

WEST AREA PLANNING COMMITTEE

8th December 2020

Application number:	19/02306/FUL		
Decision due by	5th December 2019		
Extension of time	18 th December 2020		
Proposal	Redevelopment of the former Conservative Club building at Castle Hill House comprising demolition of existing building and erection of a new building providing 54 student study rooms, along with internal and external amenity space, landscaping improvements including the reconfiguration of the Fellows' Car Park. (Amended plans)		
Site address	Castle Hill House, 9 New Road, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Carfax Ward		
Case officer	Michael Kemp		
Agent:	Mr Simon Sharp	Applicant:	St Peter's College
Reason at Committee	The proposals are major development		

1. RECOMMENDATION

1.1. The West Area Planning Committee is recommended to:

1.1.1. Delegate authority to the Head of Planning Services to **approve the application** for the reasons given in the report. Approval would be subject to the required planning conditions set out in section 12 of this report and subject to the approval of a final drainage strategy from the Local Lead Flood Authority.

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

- Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.
- Agree the provision of a final drainage strategy in consultation with relevant consultees.

2. EXECUTIVE SUMMARY

- 2.1. This report considers the proposed demolition of Castle Hill House and a replacement development consisting of two buildings of three and four storeys providing a total of 54 student study rooms and ancillary facilities. The proposals also include a rationalisation of the existing parking area accessed from New Road and various landscaping works across the site, including the formation of a new access to Bulwarks Lane to the north east linking the site with the main part of the St Peters College campus.
- 2.2. The principle of providing additional student accommodation on this site is considered to be acceptable. St Peters College have provided a needs assessment, which identifies that there is an existing deficit in existing student accommodation in particular for undergraduate students of the college. The provision of 54 student rooms on the site would go some way to addressing this deficit. In turn the provision of purpose built student housing on this site has the potential to release a total of 21 dwellings back into the local housing market, when applying the government's housing delivery test. The site is located within the City Centre and forms part of the St Peters College campus and in locational terms is considered an appropriate location for the provision of student housing in line with Policy H2 of the Oxford Local Plan.
- 2.3. The proposals include a net reduction in parking across the site from 17 to 8 spaces. The proposed student accommodation would be car free, with the exception of 2 disabled parking spaces. A single parking space would be retained for the master's residence at Canal House, which already benefits from parking. The remaining bays would be used for pick up and drop off operational purposes at the start and end of term time and for the parking of maintenance and service vehicles. The car free nature of the student housing, alongside the reduction in overall parking on the site is considered to be justified in line with Policies H8 and M3 of the Oxford Local Plan.
- 2.4. The site is in a very sensitive setting in heritage terms. The site occupies a prominent position in the Central Conservation Area. Castle Hill House itself would be classed as a local heritage asset, albeit that the condition of the building has diminished. The site contains the Grade II* listed Canal House and lies within the setting of several other designated heritage assets including the Grade I listed Oxford Castle and Motte.
- 2.5. The development would result in the loss of Castle Hill House, which when assessed in line with the requirements of Paragraph 197 of the NPPF and Policy DH5 of the Oxford Local Plan would constitute less than substantial harm. The addition of two, three and four storey buildings would have a transformative effect on the setting of the Central Conservation Area and the setting of a number of listed heritage assets in particular the adjacent Grade II* listed Canal House by virtue of the scale and siting of the new buildings. Notwithstanding this, the new buildings are considered to be well-designed and provide an improved relationship with the adjacent public realm, particularly along Bulwarks Lane, where there would be notable improvements to accessibility and the overall environment which would discourage anti-social behaviour and encourage footfall.

- 2.6. Notably the proposals would result in the loss of an important identified view of the castle motte from Bulwarks Lane. The loss of this view would result in low to moderate less than substantial harm to the significance of this heritage asset, though this would be mitigated at least in part through the provision of a new view, which has some additional benefits compared with the existing view particularly given the lower height of the opening, which makes the replacement view more inclusive.
- 2.7. Taken in the realm, the overall level of harm to designated heritage assets arising from the development is considered to be less than substantial and must, in line with paragraph 196 of the NPPF be assessed in relation to the public benefits of the development, having given great weight to the conservation of the designated heritage assets in accordance with paragraph 193 of the NPPF. In this instance the public benefits include the provision of additional student accommodation and the subsequent release of housing back into the local housing market. The proposals represent a positive and efficient re-use of a prominent brownfield site to provide a well-designed development, which would improve the relationship between the site and the adjacent public realm, particularly along Bulwarks Lane. Overall it is considered that the public benefits of the development outweigh the identified level of less than substantial harm to the Central Conservation Area and affected heritage assets.
- 2.8. For the reasons outlined within this report, officers consider that the development is acceptable and recommend that planning approval is granted subject to the agreement of a final drainage strategy with officers and the County Council.

3. LEGAL AGREEMENT

- 3.1. This application would not be subject of a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal would be liable for a CIL contribution of £211,013.41

5. SITE AND SURROUNDINGS

- 5.1. The site is 1.1 hectares in size and is located within the City Centre to the North of New Road. The site is located within the Central Oxford Conservation Area.
- 5.2. The site is under the ownership of St Peters College and consists of a range of existing buildings, surfaced parking and landscaped space. The site includes the Canal House, a three storey 19th Century Grade II* listed stone building. The Canal House is used as a private residence for the master of the college, there is a landscaped area of garden space associated with this property which surrounds the building. The garden area includes a number of mature trees. The south west section of the site includes an area of surfaced car parking which is used by staff and as residential parking for the masters lodgings and is accessed through a gate from New Road. There is a high stone wall which forms the boundary of the site facing New Road.

- 5.3. Castle Hill House is located in the north west part of the site. The building is a three storey 19th Century white rendered former domestic dwelling. The frontage of the building faces New Road, whilst the rear elevation backs on to Bulwarks Lane to the north of the site. Castle Hill House was last used as a Conservative Club for social functions and as a drinking establishment. The original Castle Hill House has been the subject of a large, unsympathetic late 20th century extension to the south elevation of the building, for the purpose of providing club facilities, bars and social spaces associated with the former use of the building. The Conservative Association vacated the building in 2017 and the building has since been vacant.
- 5.4. St Peters College is located to the north and north east of the site on the opposite side of Bulwarks Lane, which is an historic lane and public right of way enclosed by high stone boundary walls. The majority of the range of buildings on the St Peters College site are Grade II listed. Nuffield College is located to the west and south west of the site. This includes a range of Grade II listed buildings which are principally two storey, though the range also includes the Nuffield College tower and spire. A surfaced area of car parking associated with Nuffield College is located adjacent to the western boundary of the application site.
- 5.5. To the South West of the site is the Grade I listed Castle Mound, which is a Scheduled Ancient Monument and adjacent to this is the Grade II listed former Oxford prison site. Opposite the site is the Grade II* listed County Hall, which is a three storey stone building. This building is set behind a tarmac area of parking and bus shelters. The Grade II* listed structure attaches to a five storey 1960's concrete building used by Oxfordshire County Council.
- 5.6. The Grade II listed, two storey Law Centre is located to the south east corner of the site and forms a corner plot with Bulwarks Lane and New Road. This is owned by St Peters College and is a two storey 19th Century stone building featuring prominent front facing gables.
- 5.7. There are a number of mature trees on the site, these include three large trees to the south of the Canal House in the garden area. There is a large mature tree located in the existing hard surfaced area between the Law Centre and former Conservative Club. There are also a number of trees along the boundary with Nuffield College, to the west of the raised section of the Canal House garden.
- 5.8. See block plan below:



6. PROPOSAL

- 6.1. The application proposes the demolition of Castle Hill House, including the original 19th Century structure and single storey 20th Century front extension. A pair of three and four storey buildings are proposed. The proposed buildings would provide a total of 54 student study rooms and ancillary facilities, including cooking and social spaces. The upper floors of the buildings would sit above a lower basement podium space which provides internal connectivity between the two buildings as well as housing common room space, bin and bike stores and Fellows rooms. A new means of pedestrian access would be provided into the site from Bulwarks Lane, thereby providing a direct means of access into the main area of St Peters College on the opposite side of the lane.
- 6.2. The buildings would adjoin the east elevation of the Canal House, though no further alterations are proposed to the Grade II* listed building. As the proposals would abut the wall of the Canal House, there is a linked application for listed building consent (19/02307/LBC).
- 6.3. The proposals include the addition of a new opening in the wall along Bulwarks Lane in a position to the west of the Canal House. The intention is to open up views of St Georges Tower and the Castle Mound, replacing an existing view to the north east of Castle Hill House, which would be lost, owing to the proposed siting of the new four storey building. This would include the addition of a privacy screen on the opposite side of the wall as a means of mitigating potential overlooking of the Canal House, which is used as a private dwelling by the master of the college.
- 6.4. The proposals include landscaping alterations across the site, including the formation of a new podium quad area between the two proposed buildings. The proposed car parking area in the south west corner of the site would be re-landscaped. This would include the removal of the existing garage and a reduction in the number of parking bays from 17 to 8 spaces, additional soft landscaping and a resurfacing of this space is proposed, alongside a new

entrance gate. The existing stone boundary wall along New Road would be retained. The solid wooden door would be removed and replaced with a new metal gate which would offer views through towards the Canal House from New Road.

6.5. This application has been subject of a number of amendments to the site layout and elevational treatment since the submission in September 2019. Most notably the amended design incorporates changes to the elevational treatment, massing and design details of the proposed buildings. The amended plans also include a revised design approach relating to the opening in the wall fronting Bulwarks Lane following additional consultation with the Council’s Heritage Officer and Archaeologist as well as Historic England. The number of student rooms on the site has also marginally increased from 52 to 54 rooms.

7. RELEVANT PLANNING HISTORY

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

19/02224/CAT - Works to various trees in the Central Conservation Area – No objection Raised - 12th September 2019.
19/02307/LBC - Alterations to east wall of Canal House including demolition of adjoining building and construction of new building abutting up to east wall of Canal House. Pending Consideration

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Oxford Local Plan 2016-2036
Design	117-123, 124-132	DH1
Conservation/ Heritage	184-202	DH2 DH3 DH4 DH5
Housing	59-76	H8 H14 H15 H16
Natural environment	91-101	G1 G2 G7
Social and community	91-101	V7
Transport	117-123	M1 M2

		M3 M4 M5
Environmental	117-121, 148-165, 170-183	RE1 RE2 RE3 RE6 RE7 RE8 RE9
Miscellaneous	7-12	S1

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 24th September 2019 and an advertisement was published in The Oxford Times newspaper on 26th September 2019.
- 9.2. The application was re-advertised following the receipt of amended plans. Site notices were displayed around the site on 23rd September 2020 and an advertisement was published in The Oxford Times newspaper on 26th September 2020.

Statutory and non-statutory consultees

Oxfordshire County Council

- 9.3. No Highways objections are raised in relation to the amended plans.
- 9.4. Impact in relation to pick up and drop off at the start of term time will be limited to a short time period which is considered acceptable. The drop-off/pick-up process for students will need to be formalised through a Student Accommodation management Plan which has been conditioned.
- 9.5. The fellows car park is being reconfigured which will result in a reduction of car parking bays from 17 to 8, these measure 2.5m x 5m which is in line with county council standards and accepted. The Transport Statement states that 2 of the student rooms will be accessible units and that the car parking for these units will now be within the car park provided following previous comments made. This is welcomed and now considered acceptable.
- 9.6. The Transport Statement states that 54 cycle spaces will be provided within a secure cycle store on the ground floor. This is in line with the required level and is deemed beneficial to the development and users.
- 9.7. A Construction Traffic Management Plan will be required. A Travel Plan will be required by condition prior to first occupation of the units alongside a Travel Information Pack which will be distributed to students at the point of occupation.
- 9.8. An initial objection was raised by the County Council's drainage team in relation to the drainage details provided including agreements with Thames Water, details of the testing of the drainage system and consideration of additional SUDs measures.

Historic England

- 9.9. Historic England has no objection to the applications on heritage grounds. An excerpt of their comments is supplied below:
- 9.10. In our last letter of the 6th March 2020 we concluded that further design development was needed to create a building that sits comfortably in this sensitive site. In response to this the design has been reviewed. The roofline has been altered with the addition of a pitched roof and making the upper floor into a mansard which reduces the apparent mass of the building and makes the front building sit more easily with both Canal House and the Law Centre. The elevational treatment has also changed, and now more presents a more open, and less defensive, aspect to New Road.
- 9.11. Contemporary design in a historic area like this is often controversial and opinions on the quality of the architecture will vary. In our view the issues raised in our previous letters have been addressed and the result is now a careful and considered response to the challenges of the site, though cannot be judged a positive improvement to the character of the conservation area.
- 9.12. The existing view of the scheduled Oxford Castle motte is illustrated and described here. This view will be lost as a result of the new development. While it is a kinetic view, it can only be seen by taller people, and it includes unsightly elements of existing buildings.
- 9.13. Proposals are then set out for a new view through a designed gap in wall of Bulwarks lane. The new view is not truly kinetic, but it would be available to more people and accompanied by appropriate interpretation. There is no perfect answer to retaining a view of the mound for the new development but we advise the proposal is a reasonable compromise, and that it justifies the loss of a small amount of historic fabric from the wall of Bulwarks Lane.
- 9.14. For the new view to be successful it will be important to secure regular cleaning and maintenance of the opening, including the interpretation panel. Such maintenance and cleaning should be a condition if planning consent is granted. A screen would be installed to create privacy for the garden behind the Bulwarks Lane wall. We suggest that the screen as seen by viewers from Bulwarks Lane should have an appropriate heritage design which enhances the viewer experience in relation to the castle mound.
- 9.15. The proposals would involve the loss of an early 19th century building which has been greatly altered and is of limited heritage value but nonetheless is of some significance. We have always accepted the loss of this building provided it allowed the redevelopment of the site in a way that benefited the character of the conservation area. A kinetic view of the castle will also be lost, albeit replaced with a different view.
- 9.16. Therefore the proposals, while greatly improved do not in our view result in an improvement to this character and thus there is an element of harm to its significance, though this has been minimised as far as is reasonably possible. We accept that there is a justification for that harm, as required by paragraph 194 of the National Planning Policy Framework, as the College's requirements

cannot be met on this site without replacing the 19th century building or losing the existing view. It is for the Council to weigh this harm against the public benefits of the proposal in accordance with paragraph 196 of the Framework.

Oxford Preservation Trust

9.17. OPT has reviewed the recent amendments to the scheme and considers that the changes are more about improving the relationship between the new buildings and the existing Canal House and the overlooking of its garden, which is a private space within the confinements of the site. They do not seek to address the need for improvements to the relationship between the development and the public domain.

9.18. The new 'viewpoint' opening through the Bulwarks Lane wall and the idea that this creates a 'window' onto Bulwarks Lane is a fundamental flaw of the development, regardless of the wider scheme. The view of the Castle Mound from Bulwarks Lane is not just a fleeting glimpse and cannot be seen to compensate for the loss of the 'original' views from Bulwarks Lane. Currently the whole of the Mound is visible and easily seen from Bulwarks Lane, and this visual connection between the lane and the castle is important in reinforcing the original layout of the castle precinct. These recent amendments continue to overlook this relationship and are under analysed by the Applicant, as indicated by the provision of a 'replacement' view from a narrow opening in the wall at near the edge of the site.

9.19. This is an important piece of town and should not be lost to private/college use. This is an historic view frequently enjoyed by those exploring the remarkable interest of Bulwarks Lane, and it demands more than a restricted opportunity to peek at a view which needs to allow a proper and prolonged chance if anyone is to understand the complex and varied subject. It needs to be accessible to more than one person at a time, and to those of restricted height. OPT therefore strongly disagrees with the conclusions of the Heritage Report (August 2020) recently submitted as part of the application, that the opening of the wall provides appropriate compensation for the loss of an existing view.

Thames Water Utilities Limited

9.20. On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application.

Natural England

9.21. No comments

Environment Agency

9.22. No comments

Royal Society for the Protection of Birds (RSPB)

- 9.23. The Protected Species Survey report conducted as part of this development application recommends that swift bricks are incorporated into the new buildings of this development; stating that “the installation of six swift bricks...would provide a significant enhancement for the species within the site”.
- 9.24. Moreover, during field work as part of the ongoing RSPB swift survey, evidence has been found of swifts nesting during the 2019 breeding season in buildings in an adjoining street to the location of the proposed development site. Incorporating swift bricks into the new development would provide valuable new opportunities for the species to nest and thrive in an area where they are already present in small numbers and would help to enhance the biodiversity of the local area. Designing for and installing swift bricks into the fabric of the buildings during the construction phase and alterations is easy, inexpensive, and will last the life-time of the building.

Thames Valley Police

- 9.25. Robust physical security should be provided to protect the occupants as well as the development as a whole which is addressed through the Silver Award Secured by Design.
- 9.26. Access controls should be present on the perimeter of the site grounds on the access gates and within the building itself preventing unauthorised access into private areas. It should not be assumed that a student accessing the study areas should have access to the residential areas of the development unless resident there. Fob activated access controls should be provided to enable robust and timely management. A security and access control strategy should be submitted.
- 9.27. Secure mail boxes for each dwelling should be provided, ideally within the secure lobby area and without the need for postal workers to enter private areas of the development.

Public representations

- 9.28. Oxfordshire Architectural and Historical Society (OAHS) commented on both the original design and revised planning application. In relation to the most recent plans OAHS advice is summarised as follows:
- As a non-designated heritage asset, Castle Hill House requires special consideration under the NPPF, para. 197. The scale of harm and loss to the significance of this heritage asset will be total: it will be demolished and not enhanced or preserved in any way.
 - Concerns were expressed regarding the loss of the views towards the Castle and Motte from Bulwarks Lane.
 - Notwithstanding the recent changes to the proposed roof line and wall detailing, the proposed buildings remain large in scale and massing. The building fronting New Road in particular will overshadow and dominate the street, views along it and the other listed buildings in the area. It has none of the interesting architectural features and variety that the Nuffield College buildings, the Gothic law centre, Canal House, the Court House or the Castle buildings all have.

- Concerned about such large expanses of unsympathetic synthetic material being used in this area: concrete cladding, highly visible boxed-out zinc roofs with large square boxed windows.
- The development would result in harm to the setting and significance of numerous listed buildings.
- There are concerns about the proposed treatment of several historic boundary walls surrounding and running through the site. This includes the plans to remove historic rubble stone walls both (a) to make a wider opening into the rest of St Peter's College to the east, and (b) to make a 'new' view of the mound to the west.
- The loss of internal walls is regrettable - particularly the internal rubble stone wall to the west of the modern Conservative Club addition. We note that the splayed entrance onto New Road is to be demolished and replaced with 'feature brickwork'. This gateway has reveals with shaped quoins and, on the western reveal, what appears to be a small blocked aperture. It should not be demolished. We reiterate that the dressed stone/keyed doorway entrance further west along the wall with its wooden door should also be retained.
- The wall bounding the Grade II listed Law Centre seems contemporary with the listed building (visible on the 1878-80 map: Oxford Archaeology fig.18) and so is part of its curtilage. It would, therefore, require listed building consent for its demolition under ss.1 (5) and 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This has not been sought.

9.29. One letter of objection has been received in relation to originally submitted plans for this planning application from the occupier of No.12 The Towpath, Hythe Bridge Street. In summary, the main comments raised were in respect of Castle Hill House, including the history of construction, date of construction and historic ownership.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Loss of Community Facility
- Affordable Housing
- Impact on Heritage Assets
- Design
- Neighbouring amenity
- Transport
- Trees
- Drainage
- Ecology
- Air Quality

Principle of development

- 10.2. Policy H8 of the Oxford Local Plan is permissive in principle of the provision of student accommodation on or adjacent to existing University college campuses or academic sites in the city centre.
- 10.3. The site is located within the city centre and would also be adjacent to an existing College and academic site, as St Peters College is immediately adjacent to the north of the site. The site would therefore be an acceptable location for new student accommodation, in line with Policy H8 of the Oxford Local Plan.
- 10.4. Policy H8 of the Oxford Local Plan states that student accommodation will be restricted in occupation to students in full-time education on courses of an academic year or more. This restriction does not apply outside the semester of term-time, provided that during term-time the development is occupied only by university students. This ensures opportunity for efficient use of the buildings for short-stay visitors, such as conference delegates or summer language school students, whilst providing permanent university student accommodation when needed. Officers consequently recommend the addition of a condition restricting the occupation of the proposed development in order to ensure that the accommodation is used for the purposes described within this application and to ensure compliance with Policy H8 of the Oxford Local Plan.
- 10.5. In order to justify the requirement for the additional accommodation proposed, the applicants have provided a Statement of Need as part of the revised Planning Statement dated August 2020. The stated analysis indicates that St Peters College has a shortfall of 155 rooms to accommodate their undergraduate and postgraduate students. The greatest demand stated is for undergraduate students, where there is a shortfall of 109 rooms, with a requirement for 46 postgraduate rooms. It is proposed that the accommodation would be provided solely for undergraduate students. The table below, copied from the applicants statement of need (Appendix 1 of the Planning Statement) provides a summary of the accommodation requirements of the college:

Accommodation Shortfall	Number of Students	Number of Rooms Required	Number of Rooms	Shortfall
Undergraduates	363	334	225	109
Postgraduates	192	120	74	46
Visiting Students	25	25	25	0
Total	580	479	324	155

- 10.6. Though there would still be a shortfall of 103 undergraduate rooms, the provision of 54 student rooms would make a significant contribution towards addressing the college's need for additional accommodation. Officers are satisfied that there is reasonable in-principle justification for the development accounting for this identified need.
- 10.7. In November 2018, the Government introduced the Housing Delivery Test which looks at housing data based on Local Authority housing returns from 2015/16 onwards and calculates what the provision of student accommodation achieves in terms of releasing C3 housing back onto the open market. As the

average student household is calculated as being 2.5 persons per dwelling, it is calculated that for every 2.5 rooms created within purpose built accommodation, this would release a total of 1 additional dwelling back into the local housing market. A total of 54 student rooms are proposed within this application, the delivery of this accommodation would therefore equate to the release of 21 units back into the local housing market, which would represent a notable public benefit of the scheme.

Affordable Housing

10.8. Policy H2 of the Oxford Local Plan states that new student accommodation developments comprising 25 or more bedrooms will be required to make a financial contribution towards delivering affordable housing elsewhere in Oxford. The proposed development would therefore be a qualifying site for affordable housing. The Policy lists circumstances where sites will be exempt from this requirement, which include where developments are proposed within an existing campus site.

10.9. Part of the site at Castle Hill House is currently used by St Peters College for use as master's lodgings and for other functions, whilst the remainder of the site is used as Car Parking. The Conservative Club were former tenants of Castle Hill House, which is under the ownership of the college. The site is also immediately adjacent to the main college St Peters College and Campus and student accommodation on the opposite side of Bulwarks Lane and the sites are functionally linked, albeit that Bulwarks Lane divides the two sites. The site also lies within a small cluster of buildings containing the master's lodgings and law centre.

10.10. Officers consider that the site would be considered part of the St Peters College Campus and the development would be exempt from an affordable housing requirement under Policy H2 of the Oxford Local Plan.

Loss of Community Use

10.11. Castle Hill House, which occupies a section of the site and would be demolished was formerly used by the Conservative Association as a private members club, similar to a social club space. The space provided two principal functions as a general social and meeting space and as a drinking establishment. The club ceased operation in 2017 as declining membership meant that the continued operation of the facility was no longer viable and the building has been vacant since 2017.

10.12. Policy V7 of the Oxford Local Plan specifies that the City Council will seek to protect and retain existing cultural and community facilities. Planning permission will not be granted for development that results in the loss of such facilities unless new or improved facilities can be provided at a location equally or more accessible by walking, cycling and public transport.

10.13. Paragraph 92 of the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should guard against the unnecessary loss of valued facilities and

services, particularly where this would reduce the community's ability to meet its day-to-day needs.

- 10.14. The plans do not include proposals to re-provide a similar community facility or space on site or to replace the facility which would be lost elsewhere either directly or through a financial contribution.
- 10.15. The applicants within their planning statement have provided an assessment of existing facilities within the area which provide a similar function to the former Conservative Club. The loss of the club as a social space and drinking establishment would not in officers view disadvantage the local community, as there is a wide range of similar facilities in the area within walking distance of the site, including a range of pubs and bars which provide a similar function as a drinking establishment to the Conservative Club which formerly existed on the site. The applicants have provided an analysis of existing meeting spaces within the area which can be rented out. The analysis indicates that there are a number of spaces within the vicinity of the site which can be rented out by members of the public and therefore perform a similar meeting/social space function to the Conservative Club. It should also be noted that the former Conservative Club was a private members club, therefore ability to access the facility was dependent on paid membership, compared to other facilities in the area which are not subject of such restrictions.
- 10.16. Given the existence of a wide range of facilities and services in the area, it is considered that the loss of the existing community use on the site would not have an adverse impact on the local community contrary to Paragraph 92 of the NPPF and when considering the proposals in relation to Policy V7 of the Oxford Local Plan, officers consider that there would not be a foreseeable need to re-provide the community facility on the site. The development would not therefore conflict with Policy V7 of the Oxford Local Plan and Paragraph 92 of the NPPF.

Design and Heritage Matters

Heritage Impacts

- 10.17. The application site lies within a prominent position in the Central Conservation Area. The site also lies within the setting of several listed buildings and heritage assets. The development would be within the immediate setting of the Grade II* listed Canal House, a 19th Century ashlar stone building. The principal elevation of the listed building faces New Road behind a private garden space. Views of the Canal House are particularly prominent from New Road to the west adjacent to the Castle Mound and from the mound itself and from the south from New Road and the Oxford Castle entrance.
- 10.18. The Oxford Castle and motte is a Grade I listed Scheduled Ancient Monument of national heritage significance and the proposed development would be in the close setting of this heritage asset. Castle Hill House and the site subject of the proposed development is highly prominent in views from the Castle mound. There is also an identified view towards St Georges Tower and the Castle Mound from Bulwarks Lane to the north east of the application site, visible above lower sections of the stone wall adjacent to the Canal House. These views would

be lost through the siting of the replacement building, this matter and the proposed means of mitigating the loss of the view is discussed in greater depth in the sections below.

- 10.19. Opposite the site to the south is the Grade II* listed County Hall. The frontage of the listed 19th century part of the building faces New Road and the front of the site subject of redevelopment. To the south east of the site is the Grade II listed St Peters College Law Centre, which is a two storey stone building located on the corner of New Road and Bulwarks Lane. To the north of Castle Hill House is the Grade II listed Emily Morris Building, which is located in the main campus of St Peters College.
- 10.20. Policy DH3 of the Oxford Local Plan specifies that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance, character and distinctiveness of the heritage asset and locality. For all planning decisions for planning permission affecting the significance of designated heritage assets (including Listed Buildings and Conservation Areas), great weight will be given to the conservation of that asset and to the setting of the asset where it contributes to that significance or appreciation of that significance).
- 10.21. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."
- 10.22. For development within or affecting the setting of Conservation Areas, the NPPF requires special attention to be paid towards the preservation or enhancement of the Conservation Area's architectural or historic significance. Paragraph 193 of the NPPF requires that: "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".
- 10.23. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.24. It should be noted that paragraph 200 of the NPPF states that Local Authorities should look for opportunities for new development in Conservation Areas. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably. Paragraph 201 of the NPPF adds that not all elements of the Conservation Area will necessarily contribute to its significance, which is

applicable in the case of the application site given the nature of the existing buildings and general condition of the site.

- 10.25. Castle Hill House is a three storey 19th Century building originally constructed as a private house, though this has been used in the latter part of the 20th Century by the Oxford Conservative Association. The building is assessed to be of some architectural significance and could be defined as a building of some local historical significance, albeit that the building is not included on the Oxford Heritage Asset Register (OHAR).
- 10.26. Policy DH5 of the Oxford Local Plan requires that planning permission will only be granted for development affecting a local heritage asset or its setting if it is demonstrated that due regard has been given to the impact on the asset's significance and its setting and that it is demonstrated that the significance of the asset and its conservation has informed the design of the proposed development. In determining whether planning permission should be granted for a development proposal, which affects a local heritage asset, consideration will be given to the significance of the asset, the extent of impact on its significance, as well as the scale of any harm or loss to the asset as balanced against the public benefits that may result from the development proposals. This reflects the requirements outlined under Paragraph 197 of the NPPF.
- 10.27. The building is of some architectural significance having been built probably between 1840 and 1850 whilst this might have made a possible candidate for listing it does not survive in anything like an original condition and therefore would not reasonably be considered for such protection. The building may have association with Daniel Harris whose connections with Oxford Gaol and Castle provide some historical significance however the date of building would cast some doubt on this and it may be that he occupied or built the building that preceded the present Castle Hill House. It would seem that the present building was built before 1850 by a William Bartlett, who occupied it in 1851 and who was a master carpenter, hence the quality of surviving features such as the staircase.
- 10.28. The building has been substantially altered, some original interior features survive but insufficiently exceptional to warrant inclusion in the statutory list. The alterations include the large single storey extension to the south which was originally built in 1939 following purchase by the Conservative Club in 1923 and then added to and finally rebuilt in 1972.
- 10.29. The total removal of a local heritage asset would typically be classified as resulting in substantial harm when assessed under Paragraph 197 of the NPPF. Any harm to heritage assets must be accorded huge weight as determined by the judges in the Court of Appeal in the case of Barnwell Manor. Taking into account the above assessment of the building's condition, the low level of architectural and historic significance that can be attributed to the building tempers that level of overall harm and a condition requiring recording of those features that do survive will offer some mitigation for that loss.
- 10.30. The poor condition of the building and the ability to replace it with a more sustainable building that makes efficient use of the limited site area for building footprint and which is able to be built with a substantially greater floor area, in

part through increased building height provides some justification for the removal of the building.

- 10.31. The site lies within the historic bailey of Oxford Castle a scheduled ancient monument (the scheduling does not extend to the site). This is a Norman castle built over an earlier Saxon burh, evidence of which survives in street patterns and surviving defences. The C11 castle motte grade I listed standing over 20m high dominates the space in which the site lies providing an important focal point in views and offering the opportunity for views over the city and out to the surrounding hills from the top of it. Together with other surviving structures, most notably St George's Tower (grade I listed), which probably pre-dates the Norman castle and defines the southern edge of the bailey. All these elements make a significant contribution to the character of the place.
- 10.32. The connection between the site and the castle relates to the fact that the site lies within the castle bailey extending from the top of the bailey bank at its northern side and running down into the ditch that surrounded the castle mound. This relationship is evident in the topography of the site and its neighbours and also reinforced by the alignment of the lane, Bulwarks Lane that runs immediately to the north of the site which clearly defines the perimeter of the historic bailey.
- 10.33. Currently there is a relatively open view of the castle motte visible from Bulwarks Lane between Castle Hill House and the Law Centre, albeit that this view is somewhat compromised by the 20th century additions to Castle Hill House, which are visible in the foreground. The view is also only discernible to those of a certain height given the presence of a brick wall along this section of Bulwarks Lane. The current view from Bulwarks Lane, which would be blocked by this proposal however allows one to appreciate the significance of the castle motte because it provides a rare long view providing the last remaining visual link from the line of the bailey ditch and bank (captured in the line of the lane) towards the motte. This is the only location where this connection can be well appreciated (a less clear connection can be appreciated by the entrance of the lane on New Road to the south). The view from Bulwarks Lane towards the motte also allows one to appreciate the functional relationship between motte and the bailey and the scale of the overall defences.
- 10.34. The remaining medium and long views towards the Castle motte are extremely important to sustaining the significance of the asset. The current design will remove the view from Bulwark's Lane towards the motte. The current view from Bulwark's Lane is partial in that the height of the wall restricts the view to approximate average male height and above, although the viewing experience will vary depending on whether one stops and positions oneself in the lane. It is fair to say that for significant numbers of people the view will not be apparent as they walk past.
- 10.35. In order to mitigate the loss of this view, the applicants have proposed a new glass framed opening in the stone wall to the north west of the Canal House, which would provide a replacement public view. The proposed replacement view offers a static vista that has the advantage of allowing a clearer view of St George's Tower and a view of the motte in profile (with some obstruction from

roadside trees). The replacement view would allow wheel chair users (who would be able to access the lane via the college only), children and adults to experience the view. The applicant has submitted a rectified drawing and erected a viewing platform to confirm the view is viable. They have also agreed to a time limited privacy screen which once removed will open up additional context for the view. The privacy screen is discussed in further detail in the amenity section of this report.

- 10.36. The existing and replacement view are not a like for like replacement as there is less of a dynamic and kinetic element to the new view, however the replacement view does provide some mitigation, and thus lessens the level of harm from the loss of the existing partial view, by maintaining a visual link between the motte and the line of the bailey ditch and by providing greater access to a view.
- 10.37. Other factors to consider are that whilst both views would in theory be vulnerable to planting/tree growth in the medium or long term and would not be protected from this by current legislation, the proposed view would clearly be a designed view within a Conservation Area. Interpretation signage is also proposed next to the new view.
- 10.38. The proposed opening will involve a degree of harm to the fabric of the Bulwarks Lane wall which is likely to be 18th or 19th century in date (the inner face of the wall was constructed on ashlar blocks when Canal House was constructed in the 1820s and it is perhaps likely the wall was rebuilt at this time).
- 10.39. Taking into account the proposed mitigation (by creating a replacement view) it is considered that as a result of the loss of the existing view there would be less than substantial harm to the setting of the motte.
- 10.40. Additionally within the context of the site there are a number of significant buildings that contribute to the overall character and appearance of the place an important factor in that the site and its surroundings all fall within the Central Conservation Area, the special character and appearance of which there is a duty to preserve under the Planning (Listed Buildings and Conservation Areas) Act 1990 section 72(1).
- 10.41. Immediately to the west of the site lies Nuffield College, which is grade II listed. The college buildings, dating from 1949 are viewed within the setting of the castle motte. The building architecturally reflects a Cotswold domestic vernacular clearly seen in the southern range of buildings that directly front on to New Road. The principle feature of the building is the bookstack tower with its copper spire that stands out, making a contribution to many views within, out of and in to the city including notably to the Oxford skyline.
- 10.42. Opposite the site is County Hall which is grade II* listed. This is a neo-Norman fortress built in 1841 to house the Oxford assizes, its defensive architectural language and enclosing curtilage walls grade II listed, with lantern topped stone pillars echo the context within which it was built.

- 10.43. To the east of the site, completing the nose of the “urban block” within which the site lies is the Law Centre building (grade II listed), occupied by St Peter’s College the building is a piece of early Victorian Gothic architecture designed by Charles Buckeridge and creates a distinctive punctuation mark to views up New Road from the west, before the road splits and becomes Queens Road, heading into the centre of town or drops down the hill as Castle Street.
- 10.44. Finally, within the site itself is Canal House, grade II*listed built in the early C19 as offices for the Canal Master, now the Master’s Lodgings for St Peter’s College and sited in what had become a coal wharf at the eastern end of the canal basin (Worcester Street car park) that provided the destination point for barges using the Oxford canal bringing coal south and carrying goods up and down the burgeoning canal network. Built by Richard Tawney, the architecture of the building exhibits the building’s importance or stature demonstrating a classical design with a fine Doric portico at its western end. As with Castle Hill House, the building was built at the top of the bailey bank on the southern edge of Bulwarks Lane where previously medieval and post medieval tenement houses had been built with gardens running down to the castle ditch below, consequently the building sits raised up in views from New Road, above its gardens which fill the space to the south and are enclosed behind a high, stone boundary wall that runs from Nuffield all the way up the northern side of New Road to the Law Centre and within which sit a pair of fine stone pillars that survive as markers of the entrance to the former coal wharf.
- 10.45. New Road was set out in the C18 as a turnpike road heading west out of Oxford bisecting the castle bailey and its generous width affords views that take in the buildings structures and spaces to both north and south, including the site. Consequently any development on the site has the potential to impact on the setting of all these important buildings and structures both individually and as a group that inform the character and appearance of the collective place, this part of the Central Conservation Area.
- 10.46. The design of the proposed development is discussed in detail in the design section of this report, however the considered view is that whilst the form and massing of the proposed development is bold, placing one large building directly over the boundary wall that fronts onto New Road. The building therefore sits unflinchingly in the centre of the collective view of extremely important listed buildings and scheduled monuments, the design now presented is the culmination of a period of consultation and development and the architecture of the building. The relatively simple, elemental proportions of the facades and features within them have been designed to reflect the monumentality of the surrounding buildings not to challenge it or distract from those buildings but to add buildings that will appear beautifully crafted from carefully considered materials that will sit quietly amongst the material quality of the surroundings. The close proximity to Canal House has been carefully considered with elements of the new buildings reinforcing the proportions of the listed building and the siting of the two pavilion buildings and the cutting back of their western facades exposing views into the raised garden quad between them helping to preserve in part the setting of the listed building. Overall when considered in relation to Paragraph 196 of the NPPF that there would be a low level of less than

substantial harm would be incurred to the setting of Canal House as a result of the proposed development.

- 10.47. Taken with the very low level of less than substantial harm that would result from the loss of Castle Hill House it is considered that the overall level of less than substantial harm would be low and that this should be balanced against public benefits that would arise from the new development as required under Paragraph 196 of the NPPF.
- 10.48. There are a number of notable public benefits associated with the proposed development. Firstly, the development would provide a total of 54 additional student rooms. Whilst primarily this would be of direct benefit to the college, the Government's housing delivery test identifies that the provision of purpose built student housing has the benefit of releasing existing regular housing back into the local housing market, this is to the equivalent of 1 dwelling per 2.5 student rooms provided. In this instance, the development would release up to 21 dwellings back into the local housing market which would constitute a notable wider public benefit of the proposed scheme.
- 10.49. The proposals make efficient use of a brownfield site and there are a number of notable visual benefits associated with the development. The proposed buildings on the site are considered to be of a high design standard in architectural and sustainability terms and would replace existing elements which make a negative contribution to the setting of the Conservation Area and surrounding listed buildings, including the 20th century extensions to Castle Hill House. The reduction in the extent of parking and landscaping of this part of the site is also a benefit in visual and sustainability terms.
- 10.50. The proposed buildings and overall works taken as a whole would achieve a more effective interaction with the public realm along New Road and Bulwarks Lane. The development would improve passive surveillance along Bulwarks Lane and would encourage additional activity and footfall along this neglected historic route, which in turn would help to prevent incidences of anti-social behaviour making this route safer and more inviting for members of the public.
- 10.51. Whilst the siting of the proposed buildings would result in the loss of the existing view of the castle motte from Bulwarks Lane, the replacement view would go some way to mitigating the loss of this view, whilst also providing additional benefits, as the lower height of the proposed opening would open this view to all, including children and persons using wheelchairs.
- 10.52. Taken as a whole it is considered that the public benefits outweigh the less than substantial harm to the Central Conservation Area and surrounding heritage assets including the castle motte, Canal House and adjacent listed buildings including Nuffield College, the Law Centre, County Hall and the Emily Morris Building within the St Peters College campus.

Archaeology

- 10.53. Policy DH4 of the Oxford Local Plan requires an assessment as to the impact of the development on archaeological features and deposits of significance. The

site has potential for post-medieval remains relating to the 17th-18th occupation along the south-eastern side of Bulwarks Lane.

- 10.54. The archaeological borehole survey at this site did not produce any conclusive evidence for the presence of a north-south primary burh ditch in this location. The survey indicated that the base of the baily ditch preserves waterlogged deposits of potentially high archaeological significance at around 6m Below Ground Level (c55.25). Below this level laminated deposits are present (layered non oxidised deposits laid down sequentially in static or slow moving water). These basal deposits have produced a 12th-13th century radio carbon date suggesting that for this part of the circuit at least, the base of the ditch was not re-cut or cleared out in the post medieval period. Above this level further waterlogged material is present but there is evidence for oxidisation and a significant component of dumped material of post-medieval date.
- 10.55. The proposed pile array has been designed to avoid the projected extent of the laminated deposits in the base of the ditch. Therefore taking into account 1) the density and location of the piles 2) the absence of any earlier deep foundations in this location 3) the harm and logistical issues that would result from excavating at depth further pre-determination investigation is not recommended. The impact on the castle bailey ditch can be assessed as a low level of less than substantial harm. The undertaking of a further borehole by condition to complete the bore hole transect (previously obstructed by upstanding structure) and further processing of retrieved samples are requested in mitigation of the impact, alongside the excavation of post-medieval remains that may be impacted by demolition, pile mat, caps and beams.

Design

- 10.56. Policy DH1 of the Oxford Local Plan states that planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness.
- 10.57. Against the backdrop of a very important arena, whose surviving elements offer visual evidence of the early, pre and post medieval history of Oxford the development proposal seeks to remove existing buildings associated with the Conservative Club and to place two, new, three and four storey buildings over a plinth of ground storey with a footprint extending across much of the site area from which the existing buildings will have been removed.
- 10.58. The new buildings have gone through a number of substantive design iterations in response to design reviews and other consultation responses. The formal response from the Oxford Design Review Panel (ODRP) relating to a previous design iteration of the scheme is included at appendix 2 of this report. The design that has evolved seeks to make a presence within the surrounding context without distracting from the significant architectural and historic elements that make up that context.
- 10.59. Relevant local plan policies and national planning policy guidance seek that new buildings in an historic context should make a positive contribution to both the character and appearance of that context but the local planning authority is

required to ensure that the significance of heritage assets that would be impacted upon by the development will not be harmed or that any harm that would occur is balanced against the benefits (public benefits) that the development would bring. Given the significance of the surrounding context perhaps the most important considerations are the contribution that the development will make to the significant views of and from its immediate surroundings.

- 10.60. In splitting the publicly visible building mass into two distinct but identifiably related volumes the design seeks to reduce the potential for the development to be overbearing and permits what are relatively large building masses to be detailed to reduce their visual impact. The cutting back of the west facing building facades of both pavilions offers a suggestion of direction through the site but more importantly reduces the apparent length of these facades and frames the garden setting of Canal House which in turn preserves the sense of the historic bailey and the later site of the coal wharf, both of which inform the character and appearance of this part of the conservation area.
- 10.61. The further articulation of the pavilions' facades, with angled windows sets up a strong rhythm that responds to the architectural rhythm of the south façade of Canal House but which does not dominate and therefore pays deference to the listed building, as well as offering focussed views from within the student rooms and an appropriate degree of privacy.
- 10.62. The simple, elemental architectural language of the pavilion buildings makes reference to the strong, defensive architecture of the castle precinct as well as the later assizes building, not seeking to mimic but to offer a pared back modern architectural language that suggests defence and that is intended to celebrate the craftsmanship of the buildings and their carefully considered materials.
- 10.63. The podium is designed to sit behind the New Road stone boundary wall. There will be a glimpsed view of the west façade with its cloister which is designed to complete the enclosure of the Canal House garden, through the new landscape of the planted car park, the rhythms of the colonnade that runs along this level of the building podium echoing the pattern of the lower windows on Canal House as well as providing a screen to the largely glazed teaching and communal spaces of the lower ground floor. The glazed elements will enable connection to the private but shared space of the Canal House gardens. This reinforcing of the garden setting recognises the importance of garden spaces which occupied much of this part of the castle bailey through to the middle of the C20.
- 10.64. The theme of gardens runs on through the central open space on top of the podium between the two pavilion buildings where the proposed landscape design sets out a formal garden space and also into the reworked courtyard between the new buildings and the Law Building to the east of the site.
- 10.65. To the north of the site, the north pavilion and the podium sit hard onto Bulwarks Lane in much the same way that Castle Hill House does at present. The proposed design seeks to retain the sections of stone wall but to allow the new building to replace or infill and then build up with three floors of building

above the top of the boundary wall. Here the new building will change the character of the lane with a new building façade that is active, windows and a staircase having a visual presence along the new building façade and that is also directly against the edge of the public footpath. The college buildings to the north, form a sinuous wall of C20 neo-Georgian brick and stonework that sits as a backdrop to the proposed development in views from New Road and from the top of the Castle motte. These buildings rise to three storeys plus attic rooms in steeply pitched roofs with an overall height distinctly greater than the proposed new pavilion buildings however they sit back from the northern boundary wall to Bulwarks Lane and their repeating windows do not have quite the same active presence that those on the north façade of the proposed new pavilion will have. The sense of enclosure that presently exists would be essentially preserved although the active building façade and the sections of visually permeable boundary, either railings or open masonry, would dilute that at points along the lane. The essentially unbroken façade of Canal House would preserve the important enclosing character where the building joins Bulwarks Lane and would not be diluted by the activity in the new façade.

10.66. The design proposes a connection back in to the main college site across the eastern end of Bulwarks Lane opening up the boundary wall and replacing short sections with a more permeable railing. The connection is intended to be reinforced through the use of consistent ground treatment or paving finish. The purpose of this is to provide further surveillance and activity on the lane to alleviate the problems associated with anti-social behaviour that persist here. The benefit would be the increased use of the lane and the increased understanding of its historical significance marking the outer edge of the bailey and the top of the bailey ditch. This is clearly a change in character however it is difficult to assess this as being harmful to the character and appearance of the conservation area or having a harmful impact on the significance of the surrounding listed buildings. The fundamental character and appearance of the lane would remain unchanged.

10.67. Views from the Castle motte northward across the roofs of the new development to the range of C20 College buildings that form a backdrop to views would be changed by the insertion of the new development. The C20 building ranges would be in part obscured however the new buildings have been designed to sit within the roof line of the background range and the tone of materials to be used on the upper storey of the new pavilions to give them the appearance of subservient, attic storeys following the traditional appearance of upper storeys through the city. Additionally, the roofscape has been altered to be traditional in form and to make a positive contribution to but not distract from or stand out against the traditional patterns and tones of Oxford's roofscape. It is therefore considered that the new development will make a positive contribution to the views north from this high viewing place.

10.68. On balance it is considered that the design has the potential to make a positive contribution to this part of the city and that in doing so it would meet the terms of the local plan policies DH1 And DH3 and the policies set out in the NPPF in particular at sections 12 and 16.

Amenity of Future Occupiers

- 10.69. Policy H8 of the Oxford Local Plan states that for developments of 20 or more bedrooms, indoor communal amenity space for students to gather and socialise must be included in the design. The flats would be served by internal social spaces in the form of shared communal social and kitchen spaces on the ground and upper floors of the building. There would also be a small area of outdoor amenity space in the form of the podium quad area located between the buildings.
- 10.70. It should be noted that in terms of rooms, Nationally Applied Minimum Space Standards do not apply to student accommodation, nevertheless it would still be expected that future occupiers benefit from adequate privacy and daylight standards. Each of the student study rooms are considered to be of a good size. The majority of the proposed rooms would benefit from high standards of natural light. The north facing rooms facing Bulwarks Lane would not benefit from the equivalent standards from natural light as the south and west facing rooms, though overall officers consider that that internal and external amenity standards for all of the student rooms are acceptable.
- 10.71. Policy H8 of the Oxford Local Plan requires that a management regime is agreed with the City Council that will be implemented on first occupation of the development. This would be secured by planning condition.

Amenity of Existing Occupiers and Adjacent Uses

- 10.72. The buildings to the south and south west of the site are non-residential buildings used by the County Council. The existing buildings to the north east of the site form part of the Nuffield College range of buildings, which contains academic space and are located over 65 metres away from the side elevation of the proposed student bedrooms. The development is not considered to impact on the function or amenity of these buildings.
- 10.73. The Canal House is a residential building currently used in part as a private residence of the master of the college. The siting of the building, would result in loss of light to the south east facing side facing windows of the masters lodgings, though it is noted that these windows serve bathrooms and a staircase and there would be no loss to habitable rooms on this side of the building.
- 10.74. The new opening proposed within the stone wall fronting Bulwarks Lane has been designed to limit overlooking of the Canal House and the private garden spaces surrounding the building. Although this is a university owned building, it is also a private residence for the master of the college. The design of the opening directs views towards St Georges Tower and the Castle Mound and views into the Canal House and into the garden area would be restricted as indicated within the applicant's design and access statement. A privacy screen would be sited within the Canal House garden, though it has been agreed in discussion with the applicants that this would only be in place for a period of five years at which point removal of the screen would be conditioned that the screen should be removed. The removal of the screen after 5 years will open up a more dynamic view of the castle, St Georges Tower and the motte.

10.75. The proposals relating to the new opening have been developed in close consultation with the college and the master of the college who would be occupying the residences on the site in order to achieve an appropriate balance between retaining an acceptable degree of privacy for what is a private residence and providing views of the Castle Mound to mitigate for the loss of the existing views further along Bulwarks Lane. The five year period has been agreed on the basis that an additional interim level of privacy to the garden area to the side of the Canal House would be provided for the present occupier, which is the master of the college whose family also occupies the property. The applicant has agreed that this would no longer be required after this time and that the screen could be removed. It is only the garden area which would be overlooked and as the opening would not directly face into the windows serving the Canal House. Officers consider that this is an appropriate compromise and that the development affords appropriate privacy in line with the requirements of Policy H14 of the Oxford Local Plan.

10.76. The building to the north of the site is currently used as student rooms by St Peters College as well as office accommodation and is therefore under the applicant's ownership. This building is located on the opposite side of Bulwarks Lane. There is a relatively low separation distance between the proposed building and existing student rooms opposite and privacy of both existing and future occupiers is a matter which should be afforded due consideration. As indicated within the applicant's design and access statement there would be a difference in levels between the existing buildings to the north and the north facing elevation of the proposed student residences. Consequently there would not be direct overlooking between the facing sets of windows as the sill height of the south facing windows would sit above that of the north facing windows in the proposed accommodation. On balance officers consider that this would be acceptable in ensuring that an adequate degree of privacy is retained for users of both the existing rooms in the block to the north and the occupiers of the new building.

10.77. Policy RE8 of the Oxford Local Plan states that planning permission will only be granted for development proposals which manage noise to safeguard or improve amenity, health, and quality of life. The application is accompanied by an Acoustic report, which has assessed the impact of any likely noise generation arising from the development on surrounding land uses, including adjacent residential uses. The application and supporting Acoustic Report has also been reviewed by the Council's Environmental Health Team. Overall it is considered the submitted design and acoustic information are reasonable and practicable and that the development would not generate unacceptable noise impacts for existing occupiers.

Transport

10.78. The site is located in the City Centre and is in a highly sustainable location in terms of accessibility and proximity to services and facilities. The site is also adjacent to a number of bus stops and lies within 500 metres of Gloucester Green Bus Station and 700 metres of Oxford Railway Station. Policies H2 and M3 of the Oxford Local Plan require that student accommodation should be car

free, with the exception of disabled and operational parking, where such provision is required.

10.79. The student accommodation would be adjacent to an existing car park used by St Peters College which currently provides 15 parking spaces and a garage with parking for two vehicles. This is currently used by staff, for residential parking for the master's lodgings at the Canal House and for the parking of service and maintenance vehicles.

10.80. There would be a reduction in parking on the site from 17 spaces to 8 spaces, a total reduction of 9 spaces. No dedicated disabled parking bays were proposed within the originally submitted scheme and it was instead proposed that disabled occupiers would use the on street parking spaces in New Road. This was considered unacceptable by officers and the County Council, as the existing on street spaces are heavily used given their proximity to the city centre shops and Westgate Centre and have since been incorporated into the off-street parking provision on site. The 8 spaces retained on the site would be used for the following purposes:

- A single residential space would be retained for the college masters residence.
- A space for the parking of a maintenance vehicle currently owned by the college which is parking in the existing garage.
- Two disabled parking spaces, to serve the proposed accommodation.
- Four spaces to be made available for student drop off and collection at the end of term time.

10.81. Aside from the provision of the disabled parking bays, the proposed student accommodation would be car free, which aligns with the requirements of Policies H2 and M3 of the Oxford Local Plan. All of the surrounding streets are subject to parking controls, therefore the car free nature of the development can be easily enforced.

10.82. The Canal House is currently provided with parking spaces on the site and the retention of a space to serve this building which serves as the College Masters Residence would not be contrary to Policy M3 of the Oxford Local Plan, given that there is existing parking serving this building and the retention of a space to serve this residential use would not constitute a net increase in parking provision.

10.83. The County Council requested the provision of four dedicated drop off and collection bays, so as to ensure that there would be no obstruction of New Road at the start and end of term times as a result of parking. A management plan will be required by condition to outline appropriate control measures in respect of picking up and dropping off at the start and end of term. The management plan must also address how these spaces would be used outside of these specific times. In order to ensure that the student development remains car free and only essential operational parking is provided for the other spaces, it would be expected that these spaces are not used for any parking outside of the specified drop off and collection period. In terms of the maintenance vehicle parking spaces, the functional requirement to provide these spaces is accepted.

- 10.84. Overall there would be a net reduction in parking across the site, which would be supportable in line with Policy M3 of the Oxford Local Plan, particularly accounting for the City Centre location of the site and the operational need for the retained parking spaces has been clearly outlined.
- 10.85. All of the proposed parking spaces would be served with Electric Vehicle charging points in compliance with Policy M4 of the Oxford Local Plan, this requirement would be secured by planning condition.
- 10.86. The development includes internal cycle parking provision which should be sufficient to meet the requirements of Policy M5 of the Oxford Local Plan; this would be at lower ground level and would be accessed via New Road. Details, including a specification of the proposed cycle parking would be required by condition.

Trees

- 10.87. Policy G7 of the Oxford Local Plan specifies that planning permission will not be granted for development proposals which include the removal of trees, hedgerows and other valuable landscape features that form part of a development site, where this would have a significant adverse impact upon public amenity or ecological interest.
- 10.88. The tree stock on the site comprises 9 trees which are not the subject of individual TPO's, but are afforded protection as the site falls within a Conservation Area. Seven trees are proposed for removal as part of the planning application. These removals are referenced as follows in the planning application documents: T2, T3, T5, T6, G7, T8 and T9.
- 10.89. Of these trees two are considered to be of moderate quality (T2 – Tulip tree and T3 – Sweetgum). These trees are within the site, but are visible from public views. T3 is prominent in front of T2, but is close to the boundary wall and garage. T2 is planted too close to Castle Hill House for viable long term retention. There are also retained trees that will buffer the initial loss of these trees.
- 10.90. The remainder of the trees scheduled for removal are low quality Category C tree which were subject to removal under a Section 211 notification. The trees are set well back into the site along the north-west corner boundary wall. The trees make only a modest contribution to public views and there will be an in significant harm to local character from their removal. Verified views from the location of the proposed wall slit (towards the mound) required the removal of the trees to achieve; therefore the Council raised no objection to the S211 Notice.
- 10.91. The key landscape trees on the site are T1 (Lime) and T4 (Birch), which contribute significantly to the street scene and from views from the castle Mound, and in the case of T4 the setting of the Canal House. These trees are shown to be retained and it is considered that their retention is fully feasible within the context of the proposed design; providing that adequate tree protection measures are implemented by condition. Overall officers consider that the development would not conflict with Local Plan Policy G7.

Sustainability

10.92. Policy RE1 of the Oxford Local Plan requires that an Energy Statement shall be prepared for all new residential developments, including for student accommodation. The Energy Statement outlines that a 40% reduction in carbon emissions from a 2013 building regulations compliant base case is required. This reduction is to be secured through on-site renewable energy and other low carbon technologies.

10.93. An Energy Statement has been provided, this outlines that the building is targeting the Passivhaus Institute Low Energy Building standard, which provides the main energy strategy for the building, the measures include:

- High levels of insulation
- High performance glazing
- Airtight construction
- Heat recovery ventilation
- Whole-building energy modelling
- Site quality assurance procedures for insulation and air tightness

10.94. To further reduce energy demand, waste-water heat recovery (WWHR) is proposed.

10.95. Overall the submitted Energy Statement suggests that the development would achieve a 43.8% carbon reduction exceeding the 40% carbon reduction target outlined under Policy RE1. The development is therefore considered to comply with the requirements of Policy RE1 of the Oxford Local Plan.

Drainage and Flood Risk

10.96. The site is within Flood Zone 1 and would typically be adjudged to be at a low risk of flooding. The application is accompanied by a Flood Risk Assessment, which similarly concludes that the site is at a low risk of flooding.

10.97. The County Council had raised concerns that insufficient information has been provided to make a technical assessment as to whether a SuDS system can be implemented for the site. This includes details on connections to the Thames Water network, including evidence that permission has been granted from Thames Water for the developer to connect to their system. A method of testing the drainage system was also required alongside the consideration of other SuDS measures. This information is required in order to satisfy the requirements of Policy RE4 of the Oxford Local Plan.

10.98. The applicants have since provided an updated drainage strategy for the site, alongside the other details requested by the County Council. The Council's Drainage Engineers have agreed that the details provided are likely to be acceptable in principle. This is subject to formal confirmation and officers intend to provide an update at the committee meeting on the 8th December at which point it is expected that formal comments will be provided. The final recommendation is also anticipated to be subject to an additional condition(s) in

respect of the management of surface water drainage. Again a further update will be provided on this before the meeting.

Ecology

10.99. Policy G2 of the Oxford Local Plan states that development will not be permitted where this results in a net loss of sites and species of ecological value. Where there is opportunity, development will be expected to enhance Oxford's biodiversity.

10.100. The application is accompanied by a Protected Species Survey Report which assesses the likelihood that protected species may be present on site, this includes a bat survey/preliminary roost assessment of existing buildings on site, including Castle Hill House which would be demolished.

10.101. No evidence of bats was found on site and Castle Hill House was identified as having negligible bat roost potential. The Canal House was identified as having low to moderate bat roost potential. All of the trees within the site were identified as having negligible bat roost potential. The urban nature of the site limits the likelihood that bats would be present on the site.

10.102. Overall it is considered that there are no foreseeable impacts on bats or other protected species and no further ecological surveys are considered necessary at this stage. The Council's Ecologist has raised no objection to the proposed development subject to a biodiversity enhancement condition being attached to any planning permission in order to achieve a net gain in biodiversity to accord with the requirements of Policy G2 of the Oxford Local Plan.

Air Quality

10.103. Policy RE6 of the Oxford Local Plan states that planning permission will only be granted where the impact of new development on air quality is mitigated. An Air Quality Assessment has been provided by the applicant. It is assessed that the air quality impacts of the development are unlikely to be significant given the relatively low level of traffic use within the immediate vicinity of the site and accounting for the overall reduction in parking spaces on site.

11. CONCLUSION

11.1. On the basis of the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes it clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.

11.2. In the context of all proposals paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development, this means approving development that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework

that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

- 11.3. The principle of providing new student accommodation on this site is adjudged to be acceptable in line with Policy H2 of the Oxford Local Plan. The college have identified that there is a clear need for additional undergraduate accommodation and providing accommodation on this site will provide a significant contribution in terms of addressing the deficit in available purpose built student housing for the college. The provision of purpose built student accommodation has the public benefit of releasing back existing housing into the local housing market. Applying the Government's Housing Delivery Test, this would be up to the equivalent of 21 dwellings.
- 11.4. The development would result in the loss of Castle Hill House, which would be classed as a local heritage asset. When assessed in line with the requirements of Paragraph 197 of the NPPF and Policy DH5 of the Oxford Local Plan, it is considered that this would constitute less than substantial harm accounting for the overall condition of the building. The addition of two, three to four storey buildings would have a transformative impact on the setting of the Central Conservation Area and the setting of a number of listed heritage assets in particular the adjacent Grade II* listed Canal House. Notwithstanding this, the new buildings are well-designed and the scheme would improve the relationship between the site and the adjacent public realm, particularly along Bulwarks Lane, where there would be notable improvements to the overall environment which would assist in reducing anti-social behaviour and encouraging footfall.
- 11.5. Notably the proposals would result in the loss of an important identified view of the castle motte from Bulwarks Lane. The loss of this view would result in low to moderate less than substantial harm to the significance of the castle and motte, though this would be mitigated at least in part through the provision of a new view, which has additional benefits compared with the existing view given the lower height of the opening.
- 11.6. Taken in the round, the overall level of harm to designated heritage assets, namely the surrounding listed buildings and the Conservation Area resulting from the development is considered to be less than substantial and is considered to be outweighed by what are significant public benefits including the provision of the student accommodation and the positive and efficient re-use of a prominent brownfield site to provide a well-designed development, which would improve the relationship between the site and the adjacent public realm, particularly along Bulwarks Lane.
- 11.7. The development is considered to be acceptable in all other respects. The design retains acceptable standards of amenity for existing occupiers, whilst providing appropriate amenity for future occupiers of the accommodation, in line with Policy H8 of the Oxford Local Plan. The student accommodation would be car free in line with the requirements of Policy H8 of the Oxford Local Plan, whilst the proposals would include an overall reduction in parking from 17 to 8 spaces,

reducing non-essential parking in line with the provisions of Policy M3 of the Oxford Local Plan.

- 11.8. For the reasons outlined above officers consider that the development is acceptable in planning terms and it is recommended that the Committee resolve to grant planning permission for the development proposed, subject to the provision of a satisfactory drainage scheme.

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 referred to shall be constructed strictly in complete accordance with the specifications in the application and the submitted plans subject to the approval of conditions 3, 15 and 33.

Reason: To avoid doubt as no objection is raised only in respect of the deemed consent application as submitted and to ensure an acceptable development as indicated on the submitted drawings.

3. Samples of the exterior materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before the start of work on the site and only the approved materials shall be used unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Policy DH1 of the Oxford Local Plan 2016-2036.

4. Before the development permitted is commenced details of the cycle parking areas, including dimensions and 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 in line with policy M5.

5. A Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. The construction phase of development shall be carried out in accordance with the approved CTMP. The CTMP should follow Oxfordshire County Council's template if possible. This should identify;

- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
- Access arrangements and times of movement of construction vehicles (to

- minimise the impact on the surrounding highway network),
- Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
- Contact details for the Site Supervisor responsible for on-site works,
- Travel initiatives for site related worker vehicles,
- Parking provision for site related worker vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
- Engagement with local residents

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.

6. A Student Accommodation Management Plan shall be submitted to and approved in writing by the Local Planning Authority in advance of occupation of the student accommodation. This should set out control measures for ensuring that the movement of vehicles associated with the transport of student belongings at the start and end of term are appropriately staggered to prevent any adverse impacts on the operation of the highway. The management plan shall include details on the use and management of the four parking spaces used for drop off and collection outside of these specific times. The approved measures shall be implemented thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the reason of highway safety and the efficient operation of the public highway.

7. Prior to first occupation a Travel Plan Statement and Travel Information Pack shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Information Pack shall be distributed to all occupiers upon first occupation of the rooms.

Reason: To promote sustainable modes of transport

8. The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB _{LAeq 16 hrs} daytime and of more than 30 dB _{LAeq 8hrs} in bedrooms at night.

Reason: In the interests of the health and wellbeing of neighbouring residents and occupiers/users of the application site subject to the development, in accordance with Policy RE8 of the Oxford Local Plan.

9. Prior to commencement of the development hereby approved, a construction/demolition management plan shall be submitted to and approved in writing by the Local planning Authority. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary from 0800-1800hrs Mondays to Fridays and 0800 -1300 hrs on Saturdays. No development shall be

carried out on Sundays. Advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works.

The approved details shall be implemented throughout the project period.

Reason: In the interests of the health and wellbeing of neighbouring residents and occupiers/users of the application site subject to the development, in accordance with Policies RE8 and M2 of the Oxford Local Plan 2016-2036.

10. Prior to the commencement of development, a scheme of ecological enhancements shall be submitted to, and approved in writing by, the Local Planning Authority to ensure a net gain in biodiversity will be achieved. The scheme will include details of new landscape planting of known benefit to wildlife and provision of artificial roost features, including specifications and locations of bird and bat boxes and a minimum of 6 dedicated swift boxes. Any new fencing will include holes for the safe passage of hedgehogs. The approved scheme shall be implemented prior to the commencement of development and the approved features shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

11. Prior to the commencement of the development a phased risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR11) (or equivalent British Standards and Model Procedures if replaced). Each phase shall be submitted in writing and approved in writing by the local planning authority.

A Phase 1 (desk study) and Phase 2 (intrusive investigation) have already been completed although further monitoring data is to be provided as stated in the submitted report; Geoenvironmental interpretative report produced by Chelmer Global Limited. Dated Feb 2019. Ref: GENV/10095. Once all results of sampling have been provided to the Local Planning Authority with an updated contamination risk assessment, this will inform the remediation strategy (as required).

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

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

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

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

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

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

14. The development shall be carried out in accordance with the recommendations outlined within the Energy Statement reference 1964.R5 Rev A prepared by QODA dated 9th September 2020 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is of a sustainable design and meets the carbon reduction targets outlined under Policy RE1 of the Oxford Local Plan 2016-2036.

15. A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority prior to first occupation or first use of the development hereby approved. The plan shall show details of treatment of paved areas, and areas to be grassed or finished in a similar manner, existing retained trees and proposed new tree, shrub and hedge planting. The plan shall correspond to a schedule detailing plant numbers, sizes and nursery stock types.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

16. The landscaping proposals as approved by the Local Planning Authority shall be carried out no later than the first planting season after first occupation or first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

17. No development shall take place until details of the design of all new hard surfaces and a method statement for their construction shall first have been submitted to and approved in writing by the Local Planning Authority and the hard surfaces shall be constructed in accordance with the approved details unless otherwise agreed in writing beforehand by the Local Planning Authority. The approved works shall be carried out before first occupation of the development.

Details shall take into account the need to avoid any excavation within the Root Protection Area of any retained tree and where appropriate the Local Planning Authority will expect "no-dig" techniques to be used, which require hard surfaces to be constructed on top of existing soil levels in accordance with the current British Standard 5837: "Trees in Relation to Design, Demolition and Construction – Recommendations".

Reason: To avoid damage to the roots of retained trees in accordance with Policy G7 of the Oxford Local Plan 2016-2036.

18. No development shall take place until details of the location of all underground services and soakaways have been submitted to and approved in writing by the Local Planning Authority. The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas of retained trees as defined in the current British Standard 5837 "Trees in Relation to Design, Demolition and Construction - Recommendations". Works shall only be carried out in accordance with the approved details unless otherwise agreed in writing beforehand by the local planning authority.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

19. No development, including demolition or enabling works, shall take place until a Tree Protection Plan (TPP) has been submitted to, and approved in writing by the Local Planning Authority. The TPP shall include such details as are appropriate for the protection of retained trees during development, and shall be in accordance with the current BS. 5837: "Trees in Relation to Design, Demolition and Construction – Recommendations" unless otherwise agreed in writing by the Local Planning Authority.

The TPP shall include a scale plan indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. The approved physical protection measures shall be in place prior to the commencement of any development, including demolition or enabling works, and shall be retained for the duration of construction, unless otherwise agreed in writing beforehand by the Local Planning Authority.

The Local Planning Authority shall be informed in writing when physical measures are in place, in order to allow Officers to make an inspection prior to the commencement of development. No works or other activities including storage of materials shall take place within designated CEZs unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

20. No development, including demolition and enabling works, shall take place until a detailed statement (the Arboricultural Method Statement (AMS)) has been submitted to and approved in writing by the Local Planning Authority. The AMS shall detail any access pruning proposals, and shall set out the methods of any workings or other forms of ingress into the Root Protection Areas or Construction Exclusion Zones of retained trees. Such details shall take account of the need to avoid damage to the branches, stems and roots of retained trees, through impacts, excavations, 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 beforehand by the Local Planning Authority.

Reason: To protect retained trees during construction in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

21. Development, including demolition and enabling works, shall not begin until details of an Arboricultural Monitoring Programme (AMP) have been submitted to and approved in writing by the Local Planning Authority (LPA). The AMP shall include a schedule of a monitoring and reporting programme of all on-site supervision and checks of compliance with the details of the Tree Protection Plan and/or Arboricultural Method Statement, as approved in writing by the Local Planning Authority. The AMP shall include details of an appropriate Arboricultural Clerk of Works who shall conduct such monitoring and supervision, and a written and photographic record shall be submitted to the LPA at scheduled intervals in accordance with the approved AMP. The development shall be carried out in accordance with the measures agreed within the AMP.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036

22. No demolition shall take place until the applicant or agent has submitted a demolition methodology statement that has been approved in writing by the local planning authority. All works shall be carried out and completed in accordance with the approved demolition methodology statement unless otherwise agreed in writing by the Local Planning Authority.

Part I: The demolition statement shall set out a methodology for demolition that ensures the protection and preservation of the northern stone wall of Castle Hill House and sets out how demolition process will facilitate archaeological recording of any earlier building fabric that may be sealed by the 1840s structure.

Part II: The demolition statement shall set out provision to cover the eventuality that should demolition works expose the anticipated historic tunnel below Bulwarks Lane at Castle Hill House then an addendum to the demolition method statement setting out a programme for sensitive consolidation and repair will be submitted to the local planning authority for written approval prior to works continuing on this part of the site.

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 medieval and post-medieval remains (Local Plan Policies DH3 & 4).

23. No development shall take place until a foundation design and foundation method statement has been submitted by the applicant, or their agent, and approved in writing by the local planning authority. The method statement shall set out how the foundations will be designed to substantively bridge over and leave undisturbed the medieval laminated basal fill of the Castle Bailey ditch as projected by the archaeological borehole survey results. All works shall be carried out and completed in accordance with the approved method statement, 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 medieval and post-medieval remains (Local Plan Policies DH3 & 4).

24. No occupation of the new development shall take place until the applicant, or their agent, has submitted a design and method statement for a privacy screen to be installed near the new viewing point in Bulwarks Lane and this has been approved in writing by the Local Planning Authority. The design and method statement shall detail the archaeologically or historically inspired art or text for the northern side of the screen and detail its dimensions and installation. The screen shall be removed five years after installation. All works shall be carried out and completed in accordance with the approved design and method statement, 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 medieval and post-medieval remains (Local Plan Policies DH3 & 4).

25. Occupancy of the building shall not commence until a method statement to secure on-site interpretation of Oxford Castle and Bulwarks Lane has been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out and completed in accordance with the approved statement 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 medieval and post-medieval remains (Local Plan Policies DH3 & 4).

26. No development shall take place until the applicant, or their agent, has secured the implementation of a programme of historic building recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. All works shall be carried out and completed in accordance with the approved historic building recording programme 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 medieval and post-medieval remains (Local Plan Policies DH3 & 4).

27. No development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the approved WSI, which shall include the statement of significance and research objectives, and the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the approved works.

The written scheme of investigation shall include the subsequent analysis, publication & dissemination and deposition of resulting material including the processing and publication of the archaeological evaluation results already completed. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the approved programme set out in the WSI.

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 medieval and post-medieval remains (Local Plan Policies DH3 & 4).

28. The student accommodation hereby permitted shall only be occupied during term time by students in full time education on courses of an academic year or more. Outside term time the permitted use may be extended to include accommodation for cultural and academic visitors and for conference and summer school delegates. The buildings shall be used for no other purpose without the prior written approval of the Local Planning Authority.

Reason: In order to maintain the availability of appropriate student accommodation in accordance with policy H8 of the Oxford Local Plan.

29. 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 policy M3 of the Oxford Local Plan.

30. No development shall take place until the complete list of site specific dust mitigation measures that are identified on page 18 of the Air Quality Assessment (version 4) submitted with this application, are included in the current Construction Environmental Management Plan (CEMP). The revised CEMP shall

be re-submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: to ensure that the overall dust impacts during the construction phase of the proposed development will remain as “not significant”, in accordance with the results of the dust assessment, and with Core Policy RE6 of the Oxford Local Plan 2016- 2036.

31. Prior to the commencement of development, details of the Electric Vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle infrastructure shall be formed, and laid out before the development occupied and shall remain in place thereafter.

Reason: To contribute to improving local air quality in accordance with policies M4 and RE6 of the new Oxford Local Plan 2016- 2036.

32. Prior to the occupation of the development, evidence that proves that all emission gas fired boilers to be installed on-site shall be ultra-low NOx (and meet a minimum standard of <40mg/kWh for NOx) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: to ensure that the expected NO2 emissions of the combustion system to be installed at the proposed development will be negligible, in accordance with Core Policy 23 of the Oxford Local Plan 2001- 2016.

33. A lighting plan for the site, detailing the specification and location of all external lighting features shall be submitted to and approved in writing by the Local Planning Authority before first occupation of the approved development. The approved lighting plan shall be implemented before first occupation of the development. No external lighting shall be installed on site without the written approval of the Local Planning Authority.

Reason: In the interests of public safety, amenity and preserving the character of the Conservation Area and surrounding heritage assets in accordance with policies RE7, DH1 and DH3 of the Oxford Local Plan.

34. Design details of the following features shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the approved development and shall be implemented before first occupation of the development:

- Boundary treatments including new railings and gates.
- Details of the abutment of the proposed building adjacent to Bulwarks Lane and New Road.

Reason: For the avoidance of doubt and so that the Local Planning Authority can agree these details in the interests of preserving the character and appearance of the conservation area, and in accordance with policies DH1 and DH3 of the Oxford Local Plan 2016-2036

12. APPENDICES

- **Appendix 1** – Site location plan
- **Appendix 2** – Oxford Design Review Panel (ODRP) letter

13. HUMAN RIGHTS ACT 1998

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

14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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