS9: Biodiversity and Geological Conservation.
5. PPS22: Renewable Energy.
6. PPS23: Planning and Pollution Control.
7. PPS24: Planning and Noise.
8. PPS25: Planning and Flood Risk.

Public Consultation

Statutory and Other Bodies.

Highway Authority (i): Details of alternative routes available during construction to be made available; given limited level of vehicle spaces served off Roger Dudman Way, shared use of access road does not give rise to highway safety issues; car free nature of site unlikely to give rise to any material impact on highway infrastructure with regard to cars etc; condition requiring students not to bring cars to Oxford required; cycle parking to be safe, secure and covered conditions; contribution to cycle safety measures of £11,730 required.

Highway Authority (ii): Various details of drainage required in event of permission being granted.

Network Rail: No objection of principle; should not endanger safe operation of railway; if not already provided trespass proof fencing required; no discharge of surface water onto Network Rail land; notification of any change in ground level; buildings at least 2m from common boundary; development should take into account noise issues; certain species only to be planted and none within distance equivalent of height at maturity.

Natural England: No objection to proposals; not likely to have significant impact on Port Meadows with Wolvercote Common and Green SSSI or Oxford Meadows SAC; mitigation of species found on site acceptable; opportunities to introduce features beneficial to wildlife.

Thames Water: No objection on sewerage infrastructure grounds; surface water drainage regulated into to receiving public network; informative suggested on water pressure.

Environment Agency: Site falls within Flood Zone 1 and therefore able to withdraw any objection; suggest conditions relating to contaminated land.

Thames Valley Police Crime Prevention Design Advisor: Do not wish to object but opportunities to design out crime: suggest condition to achieve Secured by Design accreditation; recessed entrances should be no more than 600mm deep; recommend CCTV be installed; boundary treatments to deter casual, intrusion for cycle theft; recommend laminated glass to ground floor windows rather than toughened; support proposals for lighting scheme along Roger Dudman Way.

Environmental Development: Phased risk assessment required for ground contamination.

Third Parties.

Cripley Road Allotment Association: Have been assured development will not cause flooding to allotments due to SUDs proposed; orientation mitigates shading of allotments, but may limit use of 4 plots; dust to be mitigated during construction; noise will be temporary disturbance during construction; trust development will bring improvements in access to Roger Dudman Way as speed humps and poor lighting currently make hazardous.

Other Public Comments:

- Regret loss of route to Walton Well Road during construction.
- Footbridge to Fiddler's island would provide alternative route.
- Footbridge should be provided before development is commenced.
- Existing access along Roger Dudman way poor and dangerous.
- Concerned for safety of pedestrians and cyclists on Roger Dudman Way.
- Need to upgrade Roger Dudman Way and improve lighting.
- Development overambitious in scale with greater density of buildings and solid elevation to cycle route.
- Noise and hours of working need to be limited during construction.
- Construction compound to be located away from existing flats.
- May cause flooding to allotments.
- View across allotments would be lost.

In addition to the above prior to the submission of the planning application the applicant held a series of meetings with ward councillors and representatives of the Cripley Road Allotment Association. A public exhibition of the proposals was also held on 25th October 2011. The main concerns expressed related to existing conditions along Roger Dudman Way, the loss of the pedestrian and cycle route through to Walton Well Road during the construction period, hours of working, and arrangements for vehicle access during construction, especially at the junction with Botley Road.

Officers Assessment:

Background to Case.

1. In August 2000 outline planning permission was granted for a mixed use development of residential and student accommodation on a large tract of land at Roger Dudman Way north of the Sheepwash Channel (Rewley Abbey Stream) on former railway land known as North End Yard. The current application site which forms part of that land is aligned north - south and accessed from the junction of Botley Road with Roger Dudman Way 600m to its south. The linear form of the current application site means it measures approximately 320m in length and 45m in width at its wider southern end, narrowing to 27 m at its northern end where it adjoins the public car parks serving Cripley Road allotments and Port Meadow. In total the application site measures 1.2 ha. (3 acres). **Appendix 1** refers.
2. The outline permission of 2000 was followed by detailed proposals for 87 x 2

bed flats by Persimmon Homes at what is now Venneit Close, and by the University for a development of 354 student units at what is now the University's Castle Mill development. The student accommodation development is occupied by graduates only and is made up of a mix of student study rooms and some larger 1 and 2 bed student flats, representing the first phase of that development. The remainder of the student accommodation has not been laid out however, though its permission remains extant.

3. Shortly after occupation of the student accommodation a cycle and pedestrian route through the site to Walton Well Road was created with permissive rights for use by the wider public. In the years since its opening it has become a well used facility, providing an alternative route between Walton Street and Botley Road avoiding busy city centre streets. The enabling works to this route at Walton Well Road were funded by contributions secured from the outline permission. In total the accompanying S.106 agreement to the outline permission secured:
 - a public cycle route through the site during daylight hours;
 - a transport contribution of £500,000;
 - a social housing contribution of £90,000;
 - a parking enforcement contribution of £5,000; and
 - a footpath improvement contribution of £4,000.
4. Subsequent to these developments other proposals have been permitted on land situated between Venneit Close and the Sheepwash Channel. These were a development of 14 flats granted on appeal at what is now Thames Wharf, and a similarly styled development immediately to its north for 42 student study rooms now commenced construction on site. Proposals to demolish the nursery immediately north of the bridge across the Sheepwash Channel stream and replace it with a new nursery at ground floor level with flats above have not been successful.

Proposals

5. These latest proposals represent a second phase of graduate rooms at Castle Mill but within a reworked scheme which when fully built out would provide some 439 student units in total rather than the 354 previously permitted, an increase of 85 units. As with the phase 1 accommodation, the development consists mainly of single study bedrooms arranged in clusters with a shared amenity / kitchen area; some slightly larger units with a small kitchenette; and larger one and two bed "flats." Typically the accommodation would be occupied for up to 3 years by University graduates, in the main single persons though in some cases couples, occasionally with a child. A small number of rooms would be reserved for visiting academics and students. In addition shared facilities are provided at a central common room.
6. Officers consider the main determining issues in this case to be:
 - built forms and visual impact;
 - access to the site;
 - planning obligations;

- biodiversity;
- sustainability; and
- flood risk.

Built Forms and Visual impact.

7. As the application site is a linear one the development is laid out in a series of 8 linked blocks. As with phase 1 the majority of the blocks are aligned in an east - west direction but with two to the narrower northern end aligned north - south. The 8 blocks accommodate the majority of student rooms whilst set between them are shared facilities such as covered cycle stores, bin storage, laundry room, landscaped spaces and energy centre. Also interspersed between the paired east - west blocks along their eastern edge are 3 "gatehouses" leading to shared foyer areas. A further freestanding communal common room is also provided, though no bar is intended. A 3.8m wide access road for servicing and maintenance purposes would run along the eastern side of the site which would also provide a cycle and pedestrian route through to Walton Well Road on completion. The 3 disabled parking spaces are located along the route.
8. The student rooms in the east - west blocks have their windows facing north and south, avoiding directly overlooking the railway lines to the east and allotments to the west. Within the two north - south blocks corridor access is provided where they face the railway line. There are however one or two student rooms within the gatehouse buildings which do have windows facing the railway lines but these and all other windows along this side of the development are high performance fixed double glazed units to provide light only with additional light and ventilation provided from windows in elevations facing in other directions. The fenestration within the principal eastern elevations is such that there are both vertically and horizontally aligned windows, but in a rhythmical fashion across the blocks of accommodation. Central to each block are full height continuous glazed windows identifying the corridor access at each level of accommodation.
9. The east - west blocks rise to 4 and 5 levels with the linking gatehouse elements set at 3 storeys. The north - south blocks are on 4 levels. The 5 level blocks rise to approximately 17.0m above ground level to the highest point of their pitched roofs, and the north - south ones to 13.0m. The eaves height would be approximately 13.7m and 11.2m respectively. This compares to 13.7m at its highest point in the existing accommodation and 10.4m at eaves. The larger blocks have lift access to all floors whilst 4 rooms are constructed to full disabled standard to add to the two within the existing accommodation. The lift shafts are located "external" to the accommodation blocks with full height vertical glazed slots allowing glimpses both into and out of the lift cars, adding interest to the development. The lift shafts are topped with a glazed cap. A series of entrances to the accommodation blocks along the cycle / pedestrian route plus overlooking windows provide active frontages and natural surveillance to the route.
10. Generally the development responds positively to the particular circumstances

and constraints of the site alongside busy railway lines leading to Oxford station a short distance to the south. As such the architecture is characteristically robust with large building blocks facing east towards the railway line, allowing quieter areas to be created behind. Shadow diagrams accompanying the planning application indicate only a small amount of morning overshadowing of a small number of the allotment plots. The Allotment Association do not object to the proposals. In terms of materials the ground floors of the development are proposed to be of facing brickwork in the main. The upper floors are set on this "plinth" with a 50mm overhang and finished in a textured self cleaning "render" system with timber detailing. Windows are dark grey aluminium units with the roof of standing seam metal construction similar to that used in the existing accommodation.

11. Although the immediate environment of the development consists of railway sidings to the east and allotments to the west, it is also located close to Port Meadow to the north beyond the public car parks at Walton Well Road. Port Meadow is a unique and sensitive location which constitutes an important heritage asset. In this wider context guidance issued in March 2010 in PPS5: "*Planning for the Historic Environment*" is an important consideration. In the guidance the government has re-affirmed its commitment to the historic environment by indicating that heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations. It defines the *Historic Environment* as meaning all aspects of the environment resulting from the interaction between people and places and a *Heritage Asset* as:

"a building, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions. Heritage assets are the valued components of the historic environment."

12. The guidance asks that applicants and the local planning authority have sufficient information to understand the significance of a heritage asset and to understand the impacts that any proposal would have. When making planning decisions Policy HE7.4 of PPS5 explains that local planning authorities should therefore take into account the desirability of sustaining and enhancing the significance of heritage assets and the positive role that their conservation can make to the establishment and maintenance of sustainable communities and economic viability.
13. Policy HE.9 of PPS5 is also relevant as Port Meadow is a designated heritage asset. The policy puts forward the presumption in favour of the conservation of designated heritage assets and advises that any harm needs to be justified and considered against the public benefits.
14. Given the quality of Oxford's built environment and landscape setting, and how they are valued, it is necessary to understand how new additions are perceived and how they relate to their context. The application site is set adjacent to large expanses of open land in the form of the railway lines and public allotments. Although views to and from these areas and immediately beyond would change dramatically as a consequence of the development, they would not be adversely impacted given the nature of their current landscape setting and relationship to the application site. Land at Port

Meadow is more sensitive however. Indeed the very northern tip of the application site falls just within the "View Cone" from Wolvercote where policy HE.10 of the adopted Local Plan seeks to retain significant views and protect the green backcloth to the City from development within or close to a view cone which might detract from them. From the apex of the view from Wolvercote the application site is located in the far distance, approximately 1.7m (2.7km) to the south - east.

15. The view across Port Meadow is a low lying, distant and expansive one across the floodplain of the River Thames towards the centre of Oxford. There is virtually no topographic variation to the view except the wooded hills of East Oxford which are just visible in the background to the left (east) of the view. The open and historic grazed common land of Port Meadow which is publicly accessible plays an important part in the character of the view, providing an historic green setting to the city. The line of trees along the railway line and a variety of more ornamental trees in the gardens of North Oxford reinforce this green setting, from which the "dreaming spires" emerge, seen against the open skyline. The green fore and middle grounds contrast with the colour and texture of the buildings on the skyline, enabling the skyline buildings to stand out in silhouette. The expansiveness of the view means that the spires, towers and domes appear relatively small. Closer to the edge of the built up area it is clear that trees and hedgerows around the perimeter of Port Meadow are not unbroken however and views are afforded from various vantage points through gaps in the greenery towards, in particular, the railway line and residential North Oxford to the east and Wolvercote to the north. These remind the viewer that Port Meadow is not set within open countryside but abuts the built up urban edge of the City in these directions.
16. To the south the application side is glimpsed most readily from closer positions, especially along the footpath which leads from Medley to the termination of Walton Well Road at the public car park there. Although this footpath falls just outside the identified View Cone, views along it remain sensitive even though the broken tree line along the Castle Mill Stream at this point allows the existing student accommodation as well as trains idling on the adjacent railway lines to be glimpsed in the distance during winter months. In the summer these features are largely hidden from view. The views along this path are not "static" therefore but "dynamic" where the juxtaposition of features will vary as the viewer proceeds. The views will also change with the passing of the seasons as the gaps "close" during the summer months, and also with the time of day and with the prevailing weather conditions.
17. Nevertheless there can be no doubt of the significance of the Oxford skyline and its landscape setting as one of the enduring images of the City, an image which in planning terms successive Local Plans have sought to protect. In relation to the current application the pre eminent spires on the skyline from Port Meadow are not impacted to any great degree by the current proposals as they are located to the east. The campanile of St. Barnabas Church is an exception however as it is visible above the tree line and between the groups of trees when viewed from the footpath from Medley, and at some points along that route would be seen behind the new accommodation blocks. This

relationship would not be dissimilar however to that created by the extant permission if that were to be proceed instead. Indeed the University has sought to mitigate the impact of its development by lowering the overall height of the accommodation blocks by 1.2m from that originally submitted in the planning application and offering to fund landscaping along the Castle Mill Stream where gaps in the tree and hedge belt currently exist. No objection of principle is raised to such planting, funding for which can be secured by the S.106 agreement. In addition although some of the images supporting the planning application suggest a light coloured render finish to the upper floors of the principal elevations to the development, in further mitigation the University have suggested examining again the choice of colours, textures and tones to materials for external elevations and roofs in order that the development sit more comfortably within views from Port Meadow..

18. In this context a judgement has to be made as to whether the degree of change to the views and landscape setting in this direction which would result from the proposed development is sufficient to warrant refusal of planning permission, taking into account other benefits and objectives to be weighed in the balance. Certainly it is not the case that the development would be entirely hidden from view from Port Meadow or that there would be no impact from the development on the landscape setting and on public views. Rather officers have come to a conclusion, on balance, that with the mitigation described in place then in similar fashion to the extant permission the impact is not such that taken in context with the benefits of the development in provided much needed purpose built student accommodation at an allocated site that planning permission should be denied.

Access to the Site.

19. The 2000 proposals envisaged a development which would generate only low levels of traffic in response to the circumstances of the site with its single vehicular access point off Botley Road via the private road Roger Dudman Way. Along its southern section maintained by Network Rail the access road serves mainly operational requirements for the railway station. It possesses no segregated footways along this section though traffic calming in the form of speed humps are present at various points. North of the bridge over the Sheepwash Channel the road is owned by the University where segregated footways do exist leading to its student accommodation further north. Parking spaces are allocated here for the Turbo Ted nursery, now operated by the Coop.
20. To serve the developments the 2000 permission allowed a total of 40 car parking spaces to be shared between the residential development and student accommodation. In the event 13 car parking spaces were permitted for the 87 flats at Venneit Close in what was one of Oxford's first large scale low car ownership residential developments, and 27 for the 354 student units. Of the latter only 18 of the spaces were laid out however whilst a further 3 for disabled use are proposed in this current application. As the site adjoins but falls outside the West Oxford Controlled Parking Zone, then none of the residents of the development would be eligible for parking permits within the

controlled zone. A condition would also be applied that a clause in students' tenancy agreement would not permit them to bring private vehicles to the City. Instead a total of 360 cycle spaces are proposed to serve the completed development, in excess of the one space per 2 student study rooms required by the adopted Local Plan or 3 spaces per 4 rooms indicated in the emerging Sites and Housing DPD. The cycle parking is provided in covered, secure conditions at various locations set between the accommodation blocks.

21. Whilst the site is well located for public transport facilities at the railway station and Park End Street, and the cycle and pedestrian route to Walton Well Road and beyond has become well used, other routes are currently lacking. The funding received at the outline stage has allowed this to be addressed by the creation of a footpath link from Roger Dudman Way south of Thames Wharf to the Thames Towpath at Fiddler's Island. Planning permission has already been granted for a permanent structure at this point, similar to that at Walton Well Road. This is due to be erected in the coming weeks. In the meantime a temporary footbridge is in place which both enables the construction work for the permanent bridge to proceed and also permit alternative routes to be available to existing residents and the wider public with the closure of the through route to Walton Well Road. The footbridge allows routes to be created to Port Meadow at Medley; to Botley Road via the towpath to the rear of Abbey Place; and towards Jericho via the footpath under the railway lines alongside the Sheepwash Channel.
22. A lighting scheme for the southern section of Roger Dudman Way from that point where it crosses the Sheepwash Channel to Botley Road is also funded from the S.106 monies previously secured. This replaces the very poor lighting currently present. The northern section owned by the University is already adequately lit. At the time of writing final details of the scheme are being confirmed with Network Rail and First Great Western with installation due to commence in the weeks ahead. From the remaining S.106 funds it is also hoped to improve conditions along the Sheepwash Channel footpath under the railway lines leading to Isis Lock.
23. Whilst the cycle and pedestrian route through to Walton Well Road is required to be closed during the 18 month construction period for health and safety reasons, it would be re opened on completion of the development on a slightly amended alignment. At 3.8m in width (to allow emergency vehicles to access the site if required), the route would be wider than its current 3.0m width.
24. These supporting measures taken together would greatly increase the accessibility of the site and are fully supported by the Highway Authority. It would request however a contribution towards off site cycling facilities in line with its usual requirement. A Construction Travel Plan should also be required to regulate the movement of construction vehicles to and from the site. That can be secured by condition, but in preliminary discussions with officers the University has indicated an intention to avoid vehicle movements at busy times for the nursery, and to provide a lay over facility at Osney Mead Industrial Estate from which vehicles can be called to site when required. It also indicates that as with its development at the former Radcliffe Infirmary, a

banksman would be stationed at the junction of Botley Road and Roger Dudman Way at delivery times in order to facilitate the safe movement of construction vehicles gaining access to the development site.

Planning Obligations.

25. A list of matters to be secured by planning obligation which have been agreed with the applicant appears at the head of this report. The financial contributions are in line with the normal requirements of City and County Councils as set out in the Planning Obligations Supplementary Planning Document (SPD) in terms of library and sports facilities, and as required by the Highway Authority in terms of off - site cycling facilities. The cycle / pedestrian route through the site to Walton Well Road continues that secured by the previous permissions on the land.
26. Following the consideration of the emerging Sites and Housing Development Plan Document (DPD) at Council on 19th December 2011 however, additional financial contributions towards affordable housing as outlined in draft policy HP.6 of that document may be appropriate in certain circumstances. This arises as the emerging DPD now constitutes a material consideration in determining planning applications. The policies in the DPD build upon those of the adopted Core Strategy and are based upon detailed evidence following earlier rounds of consultation. Unlike when drawing up the current Local Plan the production of DPDs is "front loaded" whereby policies are shaped by a greater amount of early evidence gathering and consultation. At the time of writing this stage has now been completed and the DPD has reached the stage where formal consultation is about to take place with a view to an Examination in Public late this year and formal adoption early in 2013.
27. In relation to the current case the emerging DPD policies and existing ones within the adopted Oxford Core Strategy and Local Plan which are especially relevant to the provision of student accommodation at the application site are as follows.

Adopted Oxford Core Strategy: Policy CS.25:

"Planning permission will only be granted for additional academic / administrative accommodation for the University of Oxford and Oxford Brookes University where that University can demonstrate: in the first place that the number of full - time students at that University, who live in Oxford but outside of university - provided accommodation, will, before the particular development is completed, be below the 3,000 level and once that figure is reached, thereafter will not exceed that level. All future increases in student numbers at the two Universities as a result of increases in academic / administrative floor-space must be matched by a corresponding increase in purpose built student accommodation. Student accommodation will be restricted in occupation to students in full - time education on courses of an academic year or more. Appropriate management controls will be secured, including an undertaking that students do not bring cars to Oxford."

Adopted Local Plan: Policy DS.22:

"Planning permission will not be granted at land at North End Yard, Cripsey Road for uses other than purpose - built student accommodation for use by the University of Oxford".

Emerging Sites and Housing DPD: Policy HP.6:

"Planning policy will only be granted for new student accommodation that includes 8 or more bedrooms if a financial contribution is secured towards delivering affordable housing elsewhere in Oxford. The contribution will be calculated using the formula in Appendix 4.

An exception to this requirement will be made for any proposal that is within an existing academic campus or college site that includes regular teaching activities and facilities.

Developers may not circumvent this policy by artificially subdividing sites. For mixed – use developments of student accommodation with general housing or commercial floorspace, a pro rata approach will be used to determine whether a contribution is required, and how much this should be"

Emerging Sites and Housing DPD: Policy SP.16:

"Planning permission will be granted for student accommodation at Land North of Roger Dudman Way. Planning permission will not be granted for any other uses.

Adequate measures should be in place to relocate any badger setts found on the site. Development should incorporate fencing along the boundary with Cripsey Meadow allotments adequate enough to prevent badgers migrating onto the allotments.

Development should be designed to ensure that there is no adverse impact on Port Meadow SSSI."

28. In addition the supporting text to the emerging policy HP.6 indicates that:
"A key objective of the Core Strategy is to ensure that new residential development contributes to a balance of housing types and tenures, which in turn contribute to mixed and balanced communities. New student accommodation is often proposed on sites that could otherwise be developed for housing, which would include affordable homes of a wider tenure mix".
29. Attached as **Appendix 2** to this report is the applicants' comments on policy HP.6 and related matters as a supporting submission to the planning application. In the letter the University argues that the site continues to be allocated for student accommodation only, and that an extant permission exists for the same. The provision of student accommodation here therefore remains a commitment. Moreover whereas individual colleges have relief from the requirement to contribute to affordable housing from developments of student accommodation where they are on sites which also possess academic / teaching floorspace, such relief is not given to the central University as its academic and teaching facilities are not on the same sites. The University feels this is inconsistent and representations to this effect have already been made at the DPD's options stage, and are likely to be repeated in the formal consultation period about to commence.

30. Moreover the University argues that as its site is not suitable for family housing, then no potential family housing is lost and there is no adverse impact on the general housing market. Rather there are benefits as a large number of University students would be taken out of the housing market. It therefore requests relief from the policy in this case.
31. Furthermore the University is required by restrictive planning conditions to academic floorspace already granted planning permission to provide matching purpose - built student accommodation such that the numbers of students living in open market accommodation do not exceed 3000 and should remain below that figure in the years ahead, (Core Strategy policy CS.25 above). The University is currently at or about that figure. The current proposal would permit a large number of its postgraduate students to be taken out of open market accommodation accordingly, allowing the requirements of the restrictive conditions to be met. In the event that the current application did not proceed, the University could however build out the site in accordance with its extant permission without requiring further consents. That would result in some 85 fewer purpose built units being available for its postgraduate students however.
32. Notwithstanding these considerations the University nevertheless recognizes the direction of travel of emerging policy HP6 of the Sites and Housing DPD and is prepared to make a financial contribution towards affordable housing commensurate with its current status. The contribution would be secured as part of the S.106 agreement referred to at the head of this report and in common with other such agreements would be payable in the event of the policy being adopted following the Examination in Public later this year. Further details of the contribution will be provided at committee.
33. In summary, as the emerging DPD policy HP.6 does not yet carry full weight ahead of its formal adoption, and the outcome of the Examination in Public cannot be entirely anticipated at this stage, then officers would acknowledge the University's cogent arguments in this particular case and at this particular stage in the DPD process. Accordingly Officers would accept the case made for a financial contribution on the basis suggested.

Biodiversity

34. Following construction of the existing phase of development at Castle Mill, the remainder of this brownfield site has been laid out in the main as semi neutral grassland and scrub. In January and March 2011 badger surveys of the site were undertaken and more general wildlife surveys in March and August of the same year.
35. In terms of badgers an annex sett with 4 entrances was identified in the March survey close to the western boundary of the site. The sett was evidently not active in July however, suggesting it might have been seasonally active only as other setts are known to exist off - site in the general locality. Subsequently a license was obtained from Natural England for closure of the sett to allow

development to proceed, with the creation of an artificial sett as a replacement elsewhere on the application site. In the event of planning permission being granted, it is also intended to create and retain a 2m badger run along the western boundary of the application site to allow movement of badgers through the site.

36. In terms of other species the surveys revealed no great crested newts on site or within 500m, though some suitable habitats for reptiles were present, resulting in a small population of slow worms with the possibility of grass snakes and common lizards occasionally using the site. There were no suitable roosting habitats for bats recorded, and a very low potential for invertebrates. There was some potential to support nesting birds.
37. Overall the ecological report concludes that other than for badgers the site is currently only of limited ecological interest. However the development does create the potential to enhance wildlife by providing new facilities accordingly. Attached as **Appendix 3** to this report is a schedule of works as wildlife enhancements which could be incorporated into the development. Officers would support these enhancements which can be secured by condition.

Sustainability:

38. The development would possess 21 car parking spaces only but 360 cycle spaces to serve a total of 439 student residential units. It is located close to the railway station and its associated bus interchange, and would possess good cycle and pedestrian links to Botley Road, North Oxford, Jericho and Port Meadow, making the application site a highly sustainable location.
39. In terms of the new buildings, a Natural Resource Impact Analysis, (NRIA) and Energy Statement accompany the planning application. A minimum score is achieved in each of the NRIA categories of energy efficiency, renewable energy, use of materials and water resources to attain an overall score of 6 out of a possible 11. In terms of actual measures a dedicated district heating system is included, serving all of the buildings existing and proposed on the site and a central energy centre building is created accordingly. This is supported by photovoltaics on south facing roofs across the development. High thermal insulation, air tightness and high performance windows etc are all included to increase energy efficiency, whilst external lighting is controlled by photoelectric sensors. "A rated" appliances are also included throughout. Timber would be acquired from renewable sources and materials sourced locally and / or recycled wherever possible. Low flow showers and WCs etc would be included and rainwater harvested and stored to serve the adjacent allotments. The development is aimed at achieving a BREEAM excellent rating.

Flood Risk

40. A full flood risk assessment (FRA) accompanies the planning application. The FRA confirms the site as falling within defined flood zone 1 where a low probability of flooding exists of 1 in 1000 years. Land adjacent falls within

higher risk categories however, zones 2 and 3. The FRA goes on to indicate that the application site would remain in flood zone 1 even allowing for climate change over the assumed 75 year lifespan of the development. The land on which the development would be sited would also be approximately 0.7m higher than the ground level for phase 1.

41. On completion of the development it would be the intention to store water from roof areas in a series of underground storage tanks before releasing it into the existing pumping chamber within the existing phase1 development and from there into the river system. The access road / cycle route would be constructed of permeable materials within a tanked granular medium. Water from there would flow to the existing storage tank within phase 1.
42. The Environment Agency has been fully consulted on these arrangements and raise no objection to them or to other aspects of the development. It suggests conditions only, relating to surface water drainage and to the remediation of contaminants on the site, in order to protect groundwater quality.

Conclusion.

43. The planning application proposes a major development of student accommodation on a site allocated for the purpose which will allow the University to accommodate more of its postgraduates in purpose built surroundings. In doing so it will also allow the University to meet and maintain the requirements of other recent permissions for academic floorspace that no more than 3,000 of its students should live in open market housing. The development relates appropriately to the adjacent railway lines and to Cripsey Meadow allotments, though as with the extant permission, it would be seen to an extent from various vantage points within Port Meadow through and above the tree line, especially in winter months. Mitigation through on and off site planting and in the judicious choice of materials and their colours, tones and textures would however assist the development in sitting more easily in these views.
44. Officers have concluded that the balance of advantage lies with supporting the proposals.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions and an accompanying legal agreement. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

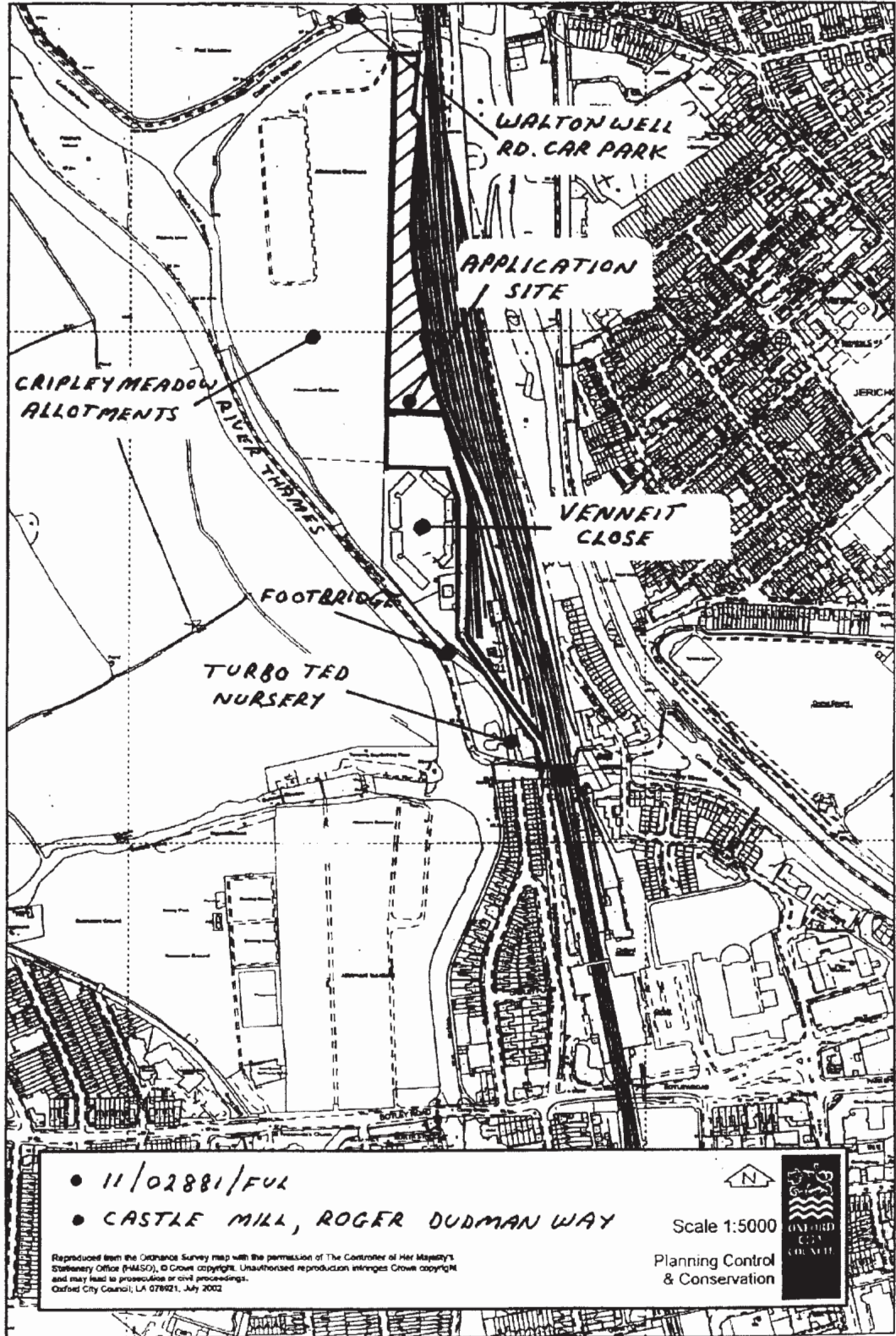
Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve the planning application subject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

Background Papers: Applications 97/00342/NOY, 02/00898/RES, 11/02881/FUL.

Contact Officer: Murray Hancock

Extension: 2153

Date: 3rd February 2012.



APPENDIX 2

Please Reply to: Swindon
Our Ref: TAG/C22175
Your Ref:
Date: 6 February 2012



Mr M Hancock
Chief Principal Planner
Oxford City Council
Ramsay House
10 St Ebb's Street
Oxford
OX1 1PT

Dear Mr Hancock

Planning application for post-graduate student accommodation at Castle Mill, Roger Dudman Way, Oxford, for the University of Oxford – Proposed Policy HP6 Affordable Housing from Student Accommodation

I am writing in relation to the above planning application for post-graduate student accommodation at Castle Mill, and in particular to a key issue which has emerged as a result of the recent decision of the City Council to adopt and enforce Policy HP6, which seeks to secure contributions towards the provision of affordable housing when certain types of new student accommodation is proposed

This letter will deal with the application of the proposed policy to the proposed Castle Mill development. It does not make any general points about the wider implications of the proposed policy.

1. Committed Site

The Castle Mill site has been identified as suitable for student accommodation for some time. Indeed, the current site has not been regarded as suitable for forms of housing other than for students. This appears to be because of its location, adjacent land uses, and the shape of the site. The site was identified for this specific purpose in an early version of the Oxford City Local Plan and again in the Oxford Local Plan 20012-2016 (Policy DS22) which states:

"Planning permission will not be granted at land at North End Yard, Crpley Road for uses other than purpose-built student accommodation for use by the University of Oxford"

Cont/d....

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Company Secretary
Group Planner and Practice Manager
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Mr M Hancock
Chief Principal Planner



The explanatory text notes that:

"The access is very restricted but the site is considered to be suitable for purpose-built student accommodation".

And

"...it is considered that any other form of residential development would undermine the need to strike a balance between different land uses and needs".

Most recently the sites and housing DPD submission document has identified the site as suitable for student accommodation and has noted:

"...no other uses likely to come forward for the site due to the narrowness of the site and being owned by the University of Oxford".

The option of allocating the site for "car-free residential" development was rejected because the site "may be difficult to design family housing so as to avoid habitable rooms facing the noise of the railway".

Following on from the original allocation, planning permission was granted for the development of the site for post-graduate student accommodation for 517 bedspaces. The planning permission has now been implemented in part, and the current application seeks permission for a modified form of development on the balance of the site. There is therefore, an extant permission on the site and it is a committed site both from the Development Plan allocation and the planning permission.

In relation to Policy HP6 therefore, the extant permission could continue to be implemented without reference to the Policy. The fact that the site is committed for purpose-built student accommodation means that it would be unreasonable to assume that an alternative residential use for family housing was feasible. There is a long standing commitment to student housing on this site. The City Council has, for some time, sought uses for the land which would not lead to the generation of traffic movements. The site is very clearly not suitable for family housing.

2. Nature of the development

The proposed development is not speculative. It is being made by Oxford University in order to meet the needs of post-graduate students who are studying at the University. The new policy is clearly designed to secure contributions from developers of sites which, could otherwise be developed for general family housing. There is still a large number of students at Oxford who need to be housed in purpose-built accommodation. This will ensure that no students are then living in housing which is suitable for family housing in the wider community.

Cont/d

Mr M Hancock
Chief Principal Planner



The University is very anxious to provide good quality accommodation at affordable prices for students. Rental levels are below market rents so the proposed development is effectively affordable housing in its own right. At the present time Policy CS25 imposes a restriction on University development where more than 3000 students live in the community, in non-purpose-built accommodation. The University is very aware of this threshold and is anxious to provide as much purpose-built student accommodation as possible. It is extremely unlikely to ever give up this site for another use and so it would not be available for family housing in any foreseeable circumstance.

3. The distinction between development carried out by Oxford University and that undertaken by the Colleges

The colleges are able to "obtain relief" from the policy because for the most part, their development is contained within single sites. Moreover, student accommodation provided by colleges very often includes some forms of "teaching" space which also secures exceptions to the Policy. In contrast, the University almost invariably provides teaching, research and support facilities on sites which are unrelated to the residential accommodation which it provides.

It would be extremely unusual for the University to provide any residential accommodation alongside or as part of any of the other facilities it provides, such as laboratories, libraries, sports facilities, administrative offices etc.

Oxford University is not a campus style university, and the criteria for exceptions to the policy fail to acknowledge its special position.

4. Is the site an existing academic campus?

Although there is no formal teaching on the site, or in the proposed buildings, there are communal facilities and study rooms, so the site is arguably a campus type site.

In the light of recent meetings and discussions, specifically to consider the impact of Policy HP6, the University has concluded, albeit that it regards the Castle Mill site as a special case in any event, that the general application of the policy is something that will be tested before an Inspector at a forthcoming Inquiry. The University is therefore intending to make provision for a financial contribution towards affordable housing in Oxford arising out of the additional units of student accommodation generated by the current application, to be made when and if the policy is formally adopted following the Inquiry.

Cont/d

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6 February 2012

Mr M Hancock
Chief Principal Planner



There have also been recent discussions concerning the visual impact of the proposed development from Port Meadow, particularly in relation to the "view cone" from Wolvercote car park.

We have now completed some careful analysis of the views from the Wolvercote car park (copies of drawings have been supplied), and have concluded that the visual impact of the proposed scheme will be negligible or non-existent. We are aware however, that when viewed from the lowpath and from positions much closer to the site, the existing approved scheme does present a hard edge as a linear form, and does partly shield some parts of buildings to the east. The current proposal will, in places, be higher than the existing approved scheme, and its effect would therefore be marginally greater. We have given careful consideration as to how best to mitigate this and have concluded that the following measures would be beneficial:

- Carry out off-site tree planting along the edge of Port Meadow with the consent and approval of the owners etc.
- Consider the introduction of different colours and materials for certain elements of the scheme.
- Reduce the ridge height of the scheme by altering the roof pitch and introducing a "slot feature" along the ridge line which would reduce the overall height by about 1.2m

The University is therefore prepared to make the changes described above and to carry out tree planting with the owners' permission as part of this proposal.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Terry Gashe', with a flourish at the end.

Terry Gashe
Consultant
Development Planning and Design Services Ltd
tgashe@dpds.co.uk

APPENDIX 3

Castle Mill, Roger Dudman Way, Oxford

Ecology Report
October 2011

Recommendations for protection and enhancement of site's ecology

Recommendation	Details
Recommendation 1	A new artificial badger sett has been created to the north of the site. A 2m wide badger run will be retained along the western boundary to allow badger movement through the site.
Recommendation 2	Maintain development site as close-mown grassland to make the land unsuitable for reptiles to prevent harm.
Recommendation 3	The area surrounding the badger sett will be allowed to develop rough grassland to provide suitable reptile habitat.
Recommendation 4	A hedgerow of thorny shrubs including hawthorn, blackthorn <i>Prunus spinosa</i> and dog rose <i>Rosa canina</i> will be planted around the badger sett area.
Recommendation 5	Two reptile hibernation/refuge sites will be created within this area, using logs from felled trees
Recommendation 6	Lighting will be directed away from the badger run and badger sett area.
Recommendation 7	Planted trees and shrubs in the rest of the site will include a minimum of 50% native species that are representative of the geographical location and will be sourced from stock of local provenance (see Appendix B for a list of suitable species).
Recommendation 8	To enhance the site for nesting birds six Schwegler No. 17 Triple Cavity Swift boxes will be recessed into the top of northern exterior walls below the eaves of blocks 6, 7 and 8.
Recommendation 9	Nesting birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended). Disturbance to nesting birds can usually be avoided by carrying out works and by excluding birds from suitable nest sites outside the bird nesting season (the nesting season is generally March to August inclusive). However, birds may nest outside the peak nesting period, in which case, works that would result in nest disturbance must cease until birds have finished nesting.
Recommendation 10	Lawns will be created using nutrient poor soils and sown with Emmorsgate EL1 – Flowering lawn mixture. No perennial ryegrass <i>Lolium perenne</i> will be sown.
Recommendation 11	The adoption of horticultural good practice (e.g. no or low use of residual pesticides).
Recommendation 12	The proper integration, design and maintenance of Sustainable Urban Drainage (SUDS).

Public Consultation on Extant Planning Permission No. 02/00989/RES.

Statutory and other Bodies Consulted.

- Environment Agency.
- Bucks Berks & Oxon Wildlife Trust (formerly BBONT).
- Campaign to Protect Rural England (CPRE).
- Oxford Urban Wildlife Group.
- Southern & Scottish Electricity.
- Natural England (formerly English Nature).
- West Oxford Community Association.
- Cripsey Meadow Allotments Association.
- Victorian Group of OAHS.
- Thames Valley Police.
- Oxford Preservation Trust.
- Oxford University Students Union.
- British Rail Property Board.
- Jericho Council Tenants Association.
- Port Meadow Protection Group.
- St. Thomas' & New Road Allotment Association.
- Railtrack Great Western.
- Thames Trains.
- Jericho & St. Barnabas Community Association.
- Oxford Civic Society.
- Telecommunications.
- University of Oxford Registrar.
- Youth Hostel Association.
- Turbo Ted's Nursery.
- W. Lucy & Co. Ltd.
- Councillors Cook & Pressel.

Residential Properties.

- Abbey Road: 1-26 odd, 45-77 odd, 76-82 even, 1-5 all, 7, 8.
- Rewley Road: 31-97 odd.
- Walton Well Road: 1-43 odd, 2-30 even.
- Cranham Street: 44, 45.
- Kingston Road: 163.
- Courtland Road: 97.
- Minchery Road: 38.

City Development
Planning Control and Conservation

E: planning@oxford.gov.uk F: 01865 252144

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On Behalf of: The University Of Oxford
C/o Terry Gashe
DPDS Consulting
Old Bank House
5 Devizes Road
Old Town
Swindon
SN14BJ

APPLICATION FOR PLANNING PERMISSION
Town and Country Planning Act 1990

DECISION DATE: 13th August 2012

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

AT: Castle Mill Roger Dudman Way Oxford

NOTICE OF GRANT OF PLANNING PERMISSION

11/02881/FUL

Following consideration of the application in respect of the proposal outlined above, it was resolved to **GRANT PLANNING PERMISSION** for the following reasons:-

- 1 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 2 The development seeks to provide purpose built student accommodation at a site allocated for the purpose which is already partly built out for that use, and where the planning permission for the remainder of the site remains extant. The site is a brownfield one and lies adjacent to the main line railway into Oxford station to the south and was formerly used for railway related activities. Due to its linear form adjacent to the railway lines and its poor access from Botley Road, the site is ill suited to commercial development, family housing, or other uses which would generate significant levels of traffic. It is well suited to the needs of the University's graduate students however as it would enjoy good links by foot and cycle to



INVESTORS
IN PEOPLE

the city centre, Walton Street and North Oxford. As such the development makes good and efficient use of the land.

- 3 Many of the public comments received express concerns about cycle and pedestrian access to the site, either from Roger Dudman Way or via Walton Well Road to the north. The latter access is intended to be closed during construction. Although these concerns are acknowledged, measures are in hand to create alternative pedestrian routes and to improve current conditions along Roger Dudman Way. On other matters the buildings proposed on up to 5 floors are large but appropriate in height and scale at this location; issues of biodiversity and the relationships to the neighbouring allotments addressed; and the site safeguarded from flood risk. The site is sustainable with good levels of energy efficiency included within the development. There are no objections from statutory organisations.

subject to following conditions, which have been imposed for the reasons stated:-

CONDITIONS:

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

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

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

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

- 3 Prior to the commencement of development or such other time as previously agreed in writing samples of the exterior materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall be used in the development.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

- 4 The student accommodation hereby permitted shall only be occupied by students in full time education on courses of an academic year or more. No occupation shall take place until details of the management controls applying to the accommodation, (which may include an on - site warden or other 24 hour supervision), shall have first been submitted to and approved in writing by the Local Planning Authority. There shall be no variation to the approved management controls without the prior written approval of the Local Planning Authority.

Reason: In order to maintain the availability of appropriate student accommodation and controls on its management in the interests of amenity, in accordance with policy CS25 of the Adopted Oxford Core Strategy 2026.

- 5 Prior to the first occupation of the development or such other time as previously agreed in writing, a landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall include a survey of existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in

detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner.

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

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

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

- 7 Prior to the first occupation of the development or such other time as previously agreed in writing, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to, and approved in writing by, the Local Planning Authority. The landscape management plan shall be carried out only as approved.

Reason: In the interests of amenity and the appearance of the area in accordance with policies CP1, CP11 and NE17 of the Adopted Local Plan 2001-2016.

- 8 Prior to the first occupation of the development the areas for parking and manoeuvring of vehicles and cycles shall be constructed and laid out in accordance with the approved plans and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety in accordance with policies CP1, CP6, CP10, TR3 and TR4 of the Adopted Oxford Local Plan 2001-2016.

- 9 There shall be no parking of vehicles on site other than in those parking spaces indicated in the approved drawings. No occupation of the development shall take place until details of the means of control of on site parking has been submitted to and approved in writing by the local planning authority and implemented accordingly. There shall be no subsequent variation to the approved controls without the prior written approval of the local planning authority.

Reason: In order to prevent unauthorised parking on site in the interests of traffic and parking restraint, in accordance with policies TR3, TR11 and TR12 of the adopted Oxford Local Plan 2001 to 2016.

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

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

- 11 Prior to the first occupation of the development or such other time as previously agreed in writing a scheme for the protection of the proposed development from noise emanating from

the adjacent railway lines shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be fully incorporated into the development following the submission and approval in writing of a full verification report, also prior to first occupation.

Reason: To safeguard the amenities of the occupiers of the proposed development, in accordance with policies CP19 and HS19 of the Adopted Oxford local plan 2001 to 2016.

- 12 Prior to the first occupation of the development or such other time as previously agreed in writing, a scheme to protect the development from vibration from traffic on the adjacent railway lines shall be submitted to and approved in writing by the Local Planning Authority. The measures as approved shall be incorporated into the building prior to occupation and retained at all times thereafter.

Reason: In the interests of the amenities of the occupiers of the development, in accordance with policy CP.21 of the Adopted Oxford Local Plan 2001 to 2016.

- 13 Prior to the first occupation of the development or such other time as agreed in writing details of a scheme of Closed Circuit Television (CCTV) shall have been approved in writing by the local planning authority and implemented on site. The CCTV as approved shall be retained at all times thereafter unless otherwise approved in writing beforehand by the local planning authority.

Reason: In the interests of the security of occupiers of the development and their visitors, in accordance with policy CS19 of the Adopted Oxford Core Strategy 2026.

- 14 No infiltration of surface water drainage into the ground shall take place without the prior written approval of the local planning authority, which may relate to those parts of the development site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall only be carried out strictly in accordance with the approved details.

Reason: To protect groundwater quality from infiltration through contaminated ground, in accordance with policy NE13 of the Adopted Oxford Local Plan 2001 to 2016.

- 15 Prior to the commencement of development or such other time as previously agreed in writing a sustainable drainage scheme shall be implemented in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent the increased risk of surface water flooding and improve water quality, in accordance with policy CS11 of the Adopted Oxford Core Strategy 2026.

- 16 (a) The soil and water environment maybe contaminated and prior to commencement of development, a desk-top study on the history of the site and a soil and water contamination survey and risk assessment shall be carried out in accordance with the guidelines set out in the Department of the Environment CLR report and in the CIRIA reports on remedial treatment for contaminated land volumes 1-12, and any subsequent updates of the reports. Details of the desktop study, soil and water contamination surveys and risk assessment shall be submitted to the Local Planning Authority for approval in writing prior to the commencement of the development.
- (b) In the event of the findings of contamination to soil or water as a result of the surveys carried out under condition (a) above, a programme of remedial works shall be submitted to the Local Planning Authority for approval in writing prior to the commencement of the development.
- (c) The approved remedial measures and monitoring and certification of the works shall be

carried out by a company consultant or organisation quality-assured under ISO 9001 and the approved remedial works shall be completed prior to first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority beforehand or unless carried out in accordance with a programme which has been agreed in advance in writing by the Local Planning Authority. No property shall be occupied until a certificate has been received by the Local Planning Authority verifying that remedial works on that part of the site have been completed. A full validation report and final completion certificate shall be provided by the company consultant or organisation who carried out the remedial works on completion of this scheme.

Reason: In the interests of public and environment health, in accordance with policy NE13 of the Adopted Oxford Local Plan 2001 to 2011.

- 17 The development hereby permitted shall be undertaken fully in accordance with the principles embodied in the Natural Resource Impact Analysis (NRIA) accompanying the planning application, so as to achieve the score of 6 out of 11 indicated with a minimum score achieved in each of the categories of energy efficiency, renewable energy, materials and water resources. There shall be no variation to the NRIA as submitted which would result in failure to meet the minimum scores without the prior written approval of the Local Planning Authority.

Reason: In the interests of sustainability in accordance with policy CP18 of the Adopted Oxford Local Plan 2001-2016.

- 18 Prior to the the first occupation of the development or such other time as previously agreed in writing, details of the measures for the future management of the badger sett on site shall be submitted to and approved in writing by the local planning authority. The badger sett shall only be managed in strict accrdance with the details approved.

Reason: In the interests of wildlife conservation and promotion, in accordance with policy HE23 of the Adopted Oxford Local Plan 2001 - 2016.

- 19 Prior to the first occupation of the development or such other time as previously agreed in writing the wildlife initiatives indicated in the recommendations to the Ecoconsult Ecology Report of October 2011 shall be fully implemented and retained at all times thereafter.

Reason: In the interests of wildlife conservation and promotion, in accordance with policy HE23 of the Adopted Oxford Local Plan 2001 to 2016.

- 20 Prior to the commencement of the development or such other time as previously agreed in writing a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of the following matters:
- signage for construction traffic, pedestrians and other users of the - site;
 - controls on arrival and departure times for construction vehicles;
 - piling methods (if employed);
 - earthworks;
 - hoardings to the site;
 - hours of working;
 - vibration;
 - control of emissions;
 - waste management and material re use;
 - materials storage; and
 - hazardous material removal and storage.

Reason: In the interests of the amenities of neighbouring occupiers, in accordance with

policies CP.1, CP.10 and HS.19 of the Adopted Oxford Local Plan 2001 to 2016

- 21 Prior to the commencement of development or such other time as previously agreed in writing a Construction Travel Plan, which shall include routing arrangements for construction vehicles, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken strictly in accordance with the Construction Travel Plan as approved at all times.

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

- 22 Prior to the first occupation of the development or such other time as previously agreed in writing by the local planning authority, details of a scheme of public art shall be submitted to and approved in writing by the Local Planning Authority and a timetable agreed for its implementation. The public art as approved and implemented shall be retained at all times following its erection unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of visual amenity and in accordance with Policy CP14 of the Adopted Oxford Local Plan 2001 - 2016

INFORMATIVES :-

- 1 Oxford City Council strongly encourages that when this permission is implemented, all building works and the management of the development site are carried out in accordance with the Code of Considerate Practice promoted by the Considerate Contractors scheme. Details of the scheme are available from

Considerate Contractors Scheme
PO Box 75
Ware
Hertfordshire
SG12 9UY

01920 485959
0800 7831423

enquiries@ccscheme.org.uk
www.considerateconstructorsscheme.org.uk

- 2 Notwithstanding any details of energy efficient features included with the planning application, subject to other considerations the Local Planning Authority would encourage the inclusion of additional energy efficiency measures within the development permitted in line with the principles of energy conservation, energy efficiency and sustainability embodied in policies CP15, CP16 and CP18 of the Oxford Local Plan.

- 3 Nesting birds
All wild birds, nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that persons undertaking site clearance, hedgerow removal, demolition works etc. between March and August may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The City Council advises that such work should be scheduled for

the period 1 September-28 February wherever possible. Otherwise, a qualified ecologist should make a careful check before work begins.

- 4 To avoid doubt public art shall mean works of adornment or decoration to the development or its surroundings, whether freestanding or otherwise, which can be viewed and enjoyed by the public at large, other than hard or soft landscaping measures.
- 5 Courses of an academic year or more shall refer to a period of 12 months or more aligned to the duration of a course upon which students are enrolled at a university, college or other academic institution in the city, and shall include academic terms / semesters and vacations.
- 6 In the interests crime prevention the applicant is recommended to apply for Secured by Design accreditation from Thames Valley Police.

PLEASE NOTE All local plan policies and proposals which are relevant to this decision are specified in the list below which forms part of this decision notice.

CP1 - Oxford Local Plan 2001-2016

Development Proposals - Sets out key criteria expected from new development.

CP6 - Oxford Local Plan 2001-2016

Efficient Use of Land and Density - Requires development to make maximum and appropriate use of land.

CP8 - Oxford Local Plan 2001-2016

Designing Development to Relate to its Context - Sets out criteria required from development to demonstrate that it will respect the local context.

CP9 - Oxford Local Plan 2001-2016

Creating Successful New Places - Sets out criteria required from development to create a successful public realm.

CP10 - Oxford Local Plan 2001-2016

Siting of Development to Meet its Functional Needs - Sets out criteria required from development to ensure functional needs are met.

CP11 - Oxford Local Plan 2001-2016

Landscape Design - Requires development to incorporate appropriate hard and soft landscaping.

CP13 - Oxford Local Plan 2001-2016

Accessibility - Requires development to make reasonable provision for access by all members of the community.

CP14 - Oxford Local Plan 2001-2016

Public Art - Seeks the provision of public art in association with major development.

CP17 - Oxford Local Plan 2001-2016

Recycled Materials - Requires the use of recycled or reclaimed materials in developments above a certain threshold.

CP18 - Oxford Local Plan 2001-2016

Natural Resource Impact Analysis - Requires the submission of an NRIA in association with developments above a certain threshold.

CP21 - Oxford Local Plan 2001-2016

Noise - Sets out considerations that apply to developments that cause noise, and developments that are sensitive to noise.

CP22 - Oxford Local Plan 2001-2016

Contaminated Land - Sets out the considerations that apply to development on or near to former landfill sites or other contaminated land.

TR3 - Oxford Local Plan 2001-2016

Car Parking Standards - Sets maximum car parking standards and identifies the Transport Central Area and Transport District Areas.

TR4 - Oxford Local Plan 2001-2016

Pedestrian and Cycle Facilities - Seeks to secure pedestrian and cycle facilities as part of development proposals. Sets cycle parking standards.

NE11 - Oxford Local Plan 2001-2016

Land Drainage and River Engineering Works - Seeks to protect the flora and fauna of Oxford's flood meadows and other wetland habitats, particularly from culverting.

NE12 - Oxford Local Plan 2001-2016

Groundwater Flow - Seeks to prevent adverse impacts on groundwater flow.

NE13 - Oxford Local Plan 2001-2016

Water Quality - Seeks to maintain surface and groundwater quality.

NE14 - Oxford Local Plan 2001-2016

Water and Sewerage Infrastructure - Seeks to ensure that sufficient water and sewerage capacity exists in time to serve new development

NE21 - Oxford Local Plan 2001-2016

Species Protection - Protects plant and animal species for which there is a statutory duty to protect under other legislation.

NE23 - Oxford Local Plan 2001-2016

Habitat Creation in New Developments - Supports the creation of new habitats or habitat enhancement as part of development proposals.

HE10 - Oxford Local Plan 2001-2016

View Cones of Oxford - Prevents development that would detract from, or obstruct, important views of the historic skyline, and identifies view cones.

SR9 - Oxford Local Plan 2001-2016

Footpaths & Bridleways - Seeks to safeguard, improve or add to the Public Rights of Way network.

DS22 - Oxford Local Plan 2001-2016

Criphey Road, Land at North End Yard - Allocates site for specific uses.

CS2_ - Core Strategy

Previously Developed Land and Greenfield Land - Sets out approach to development on previously developed and greenfield land.

CS9_ - Core Strategy

Energy and Natural Resources - Requires development to demonstrate how sustainable design and construction methods will be incorporated.

CS10_ - Core Strategy

Waste and Recycling - Requires development to have regard to the waste management hierarchy.

CS11_ - Core Strategy

Flooding - Sets out approach to development in the flood plain and other flood zones, and to reducing flood risk from all development.

CS12_ - Core Strategy

Biodiversity - Requires development to maintain and where appropriate enhance biodiversity.

CS13_ - Core Strategy

Supporting access to new development - Requires development to prioritise access by walking, cycling and public transport, and sets out approach to access at the strategic locations.

CS17_ - Core Strategy

Infrastructure and developer contributions - Sets out approach to the provision of infrastructure improvements and developer contributions.

CS18_ - Core Strategy

Urban design, townscape character and the historic environment - Sets out urban design principles and requires development to respect Oxford's unique townscape and historic environment.

CS19_ - Core Strategy

Community safety - Requires development to promote safe and attractive environments that reduce the opportunity for crime and fear of crime.

CS25_ - Core Strategy

Student accommodation - Sets out approach to the provision of student accommodation for students at Oxford Brookes University and the University of Oxford.

HP5_ - Housing DPD - Proposed Submission

Location of Student Accommodation - Policy setting out locational criteria for student accommodation

HP6_ - Housing DPD - Proposed Submission

Affordable Housing from Student Accommodation - Policy setting out the mechanism for collecting financial contributions from student accommodation developments

HP11_ - Housing DPD - Proposed Submission

Low Carbon Homes - Policy requiring qualifying developments to provide 20% of their energy needs from on-site renewable or low carbon technologies, and requiring an energy statement from all development proposals to show how energy efficiencies have been incorporated

HP15_ - Housing DPD - Proposed Submission

Residential cycle parking - Policy setting out minimum standards for cycle parking in residential developments

HP16_ - Housing DPD - Proposed Submission

Residential car parking - Policy setting out maximum standards for car parking in residential developments

CS4_ - Core Strategy

Green Belt - Sets out the approach to development in the Green Belt and outlines the criteria to be met for land to be released from the Green Belt.

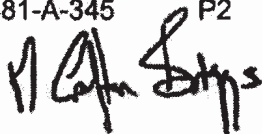
SP26_ - Sites DPD - Proposed Submission

Land north of Roger Dudman Way - Policy setting out what type of development is appropriate on this site

APPROVED PLANS

Reference Number	Version	Description
611481-A-005	P2	Elevations - Proposed
611481-A-310	P2	Elevations - Proposed

611481-A-315	P2	Elevations - Proposed
611481-A-320	P2	Elevations - Proposed
611481-A-325	P2	Elevations - Proposed
611481-A-335	P2	Elevations - Proposed
611481-A-340	P2	Elevations - Proposed
611481-A-001	P1	Site plans
611481-A-002	P1	Block plans
611481-A-003	P1	Site plans
611481-A-006	P1	Proposed
611481-A-50	P1	Proposed
611481-A-51	P1	Proposed
611481-A-110	P1	Floor Plans - Proposed
611481-A-120	P1	Floor Plans - Proposed
611481-A-130	P1	Floor Plans - Proposed
611481-A-140	P1	Floor Plans - Proposed
611481-A-150	P1	Floor Plans - Proposed
611481-A-160	P1	Floor Plans - Proposed
611481-A-170	P1	Floor Plans - Proposed
611481-A-180	P1	Floor Plans - Proposed
611481-A-190	P1	Floor Plans - Proposed
611481-A-195	P1	Plans - Proposed
611481-A-200	P1	Cross Section
611481-A-210	P1	Cross Section
611481-A-230	P1	Cross Section
611481-A-350	P1	Elevations - Proposed
611481-A-004	P2	Roof Plan
611481-A-330	P2	Elevations - Proposed
611481-A-345	P2	Elevations - Proposed



MICHAEL CROFTON - BRIGGS
Head of City Development

Please note that this notice does not relieve the applicant from the need to ensure compliance with the appropriate provisions of the Building Act 1984 and the Building Regulations 2000. Any planning application which involves alterations to the kerb and construction of a vehicle crossing in th highway (including the footway and/or verge) will require a separate written application to be made to the Director of City Works, Cowley Marsh Depot, Marsh Road, Cowley, Oxford OX4 2HH.

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS NOTICE

GUIDANCE NOTES FOR APPLICANTS WHERE AN APPLICATION HAS BEEN APPROVED

1. APPLICATIONS FOR PLANNING PERMISSION, APPROVAL OF RESERVED MATTERS, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT.

If you object to the Local Planning Authority's decision to grant permission, approval or consent subject to conditions, you may appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990 within 6 months of the date of this notice. With regard to approved applications concerning listed buildings in a conservation area, you may appeal under Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 8 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

Please make your appeal using a form from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) www.planning-inspectorate.gov.uk. The Secretary of State may allow a longer period for you to give notice of appeal, but will normally only do so if there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it appears that the Local Planning Authority could have granted permission for the proposed development only subject to the conditions it imposed, bearing in mind the statutory requirements, the development order, and any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority made its decision on the grounds of a direction that he or she had given.

It may be that planning permission, conservation area consent or listed building consent is granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment; but you, as the landowner, claim that the land is no longer fit for reasonably beneficial use in its existing state and you cannot make it fit for such use by carrying out the permitted development. If so, you may serve a purchase notice on Oxford City Council requiring the Council to buy your interest in the land. You can do this under Section 137 of the Town and Country Planning Act 1980 or Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings and buildings in conservation areas.

You may claim compensation against the Local Planning Authority if the Secretary of State has refused or granted permission subject to conditions, either on appeal or when the application was referred to her or him. Compensation is payable in the circumstances set out in:

(a) Section 114 and Part II of Schedule 3 of the Town and Country Planning Act 1990; or (b) Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings.

2. ADDITIONAL NOTES ON LISTED BUILDING CONSENT

- 1 If you wish to modify the development referred to in your application or to vary it in any way, you must make another application.
- 2 This notice refers only to the grant of listed building consent and does not entitle you to assume that the City Council has granted its consent for all purposes:
 - (a) If you have applied for planning permission under Section 57(1) of the Town and Country Planning Act 1990, we will send you a separate notice of decision;
 - (b) We will send you a separate notice about plans you have submitted under the Building Regulations 2000;
 - (c) If the development for which listed building consent has been granted includes putting up a building for which you have to submit plans under the Building Regulations 2000, you should not do any work connected with erecting that building until you have satisfied yourself that you have complied with Section 219 of the Highways Act 1980 or that they do not apply to this building.
- 3 Even if you have gained listed building consent, you must comply with any restrictive covenants that affect the land referred to in the application.

3. APPLICATION FOR CONSENT TO DISPLAY ADVERTISEMENTS

If the applicant is aggrieved by the decision of the Local Planning Authority to grant consent, subject to conditions, he or she may appeal to the Secretary of State for the Environment in accordance with Regulation 17 and Part 3 of Schedule 4 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 within eight weeks of the receipt of this notice. (Appeals must be made on a form which obtainable from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) www.planning-inspectorate.gov.uk).

View from Wolvercote Car Park
Centered on Carfax Tower
(Zoomed in to show Roof Lines)

View Cone From Wolvercote - Zoomed

