

NL/5155

24 April 2013

Murray Hancock  
 Oxford City Council  
 Planning Control & Conservation  
 St Aldate's Chambers  
 109 - 113 St Aldate's  
 Oxford  
 OX1 1DS

Dear Mr Hancock,

**PROPOSED VARIATION OF CONDITION NO.7 OF PLANNING PERMISSION 09/02518/O TO ALLOW OCCUPATION BY STUDENTS IN FULL-TIME EDUCATION ON COURSES OF AN ACADEMIC YEAR OR MORE AT FORMER TRAVIS PERKINS SITE, CHAPEL STREET, OXFORD**

I refer to the above application and to the deliberations which have been taking place in respect of the completion of a deed of variation of the original S.106 agreement. In particular, although St. Hilda's College has no interest in the land, as it was a signatory of the original agreement, your Solicitors have asked that it be a party to the proposed deed.

This has caused concern for the College which has no interest in the land or in the development taking place. As you know, the College had expressed an interest in the past, as a consequence of which the Council wished to ensure that if the College acquired an interest (or contracted to acquire an interest) in the site it would within 3 months of the grant of reserved matters approval seek permissions to change its Iffley Rd. properties to Class C3 uses.

As you know, the College has no interest and declared some long time ago that it would not be acquiring an interest. I attach a further copy of a letter sent by the then Bursar to the then owners of the site confirming that it does not intend to acquire an interest.

Since that time, reserved matters approval was granted on 23 August 2012, i.e. over 8 months ago. Consequently, the College has not sought to acquire an interest, has not acquired an interest, is not seeking to acquire an interest and the timescale referred to in the agreement has long past. The site is in the ownership of Dominion Developments 2005 Ltd, a part of the A2 Dominion Group.

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The John Phillips Planning Consultancy  
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The College does not consider that there is any reason why its properties should continue to be referred to in the agreement and takes the view that the current application provides a suitable point for the agreement to be varied to exclude its properties. To repeat, the College has not acquired an interest, is not seeking to do so and the timescale referred to in the agreement has nonetheless past (even if it was)! Notwithstanding this, the Council's planning policies do not include any reference to such matters being covered by an agreement in this or any similar form, though at the time the Council thought it expedient to ask the College to enter into it due to its interest and then stated intentions.

Consequently, given the above, the College and the applicants for the above variation would wish the variation of the condition (which is in accordance with the Council's Core Strategy) to include the variation of the S.106 agreement to exclude the College's properties altogether.

I understand from our discussions that this is a matter which you consider needs to be put to the relevant Committee. We are surprised that this is the case bearing in mind the above comments. If it remains the case, I would be pleased if you would draw the Committee's attention to my above comments. The terms of the agreement are of no real effect as the College has not acquired an interest, is not doing so, and the timescale has nonetheless passed.

Please let me know if you need any further information.

Yours sincerely,



Nik Lyzba DipTP DipCP MRTPI

Enc.

From the Bursar:

Richard L Berry MA Bsc(Hons)Durh



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Mr A Nolan  
Ardant Ltd  
Park End Place  
Oxford  
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8 December 2011

Dear

*Tony*

**Development of Graduate Centre  
Chapel Street Oxford**

Thank you for your time today to allow us to apologise and explain the situation of the College regarding the new Graduate Centre.

As I outlined to you, I am afraid the Governing Body decided at their last meeting that at present the College did not wish to commit to such a large financial risk at its present stage of development. Having worked with you so well for the last four years, I can only apologise for this U-turn in the Governing Body's opinion.

As you can imagine, we did everything in our authority to explain the value of this project to the long-term development of the College, even to the extent of getting independent reports from Critchleys and Ridge and Partners, both of whom authenticated the viability of this project.

Once again, thank you very much for all your support and help, and also your understanding of this decision. I can only apologise again for this late turn of events.

If there is anything further we can do to help you in the future, please do not hesitate to contact us.

*Kindest Regards*

*Richard*

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