

EAST AREA PLANNING COMMITTEE

8th November 2017

Application Number: 17/00584/FUL

Decision Due by: 30th June 2017

Extension of Time: 15th November 2017

Proposal: Demolition of single storey lecture hall and refectory buildings. Change of use from Student Accommodation (Sui Generis) to Residential Institution (Use Class C2). Erection of connecting buildings, a new accommodation block at the western end of the site, reconfiguration of the retained buildings, and provision of associated car parking and cycle parking spaces, landscaping, plant, and associated works. (Amended description)

Site Address: Cotuit Hall Old House , Pullens Lane, Oxford, OX3 0DA

Ward: Headington Hill And Northway Ward

Case Officer Sian Saadeh

Agent: Ms Alexandra Milne **Applicant:** EF International Academy UK Ltd.

Reason at Committee: The proposal is on a site of over 0.5ha.

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

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

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

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

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

2. Finalise the recommended legal agreement under section 106 of the Town and

Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary; and

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

2. EXECUTIVE SUMMARY

2.1. This report considers the proposed development for a change of use from Student Accommodation (Sui Generis) to a new boarding school (C2). It also considers the demolition of existing structures on site, alterations to the remaining buildings on site and the construction of new buildings on site.

2.2. The key matters for assessment set out in this report include the following:

- Principle of development;
- Design;
- Impact on conservation area;
- Impact on local residents
- Transport and parking
- Trees
- Biodiversity
- Other matters

2.3. As set out in the report, the proposal is considered acceptable subject to a legal agreement to secure:

- Financial contribution towards affordable housing provision within the City
- Limit on numbers of students at Plater College site

2.4. On balance, the above contribution is considered to mitigate the harm of the loss of the existing student accommodation on housing provision within the City. It would also mitigate harm caused by the current interactions between the site and Plater College. The proposed alterations to the existing buildings and new buildings are considered to be of a high-quality design and would not harm the significance of the heritage assets. The proposal would not result in material harm to the living conditions of neighbouring occupiers. All other matters are also considered acceptable and can be addressed by appropriate conditions.

3. LEGAL AGREEMENT

3.1. This application is subject to a legal agreement to secure:

- Financial contribution towards affordable housing provision within the City

- Limit on numbers of students at application site and Plater College site

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The site extends to 1 hectare, located on and accessed from the west side of Pullens Lane. It is rectangular, with an east-west orientation, sloping significantly down from east to west.

5.2. The site is bounded on its eastern side by Pullens Lane and on its north, west and south sides by large detached residential properties in substantial gardens. The site occupies the south-east quadrant of the junction of Pullens Lane with Harberton Mead which runs along part of the north site boundary. Just touching the south-west corner of the site is a residential property known as High Walls, the garden to which is listed.

5.3. The buildings on the site are generally located along the northern side of the site and include:

- Cotuit Hall – built in 1890 as a three/four storey red-brick residential mansion but being used for various residential and institutional uses from 1916 (private house during the 1930s and 1950s);
- Refectory Building – 1960s, single storey, east-west orientation;
- Brewer Building – 1960s, 3 storey block of student bedrooms, north-south orientation;
- Lecture Hall Building - 1960s, single storey, east-west orientation;
- Marcus Lower Building – 1960s, 3 storey block of student bedrooms, north-south orientation.

5.4. All pedestrian and vehicle access is from the driveway onto Pullens Lane. The driveway extends westwards into the site along the northern site boundary providing a service road to all the buildings. Pedestrian circulation is via the service road and pedestrian routes along the south side of the buildings on the site.

5.5. There are mature trees around the perimeter and open grassed areas south of the buildings with outdoor seating and some ornamental trees (Upper Garden and Middle Garden). There is a thick hedge with trees along the eastern boundary to Pullens Lane. The western end of the site has an area of lawn (Lower Garden) adjacent to the Marcus Lower Building, the remainder being wooded with an untended open area.

5.6. The site is located centrally within the Headington Hill Conservation Area. Cotuit Hall itself is a visual feature in the conservation area, and the trees on the site are integral to the well-treed character of the conservation area.

5.7. A site location plan and more detailed block plan are attached as Appendices 1 and 2.

6. PROPOSAL

- 6.1. The application proposes to create a self-contained sixth form school campus on the site with:
- 21 new bedrooms creating a total of 113 student bedrooms to accommodate 244 students (proposed maximum occupancy during term time and the summer);
 - 20 new classrooms which can accommodate 300 students (56 students therefore to live off-site in accommodation with host families);
 - accommodation in small flats within the student accommodation blocks for 9 house parents who are members of the EF Academy staff who reside on site acting as a resource for the students throughout the year;
 - new gym, refectory, prayer and study room, and other ancillary communal space;
 - parking for five cars for staff members (students not to bring cars to Oxford), plus one disabled car parking space all located near the site entrance;
 - 182 cycle parking spaces for staff and student use located within the trees along the north boundary
 - waste storage for eight 1,000litre bins, capacity for recycling, two 120 litre segregated food waste bins and two 240 litre glass bins;
 - landscaped grounds.
- 6.2. To achieve this, Cotuit Hall and the Brewer and Marcus Lower blocks are to be retained (and improved); Upper and Middle blocks are to be demolished. There are to be three new buildings interwoven with the retained buildings and 'cascading' down the site towards the west: a new refectory block and a new teaching block respectively on the sites of the former Upper and Middle blocks; and an additional student accommodation block with an east-west orientation located on presently open ground at the western end of the site.
- 6.3. The main entrance to the school is to be relocated to the north side of the site via a covered walkway (entrance pergola) designed in a trabeated (post and lintel) form and attached to the north wall of Cotuit Hall. This gives access to a new main door and reception in the new teaching block, and flows on into a single internal pedestrian route connecting all the buildings and facilities throughout the site.
- 6.4. Cotuit Hall will be used for classrooms, school offices, student bedrooms and one set of houseparent accommodation. The modern ramp on the south wall of Cotuit Hall, a metal fire escape on the east wall, a porch on the north wall, and a 1930s garage are to be removed and the respective elevations restored appropriately. Other internal and external alterations and restorations sensitive to the historic building are also proposed.

- 6.5. The new refectory and teaching blocks will be similar in height above current ground level to the buildings that they replace: they are to be set within excavated plots giving a lower ground floor and ground floor. The new refectory block occupies a similar building footprint to the building that it replaces. The new teaching block is considerably larger than the building that it replaces but is in scale with the new refectory block and the retained Brewer and Marcus Lower Buildings.
- 6.6. The new accommodation block at the western end of the site has a west facing 'horse-shoe' shaped layout and is in two parts. Its eastern half, where it joins the Marcus Lower building, is on two floors - a lower ground floor and ground floor set in an excavated plot. Its western half is a single storey ground floor only building. The new building encompasses an inner courtyard onto which the student bedroom windows face with minimal fenestration facing outwards towards neighbouring properties.
- 6.7. All the new buildings have a trabeated (post and lintel) architectural form with green roofs, and are to be clad in light bronze anodised aluminium. The different identities and purposes of the new blocks are expressed primarily in different window configurations.
- 6.8. Works to the Brewer and Marcus Lower Buildings are confined to the lowest entrance levels of each block to connect them with the respective elements of the new teaching, refectory and accommodation blocks. PV arrays will be mounted on the roofs of both buildings.
- 6.9. The service road along the north side of the site (set in from the boundary by the existing tree belt) is to be retained with service entrances to the new buildings located on their north sides. An improved vehicle turning facility is proposed near the Marcus Lower Building which will prevent reversing on site. Refuse storage is proposed to be in a dedicated storage facility near the site entrance. This is to be clad in slatted timber to emulate the appearance of the boundary fencing.
- 6.10. A detailed landscape and planting strategy is proposed which has drawn on an historical analysis of the existing garden design. It aims to complement the mature landscape setting of Cotuit Hall and create a characterful setting for the residential school:
- there is to be additional tree, shrub and low level planting to the north and south boundaries to strengthen the existing tree belts and improve screening;
 - the new teaching block is to look out southwards over Upper Garden (to be renamed South Lawn) which is to be retained as lawn with informal stone seating, and shrub planting to vary storey heights;
 - the new refectory building will look out southwards over Middle Garden (to be renamed The Terrace Garden) which will be sculpted into a an amphitheatre which will serve to enclose the external

space to the refectory and its activities. Here there will be fruit tree planting to add visual interest and ecological value;

- external screening to the Brewer and Marcus Lower Buildings will be introduced in the form of vertical greening structures comprised of a lightweight cable and wire support systems with self-twining climbing plants;
- the impact of the new accommodation block on the western woodland area is to be minimised with enhanced woodland flora, additional lower canopy trees and large shrubs, herbaceous plants and stone seating.

7. RELEVANT PLANNING HISTORY

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

12/01106/FUL Erection of 3 new buildings on 3 floors plus basement to provide teaching, residential and ancillary accommodation, together with underground common room to frontage. Refurbishment of existing Marcus and Brewer buildings, including alteration to existing elevations. Provision of new pedestrian footpath from Pullens Lane. WDN 3rd May 2013

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7	CP6, CP8, CP10, CP11, CP14, SR7,	CS18_	HP14_	GSP4, CIP1, CIP3, CIP4 HNP
Conservation/ Heritage	12	HE2, HE7, HE8			Headington Hill Conservation Area Appraisal
Housing	6	CP19, CP20, CP21,		HP2_	
Commercial	1, 2				

Natural Environment	9, 11, 13	NE14, NE15, NE16, NE20, NE23,			
Social and community	8		CS19_		
Transport	4	TR1, TR2,		HP15_ , HP16_ ,	Parking Standards SPD, TRP3 HNP
Environmental	10	CP17, CP18, CP22, CP23,	CS9_ , CS10_ , CS11_ , CS12_ ,	HP11_ ,	Energy Statement TAN, GS3 HNP
Misc	5	CP.13, CP.24, CP.25	CS16_	HP5_ , HP6 _ , MP1	

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 10th April 2017 and an advertisement was published in The Oxford Times newspaper on 6th April 2017. Following an amendment to the description, revised site notices were displayed on 23rd May 2017 and a new advertisement was published in The Oxford Times newspaper on 25th May 2017.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

- 9.2. No objection subject to conditions. The site is situated in a highly accessible location where a low-car development, as is proposed, would be considered suitable. A preliminary Construction Traffic Management Plan (CTMP) has been submitted with the application. This will require updating with further details once they are available and the final CTMP must be agreed with the County Council's Network Management and fully implemented prior to the commencement of construction. The Travel Plan submitted with the application does not currently meet the County Council's criteria and will require further work. Details of how vehicle movements are to be managed while students are moving into / out of the accommodation must be included within the Travel Plan. A Drainage Layout Plan has not been provided and is required as part of a wider surface water drainage scheme for the site. Details of cycle parking required.

Drainage and Flooding Officer

- 9.3. No objection subject to conditions.

Ecology Officer

9.4. No objection, enhancement measures sought by condition.

Land Quality Officer

9.5. No objection subject to condition.

Air Quality Officer

9.6. No objection subject to condition.

Archaeologist

9.7. Condition required.

Tree Officer

9.8. No objection subject to conditions.

Public representations

9.9. 95 people objected to this application from addresses in Bickerton Road, Harberton Mead, Rolfe Place, Feilden Grove, Holmes Park, Pullens Lane, Pullens Field, Jack Straw's Lane, and Woodstock Road.

In summary, the main points of objection were:

- Supporters are employees of applicant and others who would financially benefit from proposal
- Taxis already cause nuisance dropping off students on lane
- Transport assessment does not correctly consider impact of displaced students nor increased use of site
- Increased traffic will result in increased danger for road users
- The proposal explicitly contravenes the local plan which states that changes of use from residential or student accommodation to teaching/administrative uses for private colleges will not be granted permission
- The proposal would pave the way for further applications increase the density of students or staff. It would also make it easier for other site within the area to apply for and obtained changes to the institutional use thus degrading and eroding the quiet residential nature of the area
- The Headington Hill Conservation Area Appraisal notes that the growth of institutional uses particularly on Pullens Lane has begun to erode the residential character of the area particularly through the development of Plater College in the 1970s and its subsequent redevelopment and the construction of large blocks to the rear of Cotuit Hall. This has resulted in the loss of green space and the development of increasingly visible buildings of institutional character in high densities. The current proposal will further erode character of the area by increasing building density and reducing green space.
- It will inevitably lead to an increase in traffic and noise pollution
- The new accommodation block in particular will neither preserve or enhance the conservation area

- The addition of buildings at the western end of the site reduces the green space and brings buildings much closer to a number of houses within Feilden Grove further impinging on the peaceful and tranquil setting they enjoy today
- EF is a purely commercial operation with profits leaving Oxford, it does no research, it is not involved in technical training, and its students are neither local nor from the UK.
- The large increase in teaching accommodation in the application implies an increased requirement for teaching staff. Given the teacher shortage in Oxfordshire this is clearly undesirable and will negatively impact on the ability of local schools to recruit teachers or will contribute to population pressures on housing and services in Oxfordshire through external recruitment.
- Huge increase in the number of students will create unacceptable increased noise and traffic and decrease road safety particularly for pedestrians, as there are no footways.
- In the last few years there has been a noticeable increase in the numbers of cars, delivery vehicles and taxis along Pullens Lane and this has had a very bad impact on road safety and the character of the area
- The infrastructure of the area (roads/sewerage/drainage) cannot accommodate 300 new students and 45 staff. There is already too much traffic on Pullens Lane making passage along it very difficult at times.
- Increased light pollution and air pollution (from traffic and industrial sized kitchen)
- Loss of view of a green open and wooded landscape. The new accommodation block will result in the loss of large numbers of mature trees which will take many years to replace. The trees are key to the character of the conservation area.
- Very detrimental to local biodiversity including birds badger and deer, and deleterious effect on flora and fauna
- View of the rear of a modern accommodation block is entirely unacceptable
- Object to this site becoming a commercial school rather than the quiet accommodation it has been
- Possible future development and intensification of use
- Unacceptable noise and traffic associated with the kitchens, deliveries, refuse, taxis
- The proposal is overdevelopment in a conservation area. The density of persons per acre will be 175 which is far greater than current residential densities in the area
- All accommodation should be housed within the same footprint of the existing buildings and not allowed to spread to previously undeveloped areas
- Detrimental to the neighbourhood and character of the conservation area
- Approval would render the conservation area designation meaningless and degrade the character of the area
- Contrary to the emerging Neighbourhood Plan
- Frustrated about so many similar applications on the same site
- Pullens Lane is by nature a country lane not suitable to support the development and the additional traffic this would entail
- Pullens Lane is a private lane unsuitable for marauding teenagers
- The proposal is contrary to the councils housing policies

- There will be increased traffic on small private roads in terms of service deliveries and travel by staff and students
- There will be more students in the area as the language students currently living in Cotuit Hall will be replaced by new sixth form students and the number of language students at the language school site will not reduce. Moreover there is no cap on the number of students to be accommodated in the new boarding school this could be increased at a later date
- While the plans have been improved since the last application development is still too large for the site and the conservation area
- Wildlife will be disturbed
- The previous permission for accommodation on this site should be withdrawn and the premises returned to its original use compliant with the area
- Some students drop litter, make noise on site and break into neighbouring gardens. Students walk down Pullens Lane in large groups and frustrate residents wishing to drive along the lane.
- Dust from the demolition will be hazardous to health
- The area should be valued and preserved. These special nooks and crannies make Oxford very special.
- The buildings are too close to Jean Cottage and concerned about impact of water table at Jean Cottage where there is a well.
- Ban on coaches using Pullens Lane is needed
- The site is not big enough to accommodate the necessary outdoor facilities needed by these young people.

9.10. 55 people commented in support of this application from addresses in Hastoe Grange, Wadham Court, Linnet Drive, Trafford Road, Crescent Road, Fairacres Road, Pullens Lane, Ouseley Close, Westminster Way, Blewbury (Didcot), and Exbourne Road (Abingdon).

In summary, the main points in support were:

- Benefit to local economy
- Allows reduction in traffic and movements between two sites
- Improved educational facilities
- Appearance of buildings improved
- Changes away from main views of site
- Concerns raised in 2012 have been listened to
- Best development for site
- The quiet residential setting can continue to be enjoyed because the design respects existing trees and the amenities of neighbouring properties
- The application would improve the working environment of the educational establishment and reduces potential annoyance to those living in the vicinity
- The design increases the privacy of neighbours and improves the landscape and environment of the site and the architecture corrects previous mistakes made over the last few decades.
- Footfall on Pullens Lane will be reduced because all students will be based on one campus. Noise in the evenings will be reduced.

- Teachers are largely local and arrive by public transport, bicycle or on foot. Their income is directed back into the local economy thus supporting local businesses.
- There is no increase in parking so the numbers of students has little impact on traffic.
- EF Academy Oxford brings many economic benefits to the city through employment and take-up of services. This should be supported in these times of economic uncertainty. Education is of critical importance in the 21st century and these proposals should be supported.
- The academy works with the local community for example on social enterprise programs and with local charities. Many students have been actively involved in local charities, events (such as litter picking) and sports clubs. The students are here to work (not for a holiday) and are serious and exam-focused.
- This will be an academic community in a beautiful environment that respects the local community
- The development will have a lasting positive effect
- Only a very low level of increased noise will be apparent
- The proposals include restoration of Cotuit Hall to its former design thus enhancing the conservation area

Officer Response

9.11. The points raised are considered in more detail below.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Design and the impact on the conservation area;
- iii. Impact on local residents
- iv. Transport and parking
- v. Trees and biodiversity
- vi. Other matters.

i. Principle of Development

Existing Use of Site

10.2. The original building at Cotuit Hall was constructed as a private home. A change of use to a hostel for Technical College was granted in 1958. Since then there have been various applications for the expansion of the site which have increased the student accommodation at the site. The site was occupied by students from Oxford Brookes University. Most recently the site has been used as student accommodation for EF students studying at both the EF Academy and Language School at the Plater College site nearby on Pullens Lane.

- 10.3. Given the history of the development of the site and that the majority of the buildings on the site were built for their current use, the site is considered to constitute purpose-built student accommodation. This type of student accommodation is protected by policy HP5 of the Sites and Housing Plan.

Need for Student Accommodation

- 10.4. The supporting text and policy HP5 set out the need to protect existing purpose built student accommodation. Student accommodation which is lost should be replaced by an equivalent amount of an equal mix, occupancy and affordability. The proposal does not set out to do this given the nature of the current occupier and that the loss would be to a new school use.
- 10.5. Student accommodation is needed within the City to free up other forms of housing for the wider housing market. A large number of students house-sharing in the private market affects the availability of larger houses for families or workers within the City. This in turn puts further pressure on the already limited supply and affordability of other units on the market. This is particularly true of the HMO market which is increasingly relied on by young workers who cannot afford private rentals or to purchase a home.
- 10.6. It is noted that the current use differs from other student accommodation in the nature of the students who are residing there. These students would not be likely to otherwise live in HMOs or other forms of accommodation in the City. The model of the current user is that students are either housed with families or at accommodation such as Cotuit Hall.
- 10.7. Nevertheless, the nature of the end user can only be given very limited weight in the consideration of the application. The current planning use of the site would enable another user to occupy the site for any students and this would reduce pressure on the wider housing market in the City. The proposed change of use is therefore contrary to policy HP5.

Proposed Mitigation

- 10.8. In order to mitigate the harm identified above, the applicant has offered to make a financial contribution towards affordable housing provision within the City. The contribution would be based on the formula used for new student accommodation as set out in policy HP6 of the Sites and Housing Plan.
- 10.9. The GIA of the existing student accommodation at the site is 2750 sq m. This would equate to a contribution of approximately £385,000.
- 10.10. On balance, the proposed mitigation is considered acceptable in this case for the reasons set out below.

10.11. The financial contribution would offset the harm caused to the wider housing market by creating additional capacity for affordable housing within the City. This helps to create a balanced and mixed housing market.

10.12. There are also a number of site specific benefits from the scheme which need to be considered in balancing a final decision. These are:

- Controls over use of this and Plater College site which would reduce impact on surrounding area
- Improvements to appearance of Cotuit Hall building and high quality new buildings

10.13. These benefits are discussed in more detail in the relevant sections below.

10.14. For these reasons, whilst it is acknowledged that the application conflicts with policy HP5, on balance the application is acceptable, would not result in harm to the mix and affordability of housing within the City and would result in benefits to the local area. The new school would be located in an accessible location as required by policy CS16.

ii. Design and Impact on conservation area

10.15. The site is located within Headington Hill Conservation Area and to the south is the registered Historic Park and Garden at High Wall. Overall, the proposed development is considered to be a high quality design which would not harm the significance of these heritage assets.

Demolitions

10.16. It is proposed to demolish the existing lecture hall and refectory buildings. These buildings are modern additions to the site and do not have any special interest. Their demolition and replacement with high quality new buildings is welcomed.

Cotuit Hall

10.17. The original Cotuit Hall building is identified as a positive building within the Headington Hill Conservation Area Appraisal. The proposal would remove unsympathetic additions and alterations to the building, such as the external metal staircase. Windows and openings would be reinstated to match the existing details. The most significant changes would be the glazed link to the new teaching block and the entrance pergola to the site which would run along the northern elevation of this building.

10.18. These new additions would be lightweight and open structures which would be subordinate to the main building. Overall the proposals would improve the appearance of Cotuit Hall and its contribution to the appearance of the conservation area. Conditions are recommended for details of all new materials and alterations to ensure a high quality development.

New Blocks

- 10.19. Cotuit Hall would be connected to a new teaching block which would replace the previous refectory building. This new block would also be linked to the altered Brewer Building. This new block would appear as single storey from outside the building but would have a lower ground floor level. The additional height would be achieved at this lower level and the height of the structure above ground level would remain the same. The massing of the proposed building would reflect the existing and would limit its impact on the wider conservation area. The new block would have a rooflight, boiler flue and lift overrun which would add to the height of the building. However, these structures are set to the centre of the roof and have a height of 1.6m. Given their positioning relative to other buildings, it is not considered that they would create significant additional massing.
- 10.20. The new refectory block would be in the same location as the existing lecture hall. The refectory block would have a larger footprint than the existing but this would not bring it closer to the boundaries of the site and so its impact on the wider conservation area is minimised. The height of the building would be similar to the existing above ground level. As with the other new blocks, a lower ground level is being created. The additional height of the structure would not therefore be perceived from outside the site and would not have a significant impact on the conservation area.
- 10.21. Both new blocks would be connected to the existing Brewer and Marcus Lower buildings. The elevations of these existing buildings would be renovated to improve their appearance. The links created would result in more continuous development through the site. However, they are limited in the footprint to minimise their impact. The overall form of the development with the existing buildings running north to south would be maintained.
- 10.22. A new accommodation building is proposed to the western end of the site. This structure does not replace any existing and would be a new element of development. As above it links to the Marcus Lower building, but this is a discreet link that still allows a break in the built form and massing of development on the site.
- 10.23. The new accommodation block would read as a single storey above ground. The second storey would be in the form of a lower ground floor level. The design of the block around a courtyard minimises its footprint and massing. This new block would increase the area of the site that is developed. However, the overall green and landscaped character of this part of the site would be maintained with a significant tree screen. The landscaping around the building would also contribute to this green character. Whilst the character of the conservation area overall is typified by homes in spacious plots, the application site already differs from this with the extent of development within it. The additional area of building has been sensitively designed to respond to its surroundings and as such would not harm the character or appearance of the conservation area. The proposal overall would also not harm the setting of the adjoining historic park and garden

given the separation between the two and the very limited views there would be between the sites.

- 10.24. The change of use has also been raised as a concern for its potential impact on the character of the conservation area. It is noted that the Headington Hill conservation area appraisal does raise a concern with the balance between institutional and residential uses. However, the application site does not currently conform to the residential character of other plots given it is not in private residential use. Moreover, the site is located close to the other existing institutional uses within the conservation area. The change of use would not significantly alter the existing balance between the different uses within the conservation area. Its location would also not introduce such a use into a part of the conservation area which was more consistently residential in nature. As set out in more detail below, there are not considered to be significantly increased activities at the site that would harm the character of the conservation area. The change of use is considered acceptable and would not harm the significance of the heritage asset.
- 10.25. The scheme complies with the requirements of Local Plan policies HE2, HE7, HE8, CP6, CP8, CP10, CP11 and CS18.

Details

- 10.26. The proposed new buildings and structures would be primarily constructed from anodised aluminium. The warm nature of the material would complement the existing building at Cotuit Hall. It would give the proposed buildings a modern, high quality appearance. The details of the proposed elevations show that the form of the building would have a modular appearance with recessed window sections to help break up the massing and add interest to its form. This form also helps create a link to the appearance of the existing modern buildings on site. A condition is recommended for samples of the proposed materials to be approved prior to the commencement of the relevant part of the works.
- 10.27. The new buildings would all have green roofs. There would also be planted screening constructed to the elevations of the existing buildings. These additions are welcomed for their environmental benefits and as they will add to the overall green appearance of the site which is part of its contribution to the conservation area. Full details of both elements are required by a proposed condition.
- 10.28. Photo-voltaic panels are also proposed to the roof of the existing buildings. These are again welcomed but a condition is recommended to view final details to ensure that their visual impact is minimised.
- 10.29. Limited details have been provided on the appearance of the ancillary structures such as bin and bike stores. A condition is recommended to provide those

details. The location of these structures is acceptable and subject to their appearance they would not detract from the appearance of the site or area.

iii. Impact on local residents

Noise and disturbance

- 10.30. Concerns have been raised from local residents regarding noise and disturbance that would arise from the proposed use. The current situation does give rise to noise and disturbance outside the site from the students moving between their residences here and their teaching at Plater College. These creates a number of movements throughout the day which can cause disturbance to local residents in terms of noise and when using the highway.
- 10.31. The current proposal seeks to resolve those issues by splitting the relationship between the two sites. Whilst they would still be run by the same organisation, the Plater College site would then operate as the language school and the application site would be the Academy. There may be some inter-relationship between the two but there would not be necessity for such large numbers of students to move between the sites throughout the day. There would be a small number of day pupils who are housed off site but it is considered that this level of activity at drop-off and collection times could be managed in such a way to ensure that it would not cause harm. This would be addressed through the travel plan which is requested by a recommended condition.
- 10.32. This would result in a benefit to the local area from removing a source of disturbance to local residents. The proposal is also recommended on the basis of a legal agreement to limit student numbers at Plater College so that these could not increase because of the proposed changes. Conditions are also recommended to limit the numbers of students at this site. These controls help to resolve the existing issues and ensure that the proposal would not result in any harmful levels of noise or disturbance.
- 10.33. Concerns are also raised about potential noise and disturbance that could be created by the new school use on the application site. It should be noted that the proposed use does not include any significant outdoor spaces, such as playing fields, which would result in large numbers of students gathering in one location. The communal external amenity areas would be used by students but it is not considered that this would result in materially increased noise and disturbance to local residents compared the existing use.
- 10.34. The impacts of comings and goings to the site are again not considered to materially increase compared to the existing situation such as to result in harmful disturbance to local residents. The impact in terms of highway safety and free flow is assessed below. Servicing would now take place within the site at a different location closer to the proposed refectory building. Whilst this would mean larger vehicles coming further into the site, areas for them to be able to safely manoeuvre have been included within the plans. The levels of servicing are not considered to significantly increase. It is considered appropriate to recommend a condition for a servicing management plan to ensure that these

are carried out in the least disruptive way.

- 10.35. New plant is shown on the proposed drawings. Whilst these are not considered to be of a significant scale, conditions are recommended to ensure that there would not be any noise or disturbance created by these units.

Overbearing, Privacy and Light

- 10.36. It is not considered that the proposals would result in any increased sense of overbearing nor loss of privacy or light to any neighbouring properties. The closest buildings to the boundaries of the site are the existing Marcus Lower and Brewer Buildings which come close to the southern boundary of the site. The new teaching and refectory blocks would have a similar scale and position to existing buildings on the site. The new accommodation block would introduce development closer to existing properties as this part of the site is currently open. However, at its closest point it is approximately 13m away from the boundaries of the site. It is also only a single storey above ground level and screened by vegetation. As such, it would not have a harmful impact on the living conditions of the adjoining buildings.
- 10.37. For the reasons set out above, overall the proposal would reduce existing issues for local residents and would not result in any harmful impacts on their living conditions. The proposals comply with Local Plan policies HP14, CP19 and CP21.

Transport

Pedestrian and Vehicle Movements

- 10.38. As noted above, the proposed change of use would reduce overall pedestrian movements in the local area as students would no longer be moving from the site to Plater College throughout the day. The day pupils for the new school would be the main source of pedestrian activity at the site. The proposals allow for up to 56 day students to attend the site. The current user includes within its rules how the site can be accessed and does not allow car/taxi access to the site. It is recommended by condition that a travel plan is submitted for the proposed development to ensure that such measures are in place no matter what end user may occupy the site.
- 10.39. It is not considered that the proposed change of use would result in a significant increase in vehicle movements to/from the site. The start and end of term would see vehicles coming to site to drop-off/collect pupils and their belongings. A robust travel plan would have to set out how this process would be managed so as to minimise disruption. However, this would be similar to the current situation when students moved in or out of the block. Teaching staff would be able to drive to site as car parking would be provided for 5 members of staff. This level of activity is not considered to result in a harmful increase in movements. The overall level of car parking is being reduced in line with planning policies to reduce reliance on the private car.

10.40. Given the reduction in overall pedestrian movements from the site, the proposal is not considered to result in any increase to highway safety or local access.

Cycle Parking

10.41. The application sets out that 182 cycle parking spaces are to be provided as part of the development. This is in line with the minimum requirement set out in the Adopted Parking Standards SPD. The proposed site plan sets out that 62 stands (124 cycle parking spaces) are to be located near to the accommodation block. This is a sufficient provision for those students who will be resident in that block. The remaining cycle parking spaces, for non-resident students and staff are appropriately located closer to the site access, the new teaching block and Cotuit Hall.

10.42. Staff and residents' cycle parking must be secure and undercover. A condition is recommended to ensure that these details are provided and approved.

Servicing

10.43. As noted above, servicing arrangements would change as part of the proposal. However, the likely volume of traffic would not result in any safety issues to the shared access nor result in materially harmful levels of disturbance.

10.44. A swept path analysis has been submitted to demonstrate that the largest proposed vehicles would be able to safely enter, turn and exit in a forward gear.

10.45. Refuse collections would be from Pullens Lane as per the existing arrangements. A refuse vehicle can turn using the site access. As per above, a servicing management plan is recommended by condition to ensure that the measures put in place are reasonable and would minimise any potential sources of disruption.

Construction Traffic

10.46. Due to the site's location in proximity to a key arterial and public transport route into the city and the constrained nature of Pullens Lane and Jack Straw's Lane, a Construction Traffic Management Plan is required as one of the recommended conditions. This should mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

10.47. Overall, the proposals are considered acceptable in terms of their impact on the local road network and highway safety. The proposals would comply with policies TR1 and TR2.

iv. Trees and biodiversity

10.48. The trees on the site are protected as they are within the Headington Hill conservation area. The proposals require the removal of 24 trees from the 202 trees on site that have been surveyed. Overall the recommendations of the

Arboricultural Impact Assessment and Arboricultural Method Statement are accepted. The impact of the removed trees would not be significantly detrimental to the visual amenity of the area due to the presence of many other retained trees on the site. The proposed new planting would help to enhance the character and appearance of the conservation area.

- 10.49. The proposed construction works would encroach on the root protection areas of a number of retained trees. The site circumstances are such that if the technical solution outlined in the AMS are implemented under close supervision the viability of these trees is not likely to be significantly harmed.
- 10.50. It is essential that new underground drainage and utility services are located to avoid damage to retained trees. New hard surfaces within the RPA of retained trees must be appropriately designed to avoid damage to roots by excavation and ensure water and air permeability. Retained trees will need to be robustly protected during the construction phase. Conditions are recommended to ensure details of proposed landscaping, new services, hardstanding and tree protection measures.
- 10.51. The proposed development is not considered to have a harmful impact on biodiversity within the local area and City. The recommendations of the surveys submitted with the application are noted. The applicant will need to ensure that these are carried out. Conditions are also recommended to ensure that the enhancement measures are put in place and should include at least 20 swift boxes.
- 10.52. Subject to the recommended conditions, the proposals are considered acceptable in relation to their impact on trees and biodiversity. The proposals would comply with policies NE15, NE16 and CS12.

v. Other

Flooding

- 10.53. The details submitted with the application demonstrate that it would not have an unacceptable impact on flood risk within the surrounding area. A condition is recommended to ensure that a surface water drainage plan is submitted to ensure this is managed properly.

Sustainability

- 10.54. The proposal incorporates a number of energy efficiencies and sustainable features such as green roofs and photovoltaic panels. The proposal would be a sustainable development which would meet the relevant policy requirements.

Contaminated Land

10.55. The site is not identified as having any potential contamination issues. A condition is recommended to ensure that any unexpected contamination that is found is dealt with appropriately.

Air Quality

10.56. The proposal is not considered to have a harmful impact in relation to air quality.

Archaeology

10.57. A condition is recommended to ensure that a written scheme of investigation is approved. Subject to this, the proposal is not considered to have a harmful impact on archaeological remains.

11. CONCLUSION

11.1. It is acknowledged that there is a conflict with policy HP5 but this is offset by the proposed mitigation of a contribution towards affordable housing. On balance, the scheme is considered acceptable in principle as it also creates a number of benefits, in particular the reduction in movements between the site and Plater College as well as creating controls over these two sites that do not currently exist. The proposed development would be of a high quality design which would not harm the special interest of the designated heritage assets. There would be a benefit from the improvement works to the original Cotuit Hall building. The pedestrian and vehicular movements associated within the proposed use would not be harmful to the local traffic and highway safety. A robust travel plan and servicing management plan are the subject of recommended conditions to ensure that any potential impacts are minimised. There would be no harmful impact to the living conditions of local residents compared to the existing situation in terms of noise and disturbance. The position and massing of the proposed new buildings would prevent any loss of light, privacy or increased sense of overbearing. The impact on trees and biodiversity would be acceptable. All other matters are considered acceptable and could be addressed through conditions. The proposals comply with the Council's policies, in particular HE2, HE7, HE8, CP6, CP8, CP10, CP11 and CS18; HP14, CP19 and CP21; NE15, NE16 and CS12; and the guidance set out in the NPPF.

11.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out below and the satisfactory completion (under authority delegated to the Head of Development Management) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

12. CONDITIONS

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

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

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

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

3. Sample panels of all proposed elevation materials, including windows and doors, demonstrating the colour, texture and finish shall be made available on site and approved in writing by the Local Planning Authority before relevant parts of the work are commenced. The development shall be completed in accordance with the approved details.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the area and/or building, in accordance with policies CP1, CP8, HE3 and HE7 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.

4. Detailed drawings of the works to Cotuit Hall shall be submitted and approved in writing by the Local Planning Authority, prior to the commencement of the relevant parts of the work. The detailed drawings shall show all new and reinstated openings, and details of the junction between the existing building and the new pergola to the northern elevation. All works of making good to the Cotuit Hall building shall be finished in materials to match the existing.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the area and/or building, in accordance with policies CP1, CP8, HE3 and HE7 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.

5. Detailed drawings in relation to the following
 - i. Green roofs
 - ii. Planted screens to Brewer and Marcus Lower Buildings
 - iii. Photo voltaic panels
 - iv. Bin stores
 - v. New rooflights
 - vi. Plant areas

shall be submitted to, and approved in writing by the Local Planning Authority prior to the relevant part of the works and the works shall be carried out in accordance with the approved details.

Reason: For the avoidance of doubt and so that the Local Planning Authority can agree these details in accordance with policies CP1, HE3 and HE7 of the Adopted Oxford Local Plan 2001-2016 and policy policy CS18 of the Oxford Core Strategy 2026.

6. The site shall only be used for a residential school; and for no other purpose (including any other purpose in Class C2; of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class revoking or enacting that Order).

Reason: To ensure that the Local Planning Authority can properly consider any alternative use of the premises in accordance with the relevant policies of the Adopted Oxford Local Plan 2001-2016 and to control the impact on the local area.

7. The number of students to be resident on the site at any one time shall not exceed a maximum of 244 and the number of day pupil students to be enrolled at any one time shall not exceed a maximum of 56.

Reason: To ensure that the number of students and associated activities do not create a source of noise or disturbance to local residents and to control pedestrian and vehicular activity associated with the site.

8. Prior to the first occupation of the development hereby permitted the applicant shall submit to and obtain the agreement in writing of the local planning authority, a servicing management plan. The plan shall detail the levels of servicing proposed and how it is to be managed to minimise disruption.

Reason. To ensure that activities associated with the servicing of the site are appropriately managed to minimise any potential disruption to the local area.

9. A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority demolition, excavation or construction works, including site clearance, start on site, whichever is the earliest. 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.

10. The landscaping proposals as approved by the Local Planning Authority shall be carried out upon substantial completion of the development and be completed not later than the first planting season after substantial completion.

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

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

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

12. Prior to the start of any demolition, excavation or construction work on site, details of the location of all underground services and soakaways shall be submitted to and approved in writing by the Local Planning Authority (LPA). The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas (RPA) of retained trees as defined in the British Standard 5837:2012- 'Trees in relation to design, demolition and construction-Recommendations'. Works shall only be carried in accordance with the approved details.

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

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

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

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

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

15. Monitoring of approved tree protection measures and also supervision of all construction activities undertaken within the Root Protection Areas (RPAs as defined by British Standard 5837:2012) of any retained tree, shall be undertaken by a Project Arboriculturalist appointed by the applicant. Prior to their construction details of all new built structures foundation locations (relative to tree roots) and design within RPAs shall be submitted to and approved in writing by the Local Planning Authority following investigation of root distribution with pit locations trial excavated by hand under the supervision of the Project Arboriculturalist (refer to section 6.1.3 of the approved Arboricultural Impact Assessment Report). Details of the frequency of site visits, recording of monitoring and the actions taken and subsequent

reporting shall be submitted to and agreed in writing by the Local Planning Authority before the start of any demolition or construction works on site.

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

16. No demolition, excavation or construction work on site, including site clearance works shall commence until the role and responsibilities and operations to be overseen by an appropriately competent person [e.g. an ecological clerk of works] have been submitted to and approved in writing by the local planning authority. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: The purpose of securing ecological expertise on site during construction is to ensure adequate professional ecological expertise is available to assist those implementing the development to comply with statutory requirements, planning conditions and any relevant protected species licences.

17. Prior to the commencement of demolition, excavation or construction work on site, including site clearance works, details of biodiversity enhancement measures including at least .20 x bird nesting (swift boxes) devices shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme and be fully constructed prior to occupation of the approved development and retained as such thereafter.

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

18. Any contamination that is found during the course of construction of the approved development shall be reported immediately to the local planning authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

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

19. No demolition, excavation or construction work, including site clearance works, shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work (including building recording) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including prehistoric, Roman and Victorian remains (Local Plan Policy HE2).

20. A Construction Traffic Management Plan should be submitted to the Local Planning Authority and approved in writing prior to the commencement of demolition, excavation or construction work on site, including site clearance works. The submitted plan should identify:
- i. The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman
 - ii. Access arrangements and times of movement of construction vehicles to minimise the impact of the surrounding highway network
 - iii. Details of wheel cleaning/wash facilities to prevent mud etc from being deposited on the adjacent highway
 - iv. Contact details for the Site Supervisor responsible for on-site works
 - v. Travel initiatives for site related worked vehicles
 - vi. Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours
 - vii. Engagement with local residents and neighbours

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

21. Prior to the commencement of the development hereby permitted the applicant shall submit to and obtain the agreement in writing of the local planning authority, a travel plan. The plan shall detail how pupil access to the site is to be managed, including at start/end of terms, how vehicle movements to and from the site are to be minimised, the means for implementing the plan, method of monitoring and amending the plan on an annual basis. The results of the annual monitoring exercise shall be submitted to the local planning authority in writing and the travel plan amended accordingly in light of discussions with the local planning authority.

Reason. To limit the number of journeys by private motor car, the limit the potential disturbance to local residents and reduce the pressure on the highway in the locality in accordance with policies CP1, TR2 and TR12 of the Adopted Oxford Local Plan 2001-2016.

22. Prior to the commencement of demolition, excavation or construction work on site, including site clearance works, a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is completed. The scheme shall also included:

- i. Discharge rates
- ii. Discharge volumes
- iii. Maintenance and management of SUDS features
- iv. Sizing of features – attenuation volume
- v. Infiltration in accordance with BRE 365
- vi. Detailed drainage layout with pipe numbers
- vii. SUDS in accordance with the measures set out in the Flood Risk Assessment submitted with the applications
- viii. Network drainage calculations
- ix. Phasing
- x. Flood route

Reason: To ensure that the development would include adequate provision for surface water drainage.

23. Before first occupation of the site, details of the cycle parking areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport and to ensure the appearance of the conservation area.

24. The recommendations set out in 'Acoustic Report – Planning Rev C' prepared by Max Fordham shall be implemented in full.

Reason: To ensure that the proposed development would not result in any harmful noise or disturbance to local residents.

INFORMATIVES :-

- 1 In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.
- 2 The responsibility to properly address contaminated land issues, irrespective of any involvement by this Authority, lies with the owner/developer of the site.
- 3 Scrub, trees and buildings on site offer suitable habitat for nesting birds. All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended) and I therefore recommend the following informative is included if minded to approve. Removal of vegetation and demolition of buildings shall be undertaken outside of bird nesting season. This is weather dependent but generally extends between March and August inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation or buildings shall not be removed until the fledglings have left the nest.

13. APPENDICES

Appendix 1 – Site Location Plan
Appendix 2 - Proposed Block Plan

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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