

Oxford City Planning Committee

Application number: 21/01185/FUL

Decision due by 28th July 2021

Extension of time

Proposal Demolition of twelve buildings (including main accommodation Blocks C, F, G, H, J, K, L and M) and erection of twelve buildings to provide student accommodation, with ancillary communal and social facilities and associated administrative building (Class C2). Erection of children's nursery (Class E). Alterations to car parking, installation of cycle parking structures and associated landscaping works, including reorganisation of existing footpaths and cycle ways, drainage features and ancillary development. Installation of a waste compactor unit and alterations to an existing road to enable access.

Site address Site Of Blocks C F G H J K L And M, Clive Booth Hall, John Garne Way, Oxford

Ward Headington Hill And Northway Ward

Case officer Clare Gray

Agent: Savills c/o Jon Alsop **Applicant:** Oxford Brookes University

Reason at Committee The application constitutes major development

1. RECOMMENDATION

1.1. The Oxford City Planning Committee is recommended to:

1.1.1. **Resolve to approve the application** subject to:

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

1.1.2. **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;

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

2. EXECUTIVE SUMMARY

- 2.1. This report considers an application for the redevelopment of the existing Clive Booth Student Village. The site, being an existing student village, comprises previously developed land, which is allocated in the Oxford Local Plan 2036 for development, including student accommodation under policy SP17. The proposal would comprise the demolition of a number of buildings and the redevelopment to provide an increase in student beds, providing a net gain of 573 student bedrooms. The proposal will include the re-provision of a children's nursery within the site as well as other ancillary welcome building and communal/social spaces.
- 2.2. The site is located on a sloping hillside, comprising the Eastern Hills to Oxford. It is characterised by its wooded sylvan character which forms part of the wider green backdrop to the Dreaming Spires and historic skyline of Oxford city centre. The site lies within the Headington Hill Conservation Area, close to Headington Hill Hall Grade II* listed building and High Walls Grade II listed park and garden.
- 2.3. The redevelopment of the site is informed by the site's opportunities and constraints, identifying views to and across the site from Oxford View Cones; key prominent trees; landscape features and topography; and designated heritage assets to inform the site's design. The proposal has also been developed in a manner that has sought to address the reasons for refusals imposed by the East Area Planning Committee on the previously refused scheme under reference 18/02587/FUL.
- 2.4. The application comprises EIA (Environmental Impact Assessment) development and is accompanied by an Environment Statement
- 2.5. The report considers a substantial range of issues, considering the allocation of this site for student accommodation, against the sensitive and constrained nature of its wooded hillside position within Headington Hill Conservation Area, and proximity of designated heritage assets, as well as position in the wider landscape with views across from the Central Conservation Area and from the Western Hills. The report considers the impact on designated heritage assets, design, landscape, the impact on trees and biodiversity as well as on flooding, amenity, energy and sustainability, air quality and other matters.
- 2.6. The report carefully considers these matters and considers the proposal would seek to make an efficient use of previously developed land delivering a greater number of student beds on an existing student village site connected to

Headington Hill Campus and Gipsy Lane Campus. The development of this allocated site would subsequently reduce the pressure on housing in Oxford as it will assist in releasing a number of private houses back to the open and rental market. The development will further reducing the need for students to travel to academic buildings across the city and will enable the University to manage its own students needs, improving affordability and pastoral care. The scheme will also bring benefits in improving footpath and access across from Clive Booth to Headington Hill Hall Campus which are poorly lit and unsafe. The assessment of the proposal gives great weight to the conservation of designated heritage assets and considers the landscape impact of the development from within the Conservation Area at short range, as well as considering the impact from the Western Hills and from the Central Conservation Area. The report considers that the proposal will have an initial adverse impact on tree cover initially. However, considers that the mitigation planting would offset the impact of loss of tree cover and would result in longer term planting and tree cover that would exceed the existing canopy coverage. The report also considers the initial impact of the development on the significance of heritage assets will result in less than substantial harm to the special character and interest of Headington Hill Conservation Area and views from the Western Hills and from the Central Conservation Area through the loss of tree cover initially however, it is considered that the delivery of public benefits will offset the harm identified.

- 2.7. The initial loss of tree cover will also impact upon biodiversity but that compensation and mitigation measures of substantial tree planting and biodiversity enhancements will deliver a net gain of 11.87% and offset this loss.
- 2.8. The report considers the impact on highways, amenity, green infrastructure, sustainability, flooding and drainage and archaeology and considers these impacts are acceptable.
- 2.9. Having considered all of these matters, officer consider that the application would accord with these development plan policies and therefore should be approved subject to a legal agreement to secure the delivery of a scheme of public benefits, comprising the works to the footway south of Cuckoo Lane and a 30 year management plan for habitat creation; along with a S278 agreement to secure the delivery of a pedestrian refuge on Marston Road and Travel Plan monitoring for the site and the nursery. In conclusion the application is considered to comply with policies SP17, S1, H1, H8, H9, H14, RE1, RE2, RE3, RE4, RE5, RE7, DH1, DH2, DH3, DH4, G2, G7, G8, M1, M2, M3, M4, M5 and M6 of the Oxford Local Plan 2036 and policies CIP1, CIP2, CIP3, CIP4, GSP4 of the Headington Neighbourhood Plan and guidance contained in the NPPF.

3. LEGAL AGREEMENT

- 3.1. This application is recommended for approval subject to a legal agreement to secure the public realm improvements, to be considered by members under reference 21/01368/FUL and 21/01369/LBC which comprises new footpaths from south of the Clive Booth Student Village, and south of Cuckoo Lane on the Headington Hill Hall campus to and alterations to the listed wall. The legal agreement will need to ensure these footpaths if approved, are provided prior to

the occupation of the development subject to this application, along with management controls to upkeep and maintain this space in perpetuity.

- 3.2. The agreement would also require the developer to enter into a Section 278 legal agreement with Oxfordshire County Council to secure the delivery of an uncontrolled refuge in the vicinity of John Garne Way on Marston Road. This is to be delivered prior to first occupation of the student bedrooms. The S278 agreement will need to also secure Travel Plan monitoring for the student village and separately for the nursery.
- 3.3. The S106 agreement will also need to secure the 30 year management of the habitat creation, given the length of the period required for management.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for CIL.

5. SITE AND SURROUNDINGS

- 5.1. The site comprises half of the existing Clive Booth Student Village which is part of Oxford Brookes University Headington Campus on the western facing hillslope of Headington Hill, to the east of Oxford City. The application site extends to approximately 4.8ha and contains a collection of 14 buildings, providing blocks of brick built student accommodation of 2 and 3 storey height. The application site currently accommodates 640 students.
- 5.2. The site is located at the end of John Garne Way, off Marston Road, and forms the eastern half of the wider Student Village which has been occupied by Oxford Brookes students for the last 40 years. Within the wider campus is the recently constructed Post Graduate Centre on the front of Marston Road. Adjacent to the entrance of the site is the John Garne Way allotments. To the north of the site are the residential streets of Fielden Grove and Pullens Field. To the east is mixed development off Pullens Lane, comprising academic institutions and residential uses, and Pullens Lane allotments. To the south is Headington Hill campus within which lies Headington Hill Hall, a Grade II* listed building, and Headington Hill Park.
- 5.3. The site sits north of Cuckoo Lane which is a rural thoroughfare that connects Marston Road to the west with Pullens Lane to the east. The footpath distinguishes between the historic parkland and gardens of Headington Hill Hall to the south from the later C20 developments that are dispersed amongst the wooded slopes of this relatively steep hillside to the north.
- 5.4. The site has a distinctive and varied topography owing to its position on hillside, with the lower ground level at Marston Road extending up towards the brow of the hill to the east. The site also slopes steeply north to south. Headington Hill provides a green setting to the east of Oxford where the site and surrounding land is characterised by large numbers of mature trees and parkland. The site lies within the wider context of the green backdrop to the Oxford City and views of the site are achieved from the city from St Marys Church, and of the backdrop from further afield, at Raleigh Park, Boars Hill and Wytham Wood. There is a

small woodland identified as a SLINC (Site of Local Importance for Nature Conservation) which sits on the northern boundary of the site partly outside of the red edge.

5.5. The site lies within Headington Hill Conservation Area, with the red edge of the application site following broadly the western boundary of the Conservation Area. Adjacent to the Headington Hill Conservation Area is St Clements and Iffley Road Conservation Area which goes along Marston Road as far as the Islamic Centre. South of the application site is Headington Hill Hall which is Grade II* listed. The northern portion of the site sits closer to the early C20 arts and crafts villas of Pullens Lane, including High Wall, which is a Harold Peto design and grade II listed.

5.6. Vehicular access to the site is from John Garne Way to the west. Pedestrian access is more widespread with access from Cuckoo Lane which extends along the southern boundary of the site and connects Marston Road with Pullens Lane and Headington Hill Park, and from direct access from Pullens Lane.

5.7. See site plan below:



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Ordnance Survey 100019348

6. PROPOSAL

6.1. The application proposes to redevelop the eastern half of the student village for student accommodation and other ancillary spaces. The existing Clive Booth site contains a mix of 2 and 3 storey buildings providing 640 bedspaces across the site, as well as ancillary social and communal facilities and a nursery. The majority of this accommodation is outdated and beyond the lifespan of their use first constructed in the 1970, as well as being inward facing, and accessible by steps. The proposal would replace these older buildings with new purpose built student accommodation to modern standards. The development would overhaul the layout to provide a different arrangement and scale of accommodation blocks, which will increase the available purpose built accommodation for university students.

- 6.2. The scheme will result in the demolition of 12 buildings on site including accommodation blocks C, F, G, H, J, K, L and M, Morels Bar, children's nursery and the Steel House. 2 of the more recent student blocks will remain on site comprising block A and B within the middle of the site.
- 6.3. In their place will be 12 new buildings arranged across the student village to provide new student accommodation and associated ancillary services, including a new welcome building at the entrance into the village from John Garne Way, and a replacement nursery.
- 6.4. The redevelopment will increase the number of student bedrooms on site. Of the 640 bedrooms provided, 462 bedrooms will be demolished, retaining 178. In total 1035 bedrooms will be new, resulting in a revised campus size of 1213 bedrooms, which is a net gain of 573 rooms from its existing size.
- 6.5. The new building typologies comprise a range of apartment buildings and town houses. The apartment buildings will be provided to the west and middle of the site within buildings 1, 2, 3, 4a, 4b, 6/7, 8 and 9. The typical arrangement of each floor has kitchen and living spaces on the end of each level, at the ends of the building with the circulation space in the core. All student bedrooms have an ensuite shower room and a floor area of 12.5sqm.
- 6.6. The town houses to the east are provided with zoned kitchen living and dining spaces on the ground floor with 1 bedspace on the ground floor and bedspaces above.
- 6.7. A welcome building is proposed at the entrance into the site, identified as building 5 which will provide administrative and welfare support facilities. This building has a unique plan form with a curved façade.
- 6.8. The massing of the proposed accommodation varies in height and scales relative to the site's sloping topography. Buildings 1, 2, 3, 4a and 4b lie at the western end of the site at the lower land level, where the base of the site is flatter. These buildings have a linear form that vary in length and have a narrow span. These buildings vary between 4 and 6 storeys in height. Building 1 comprises 5 and 6 storeys; Building 2 comprises 5 and 6 storeys; Building 3 comprises 4 and 5 storeys; and Building 4a and 4b comprises 5 and 6 storeys. The heights of these buildings vary from 13.3m to 18.8m at its most highest in the circulation core.
- 6.9. Moving east as the site ascends the hill, buildings display more varying heights. Building 5 is the welcome building and is 2 and 3 storeys and measures 10.4m in height; Building 6/7 which comprises the nursery as well as student accommodation comprises 1, 2, 4 and 5 storeys extending from 4.4m height nearest to the boundary with the Allotment to 12.8m height to the east; Building 8 has 4, 5 and 6 storeys and Building 9 has 4 and 5 storeys. The span of these buildings are mainly narrow with a linear plan form. The 2 storey component of building 6/7 which comprises the nursery has a wider plan depth. Buildings 8 and 9 vary in height from 12.8m to 18m.
- 6.10. To the far east of the site, on the higher ground levels, are 3 further blocks providing town house accommodation. These blocks are again of a narrow linear

plan form. Building 10 is 4 storeys; Building 11 is 3 storeys and Building 12 is 3 storeys. These buildings vary in height from 10.4m to 13.2m.

- 6.11. It is important to note however with the heights quoted above that they do vary across the buildings, and relative to the topography and its position on the slope.
- 6.12. The design concept for the student village is one of biophilic design and building a sense of place, integrating the development in with the existing natural context of the site, with development arranged around retained groups of mature trees and to allow views of and interaction with the wooded setting. This is considered to provide for student health and well being and for the environment.
- 6.13. The apartment buildings are largely flat roofed and of brick construction with large windows and openings with the objective to bring people close to nature and the outdoors, and allowing greater levels of light and nature into spaces, incorporating features such as window cills as bench seats in the kitchen living spaces; horizontal windows to allow views of trees at mid levels and vertical windows at higher levels. The buildings have been designed with a distorted parapet roof line, and a change of fenestration, which purpose is to assimilate and to distort the appearance of the buildings as seen in the immediate and long range views.
- 6.14. The buildings will be constructed with a palette of varied mid tone brick to blend with its surroundings with a complimentary brick base to the ground floor in order to ground the buildings, a mid 'trunk' section and a upper 'canopy' section. The design objective being to reflect the wooded landscape setting and to harmonise in the landscape.
- 6.15. The townhouses will comprise a shallow pitch roof but will be constructed with similar bricks as the apartment buildings.
- 6.16. The landscape strategy is to retain and enhance the existing wooded context of the site and incorporating this into the masterplan to integrate the buildings with the landscape and to create a high quality environment. This has resulted in the creation of landscape character areas and outdoor spaces comprising woodland glades, terraced gardens, woodland courts and woodland edge. The strategy is to enhance and strengthen connections through the site and beyond to the main Brookes campus, providing a series of outdoor spaces that are well connected, but with their own identity, to allow residents to sit and enjoy.
- 6.17. Externally the existing road layout and vehicular connections through the site are to remain as arranged, however, additional improvements for pedestrian routes within the site and enhanced direct routes to the nodes of Cuckoo Lane and Pullens Lane are proposed, as well as an improved widened arrival node at the junction of Clive Booth with Cuckoo Lane and Headington Hill Campus. An application for planning permission and listed building consent for improved walkways are proposed on the south side of this node to connect Clive Booth with Headington Hill Campus. The reference for these applications are 21/01368/FUL and 21/01369/LBC and are pending consideration.

- 6.18. The layout also provides for an external space between buildings 3 and 4a to be utilised on occasions such as the start of the academic year for pop up food stores.
- 6.19. The redevelopment seeks to retain a nursery on site, albeit located on the ground floor of building 6, and supported with a new play area. The nursery provides facilities for users coming from outside the Student Village, primarily comprising University staff, but also for some local families. It is intended that the capacity of the nursery will provide for 75 children, which is an increase of 21 children over the current level of 54.
- 6.20. The scheme also incorporates the provision of a new waste compactor compound on a small area of land, to the western part of the Clive Booth Student Village, in the location of existing bin storage. This will contain compactor units for recyclable and non-recyclable waste.
- 6.21. To facilitate the development it is proposed to fell 98 trees and landscape features mostly being Category C trees (69) and U trees (17) but also including 1 Category A tree and 11 Category B trees. Of this 98, 9 are sought for removal irrespective of the development. The applicants seek to plant 193 trees by way of succession tree planting. The trees will be planted across the site to build upon the existing wooded characteristics of the site.
- 6.22. Vehicular access will be from the head of John Garne Way, as the arrangements are currently. Access for students will be restricted to the start and end of term at controlled times. Deliveries and services will be restricted to pulling up at the welcome building only.
- 6.23. The redevelopment will be undertaken in 2 phases, with largely the flat blocks (buildings 1-7) comprising the first phase delivering 659 rooms within 7 buildings, intended to be ready for occupation September 2023. The first phase will also include the reprovision of the nursery within Building 6 along with the associated play area, the formation of the Welcome Building (Building 5) and the installation of the waste compactor. The second phase on the uphill eastern portion will deliver buildings 8-12 providing 376 rooms, for occupation September 2025.

7. RELEVANT PLANNING HISTORY

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

71/24017/A_H – Morrells Allotments Marston Road – outline application for residential development. APPROVED
72/26435/A_H – Outline application for the erection of student accommodation for Oxford Polytechnic and 50 bed spaces per acre with vehicular access from Marston Road and retention of open space. APPROVED
75/00999/D_H – Erection of student accommodation for Oxford Polytechnic to form 110 study bedrooms with self contained amenities. Construction of access road. APPROVED

76/00593/D_H – Blocks G H J – Erection of student accommodation for Oxford polytechnic 324 study bedrooms with self contained amenities, phase 2 (amended plans) APPROVED

80/00553/DFH – Land off John Garne Way – Two storey block to form 44 units of student and post-graduate accommodation with ancillary facilities (Block H) – WITHDRAWN

84/00819/DFH – Blocks G H J and K – Student housing together with a Wardens House for Oxford Polytechnic. APPROVED

84/01032/DOH – Hostel accommodation for 75 students for Oxford Polytechnic, with vehicular access from John Garne Way APPROVED

89/00201/NOH – Clive Booth Hall – Construction of hostel accommodation for 75 students for the Oxford Polytechnic, which vehicular access from John Garne Way (renewal DOH/1032/84) APPROVED

90/00577/NFZ – Blocks C F L M and Central facility. Erection of student hostels and student facility. Extension to existing roadway, footpath, car parking and landscaping (amended plans) APPROVED

96/00565/NFH – Erection of day nursery together with dropping off point and play area APPROVED

07/00616/FUL – Erection of 178 student study rooms in 2 blocks on 3 floors on site of existing blocks A and B (net increase of 79 student study rooms) (amended plans) APPROVED

07/00615/CAC – Demolition of student accommodation blocks A and B amended plans APPROVED

18/02587/FUL - Proposed demolition of Blocks C, F, G, H, J, K, L and M of the Clive Booth Student Village and erection of 1,077 student bedrooms with associated communal and social facilities (reference 18/02587/FUL) (revised land ownership certificate) (Amended Plans). REFUSED 21st June 2019. The reasons for refusal are set out below.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:
Design	117-123, 124-132	DH1, DH2	High Buildings TAN	CIP1, CIP2, CIP3, GSP4

Conservation/Heritage	184-202	DH3		GSP4, CIP4
Housing	59-76	SP		
Commercial	170-183			
Natural environment	91-101	G2, G7, G8		GSP3
Social and community	102-111	RE5,		
Transport	117-123	M1, M2, M3, M4, M5, RE7	Parking Standards SPD	TRP1, TRP2, TRP3, TRP5
Environmental	117-121, 148-165, 170-183	RE1, RE3, RE4, RE6, RE9	Energy Statement TAN	
Miscellaneous	7-12		External Wall Insulation TAN,	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 27th May 2021 and an advertisement was published in The Oxford Times newspaper on 27th May 2021.

Statutory and non-statutory consultees

9.2. Oxfordshire County Council (Highways): No objections subject to conditions and legal agreement to secure pedestrian refuge and Travel Plan monitoring

9.3. Oxfordshire County Council (Local Lead Flood Authority): No objections subject to conditions

9.4. Thames Water Utilities: No objections

9.5. Historic England: Historic England has no objection to the application on heritage grounds. We consider that the application meets the requirements of the NPPF in regards to heritage issues, in particular paragraph numbers 189, 190 and 192, providing proper scrutiny is given to the detailed design and materials used.

9.6. Natural England: No objection and no adverse impact on the New Marston SSSI

9.7. Thames Valley Police: No objections

9.8. Environment Agency: Do not wish to be consulted

- 9.9. Cyclox: No objections. Brookes have overcome most of our previous objections to this proposed development, but we remain concerned about the provision of a safe, convenient route for city-bound cyclists travelling on Marston Road during construction.
- 9.10. Pullens Lane Residents Association: Objection. The chief objection which is at the root of all is that the redesign allows for far too many students. The concomitant amount and size of new building is simply not in keeping with the area, and together with the dramatic increases in students and the destruction of a substantial amount of natural habitat, would result in a development that would utterly change the appearance and nature of the area. The plans have a major adverse impact on the Headington Hill Conservation area. The increase in height, footprint, numbers of students, and the extensive felling of full-growth trees are incompatible with the nature of a conservation area; the mature and dense landscaping provides a sylvan quality, in which the greenery of the area makes a stronger contribution than the built elements but this will result in a loss of sylvan quality. The design contravenes the character of the area and is considerably taller than others in the area. Numbers of students are too high. Number of trees lost too significant to recover the wooded character of the site. Impact on amenity. Impact on foul sewage.
- 9.11. Fielden Grove Residents Association: Requests that Oxford City Council concludes the proposed development of 1,035 student bedrooms at Clive Booth Student Village will cause substantial harm to the significance of the special qualities and local distinctiveness of the Headington Hill Conservation Area. This harm is not adequately mitigated by the fresh approach with the current scheme, and in particular the proposed tree planting and other landscaping. Furthermore, this harm is not offset by any public benefits that might flow from an increase in student accommodation. The applicant has not demonstrated that this new scheme has been amended in size, scale and siting to a sufficient extent to overcome the three reasons that Oxford City Council gave in refusing the 2018 scheme. We request, therefore, that planning permission is refused for the proposed development because it fails to preserve the character of the Headington Hill Conservation Area, an important Heritage Asset.
- 9.12. New Marston Residents Association: Objection. The overall view of New Marston (South) Residents Association is that Oxford Brooks have pressed on regardless with their intention to significantly increase the number of student units at Clive Booth Hall with some tweaks and a great deal of “green washing”. Provision of wild flower/bluebell patches will not compensate for the loss of a large number of mature trees and their associated ecosystems. Intrusion of high buildings into an Oxford View Cone next to heritage assets remains as the impact of the application. This proposal doesn’t overcome the reasons for refusal, would cause harm to Cuckoo Lane as a wildlife corridor; concern over impact of sewage flooding in New Marston; significant adverse impact on public amenity which supports wildlife habitats for bats and other mammals, including kites and buzzards. NMRA are concerned about incursions into the neighbouring SLINC to the north of the site. In previous years this woodland has seen nesting by red kites. No information on how the new habitats will be maintained in the long term. This scheme is contrary to policy.

9.13. John Garne Way Allotments: Objection. Shading of allotments including the shading of the area containing bee hives. Overdevelopment of the site and height and massing of buildings will provide an overwhelming sense of urbanisation. Noise, impact of construction on dust/health issues will result. The welcome building has increased in height whilst being moved away. It will block views internally and views from the allotments will still be dominated by buildings. Visualisations are misleading. Shadow analysis does not include the bee area. Winter light is essential for over wintering crops. The development will take away the view of the tree horizon. The trees will not mask the buildings. The view will be solid of buildings 5 6 and 7. Buildings are out of scale for Oxford, never mind a Conservation Area. The scheme is driven by the need to accommodate 600 more students, and not what the conservation area can hold. There will be a lot of cars and traffic due to more students and deliveries. Ability for allottees to park will be impacted on.

Public representations

Alma Place: 6
Bath St: 5
Coniston Ave: 68
Croft Road: 32
Crotch Crescent: 24, 65
Edgeway Road: 4, 19, 47, 125, 127, 133
Feilden Grove: 2, 3, 4, 10, 12, 18, 30, 32, 34
Ferry Road: 45, 72, 76, 78, 98, 127
Green Ridges: 3
Harberton Mead: 1, 9, 13
Hayes Close: 30
Headington Road: 190
Howard Street: 28A
Hugh Allen Crescent: 6, 27, 80
Jack Straw's Lane: 111
Jeune Street: 39
John Garne Way (Bishops Court): 11
London Place: 12, 17
Lye Valley: 38
Marston Road: 259, 382
Mileway Gardens: 5
Moody Road: 11A
Parry Close: 12
Peacock Road: 11, 13
Pullens Field: 12, 14, Pullens Gate
Purcell Road: 6, 14
Rolfe Place: 10
Rose Hill: 116
South House, Headington Hill
Weldon Road: 6
William Street: 6, 24, 26, 31, 35, 36, 44, 47, 50, 58, 68

9.14. In summary, 94 letters of objection were received from the above residents:

- Overdevelopment of students on site (greater number than previous refusal)
- Impact on allotment site, overshadowing of natural light
- Biodiversity. Site is within conservation area but from earlier redevelopments and poor site management, wildlife has been lost
- Loss of unnecessary tree felling
- Development too large – massing; height and effecting views and conservation area
- Significant harm to the views from John Garne Way and the allotments
- Additional adverse effect (compared to the previous refused application)
- Poor quality for the nursery;
- Light pollution;
- Sewer and flooding problems to an already long-term problem
- St. Michael's primary school at risk for pupils and parents walking to school (via gates in John Garne Way) with the huge number of HGV lorries and delivery vehicles
- Revised application does not go far enough to address the reasons for refusal
- Minimal public benefit to this proposal
- Opposed to significant loss of trees
- Concerns over increased traffic, particularly during construction
- Felling 100 mature trees and replacing them with saplings that will take many years to mature is unacceptable
- Concern about the impact on the SLINC and destruction of mature microbial and fungal soil populations
- Proposal goes against Local Plan policies
- Demolition of existing buildings is unnecessary and can be used for many years to come
- Unacceptable loss of habitat for bats, other mammals and birds
- Huge carbon cost of such a large new build development
- Damage to the ecosystem
- New buildings are too high; obtrusive to the area and setting within a conservation area
- Permanent damage to the character of the Headington Hill Conservation Area

Officer response

9.15. The evaluation of the issues identified have been addressed in the main evaluation section of the report.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Affordable Housing
- Design and landscape impact
- Impact on designated heritage assets
- Trees
- Highways
- Sustainability and energy
- Biodiversity
- Archaeology
- Air Quality
- Flood risk and drainage
- Impact on amenity
- Other matters

Background

10.2. In December 2018, a planning application to redevelop the Clive Booth Student Village Site was submitted demolishing Blocks C, F, G, H, J, K, L and M and erecting 1077 student rooms, thus providing a net gain of 615 student beds. The scheme was recommended for approval, subject to the completion of a S106 agreement by Officers, however was refused at East Area Planning Committee in June 2019 for the following reasons:

- 1) *The proposed development by reason of its siting, scale, density, and height would appear as a strident and consequently intrusive and incongruous intervention on the prominent wooded hillside that makes a significant contribution to the character and appearance of the Headington Hill Conservation Area, and the setting of Central Conservation Area, resulting in harm to the character and appearance of the area and the significance of these designated heritage assets. It would also have an adverse impact on the setting of the John Garne Way allotments and views from the allotments back towards the wooded hillside that makes an important contribution to the character and appearance of the Headington Hill Conservation Area. Moreover the resultant harm has not been sufficiently mitigated by a careful design or adequately justified. The identified public benefits would not*

outweigh the less than substantial harm to designated heritage assets that would arise from the development contrary to paragraph 196 of the NPPF. The proposal therefore fails to comply with the governments planning policies in the NPPF, the policies CP1, CP6, CP8, HE7 of the Oxford Local Plan, policy CS18 of the Oxford Core Strategy, Policy HP9 of the Sites and Housing Plan and policies CIP1, CIP2, CIP3 and GSP4 of the Headington Neighbourhood Plan, and therefore fails to discharge the statutory duty set out within Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

- 2) *The proposed development by reason of its size, scale, and siting would result in the loss of significant trees within the site that contribute to its distinctive sylvan character and position within the Eastern Hills. Further, the proposed mitigation planting would fail to offset the loss of these trees in the short to medium term. Consequently the development would have a significant adverse impact upon public amenity of the site and its setting within the hillside contrary to policies NE15 and NE16 of the Oxford Local Plan*
- 3) *That having regards to the reasons listed above, the public benefits of the proposal, in particular the releasing of houses back to the private rental market would not be sufficient to outweigh the less than substantial harm caused by this development to the local area including to the significance of a number of designated heritage assets, and therefore would not meet the test set out in paragraph 196 of the NPPF, or constitute sufficient material considerations that would outweigh policies CP1, CP6, CP8, HE7, NE15, and NE16 of the Oxford Local Plan, policy CS18 of the Oxford Core Strategy, Policy HP9 of the Sites and Housing Plan, and policies CIP1, CIP2, CIP3 and GSP4 of the Headington Neighbourhood Plan.*

10.3. Since the application was refused, the applicants have been developing a new application that seeks to address the reasons for refusal. The applicant has undergone extensive pre-application discussion with Officers and carried out two rounds of public consultation with the local community. This engagement with the local community took place over 2 periods, November and December 2020 and January and February 2021. This engagement took the form of webinars (given the Covid 19 pandemic), community wide leaflet distribution, invitations and meetings with specific interest groups including 3 separate meetings with the John Garne Way Allotment Committee, as well as engagement with Pullens Lane Allotment Association, Fielden Grove Residents Association, Jack Straws Lane Residents Association, Friends of Headington Hill Park, Oxford Preservation Trust and Oxford Society.

10.4. The design was also submitted to Oxford Design Review Panel for formal review.

10.5. The fundamental changes to the scheme have been to rigorously test, explore and to better interrogate the issues of massing and the heights of the buildings, and their siting so that they respond more sympathetically to the existing topography of the site; and to have a more integrated relationship with both the existing and proposed landscape casting less shadows; to improve the

impact of the buildings in long range views across Oxford but also as they appear on Headington Hill in short range views; to re-examine the landscape strategy and impact on trees so retaining more trees, minimising loss; and the extent of public benefit offered by the development.

10.6. The fundamental changes to the scheme are as follows:

- 1) Reduction in the net gain of student beds from 615 to 573.
- 2) Reducing the height of the flatted buildings on the western part of the site from 6/7 storeys to 5/6 storeys.
- 3) Moving the arrival building (5) and residential building 3 away from the northern boundary of the site in the vicinity of John Garne Way allotments to reduce overshadowing in the winter months and early in the day at other times of the year
- 4) To reduce the building height of building 3 and to reduce building 6 to 2 storeys nearest to the boundary with John Garne Way allotment to reduce overshadowing of the allotment.
- 5) To pull building 12 away from the boundary with residential properties on Pullens Field to improve amenity impact on Pullens Field.
- 6) To re-examine the footprint of the buildings and reposition to allow for the retention of a greater number of Category A and B trees, including shortening and separating the buildings, and retaining a greater number of trees, with the greatest life expectancy, especially those that are necessary around the boundary and for layering through the site in filtering views in the locality. This is shown in pulling building 4b away from an internal road to allow retention of high category trees, to pull building 1 away from Cuckoo Lane to alleviate its impact on Cuckoo Lane, and to pull building 3 away from the western and northern boundary to allow for greater tree mitigation. Further pulling the welcome building away from the northern boundary, to allow for greater mitigation tree planting.
- 7) Revisit the design approach to the building's façade through a change in a materiality and greater articulation.

10.7. It is important to note that since the refusal of 18/02587/FUL in June 2019, the Oxford Local Plan 2036 was adopted in June 2020. The Local Plan allocates the Clive Booth Student Village site for development, including student accommodation, under Policy SP17. It is therefore material to make the distinction that the site was not adopted for student accommodation in the Sites and Housing Plan or previous Local Plan, which formed the development plan at the time of June 2019 decision to 18/02587/FUL, albeit it was at the time an emerging policy.

Principle of the Development

- 10.8. The National Planning Policy Framework (NPPF) states that plans and decisions should apply a presumption in favour of sustainable development. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land comes forward where it is needed, that the needs of groups with specific housing requirements are addressed and that the land with permission is developed without unnecessary delay (para 60). Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in local policies, including students (para 62). Therefore it is clear that national policy expects that the housing needs of students are understood and should be met. The PPG also encourages Authorities to engage with universities to ensure they understand their student accommodation requirement (PPG para 004 227/7/19).
- 10.9. Planning policies and decisions should promote an effective use of the land in meeting the need for homes and other uses (para 119) and states policies and decisions should give substantial weight to the value of using brownfield land within settlements for homes and promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land is constrained and available sites could be used more efficiently (para 120).
- 10.10. Policy S1 of the Oxford Local Plan states that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Planning applications that accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.
- 10.11. Policy H8 of the Oxford Local plan states that planning permission will only be granted for student accommodation in restricted locations, including on or adjacent to an existing university campus and only if the use during university terms is to accommodate students being taught at that site or on a site which is allocated in the development plan to potentially include student accommodation. This site is defined as suitable for student accommodation. Because there are significant restrictions on where student accommodation can be delivered, delivery on sites that meet the locational criteria is particularly important in order that the accommodation needs of students can be met, as is required by policy.
- 10.12. Policy SP17 of the Oxford Local Plan allocates development at the Clive Booth Student Village and at Headington Hill Hall. The policy states that planning permission will be granted for additional academic and teaching facilities, and associated sport, social and leisure facilities, student accommodation and residential development.
- 10.13. It is a well known issue in Oxford that a large number of students residing in the city has an impact on the availability of general market housing. Students who live outside purpose built accommodation tend to house-share in the private rental market which in turn impacts upon the availability and costs of larger houses in the general housing market.
- 10.14. Planning Practice Guidance (updated July 2019) advises Local Authorities how to assess housing need and states that in the case of student housing, "Encouraging more dedicated student accommodation may provide low cost

housing that takes pressure off the private rented sector and increases the overall housing stock.”

- 10.15. Policy H9 is also relevant. This policy links the delivery of new/redeveloped and refurbished university academic facilities to the delivery of university provided residential accommodation, and effectively ensures that provision of academic/administrative facilities for Oxford Brookes does not result in an increase in student numbers or the number of students living in Oxford in non university accommodation does not exceed 4000 students. It should also be recognised that the policy states that this threshold shall be increased to 4500 students by 1 April 2023 if a scheme for 500 student bedrooms has not been developed at Clive Booth Student Village.
- 10.16. The site is an existing student village established in the 1970s and is owned and managed by Oxford Brookes University (OBU). The site forms 1 of the University’s 3 campuses (Headington, Wheatley and Harcourt Hill) and provides 640 student bedrooms on site. However, Wheatley Campus, outside of the city is due for closure as OBU consider that the management of 3 separate estates is inefficient and not sustainable. This has triggered a review of OBU estates and a 10-20 year development plan embedded in the Headington Campus Development Plan. This identifies significant opportunities at Clive Booth Student Village.
- 10.17. The principal opportunity is that the University will be able to increase bed spaces on site, thus minimising those in private rental accommodation within the city. This will bring more students onto an existing centralised student village site adjacent to Headington Hill Hall and Gipsy Lane campus, which will be better placed to serve students accessing Headington Hill Hall (HHH) and Gipsy Lane to meet their academic needs on those sites, and therefore be more sustainable locationally for those students. This is for the reason that living and academic needs will mostly be met on site within walking and cycling distance between Clive Booth and the HHH site and Gipsy Lane, which means less traffic and disturbance.
- 10.18. This will also enable the University to better manage their estate by bringing more students on one site rather than having them displaced at other sites or across the city in private rental accommodation. This will also enable the University to better support their students pastorally as well as improving affordability of accommodation for students. This will also enable the accommodation to be managed by OBU as the accommodation will be under their direct control.
- 10.19. Another key opportunity is that the existing accommodation, being over 40 years old, is of poor quality and sub-standard and has outlived its life expectancy. Further, the layout and siting of the buildings and footpaths internally are provided in such a way that creates a negative living environment with poor connections to the wider Headington Hill Hall campus and beyond, and is poorly lit and not accessible. The development of this site provides a significant opportunity to reassess those aspects and to provide modern high quality accommodation, built to meet current sustainable building standards in a manner that positively supports the student experience, whilst also responding to

the setting and creating footpaths and connections that enable more accessible and direct connections, which are safer and attractive for students. Critically it also enables the University to make a more efficient use of the land and to intensify development in a sustainable location.

10.20. The University also consider that the upgrade of the site would match the extensive refurbishment and upgrade to the main Gipsy Lane Campus, which is of a high standard, thereby creating a stronger identity.

10.21. The site is allocated for development under policy SP17 of the Oxford Local Plan, which includes student accommodation as part of the allocation (see para 10.6 above). It is useful to highlight the policy approach to the Oxford Local Plan was to acknowledge, support and build on the important economic and educational role of the universities, whilst managing potential adverse impacts they may have, including on the housing market. The success of Oxford's economy is shaped and driven by the presence of its universities and so every effort was made to understand the intentions and needs of the universities and to respond to that, for example through commissioning the Assessment of Student Housing Demand and Supply (Cambridge Centre for Housing and Planning Research, 2017).

10.22. As part of the Examination into the Oxford Local Plan 2036 the Inspector had to be satisfied that the policy approach to student accommodation would not negatively impact on the economic growth and success of the universities. In particular it had to be demonstrated that the Plan responded to the assessed need for student accommodation. Enough sites had to be available for student accommodation for the universities to meet their needs, and for them to be able to meet the thresholds set in Policy H9 for the numbers of university students living outside of university managed accommodation.

10.23. Therefore the approach taken to student accommodation in the Plan is to restrict the locations that student accommodation may be provided to city and district centres and on sites adjacent to existing university or college campuses or academic sites and hospital and research sites. These locations are considered the most suitable for students to live in and the restriction limits potential conflicts with the provision of general market housing. The Headington Hill Hall and Clive Booth Student Village site SP17 is one of the key allocated sites required to demonstrate there is potential to meet the universities' needs within the strict locational criteria in Policy H8. Without being able to demonstrate that, Policy H8 would not have been found sound and there could not have been a location restriction for student accommodation at all.

10.24. Therefore the provision of student accommodation on this site meets the locational criteria for student accommodation set in Policy H8 and accords with the allocation as set out in Policy SP17. Developing this site will help Oxford Brookes University to meet its needs and provide accommodation for its own students, on a site where the students will be close to the academic and teaching facilities.

10.25. Moreover, due to the severe housing need in Oxford and the need for not only the University to meet its own needs and to maximise the efficient use of the

land, policy H9 seeks to limit the number of students living in private rented accommodation and requires the number of full-time taught course students living in non University provided accommodation to be under 4000. Embedded within policy H9, the policy acknowledges the impact of developing the Clive Booth Student Village and recognises that this site can bring forward a minimum of 500 student rooms. The redevelopment of this site would significantly help therefore the University meet this target through the delivery of 573 rooms.

10.26. Critically the delivery of 573 rooms will also help the Council meet the housing need for the plan period. In allocating the Clive Booth site, the potential for the site to bring a minimum of 500 student rooms was written into the Policy H17. Most site allocations for housing include a minimum number. The Inspector required this in order to bring certainty that the overall housing requirement set out in Policy H1 would be achieved. Each allocated site is relied upon in order to meet the overall housing requirement. The delivery of housing in a Local Planning Authority's area against its requirement is measured in the Housing Delivery Test (HDT) which was introduced by the Government in November 2018. There are sanctions for authorities that are not delivering the required number of homes, including potentially that applications be assessed against the presumption in favour of sustainable development, rather than against local planning policies.

10.27. The Housing Delivery Test applies a ratio to assess the number of student rooms equivalent to one home. This ratio was calculated using ONS data about the number of students occupying student-only HMOs, on average. The ONS data for Oxford is very similar to the national picture. The HDT uses the equation that for every 2.5 student beds provided, 1 C3 dwelling is released. Therefore using this methodology, this indicates that with a net gain of 573 student beds at Clive Booth that there is scope for 229 C3 houses to be released back to the rental market, increasing the amount of private accommodation available for the local community. Whilst it is difficult to be completely definitive about this number, this is the acknowledged means of calculating student impact by the Government, and the impact of this has informed the assessment of how much housing will come forward in the plan period. What can be clear, is that the development of this site will contribute to delivering and meeting Oxford's housing need as stated in policy H1 of the Oxford Local Plan, which identifies a need to bring forward 10,884 homes, and that 229 towards this requirement would come from this scheme.

10.28. In light of the above and having regard to the allocation in the Local Plan, it is considered that the redevelopment of this existing campus site and the provision of additional student accommodation would comprise an efficient and sustainable use of the land and would contribute positively and considerably to meeting student accommodation needs and meeting housing supply requirements, addressing the balance of student accommodation by releasing open market housing and reducing the numbers of students in private rented accommodation. Therefore, the principle of the provision of student accommodation at Clive Booth Student Village would accord with policies S1, H1, H8, H9 and SP17 of the Oxford Local Plan, as well as guidance in the NPPF.

Affordable Housing

- 10.29. The Oxford Local Plan states in policy H2 that planning permission will only be granted for residential development if affordable homes are provided in accordance with the range of criteria. Contributions towards affordable housing provision will not be sought where the proposal is within an existing student campus site or comprises the redevelopment of an existing purpose built student accommodation site which is owned by a university and which will continue to be owned by a university to meet the accommodation needs of the its students.
- 10.30. In this instance, the proposal accords with the exceptions criteria as the site is within an existing student campus as well as the proposal comprising a redevelopment and/or intensification of a site where the main existing use is student accommodation. Therefore, there is no requirement for the applicant to make a financial contribution towards off site affordable housing. The scheme complies with policy H2 of the Oxford Local Plan.

Design and Landscape Impact

- 10.31. The NPPF makes clear that the purpose of planning is to help achieve sustainable development (Section 2), and that creating well designed places (Section 12), effects on the natural environment (Section 15) and conserving and enhancing the historic environment (Section 16) are important components of this.
- 10.32. Section 11 of the NPPF notes in paragraph 122 that in respect of development density the considerations should include whether a place is well designed and “the desirability of maintaining an areas prevailing character and setting... or of promoting regeneration and change”.
- 10.33. Paragraph 130 of the NPPF states that decisions should ensure that developments will a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) is sympathetic to local character and history, including the surrounding built environment and landscape setting; d) establishes or maintains a strong sense of place to create attractive, welcoming and distinctive places and e) optimises the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public open space).
- 10.34. Oxford Local Plan policy DH1 states planning permission will only be granted for development of a high quality design that creates or enhances local distinctiveness. All developments will be expected to be supported by a constraints and opportunities plan and supporting text and/or visuals to explain their design rationale.
- 10.35. Oxford Local Plan policy DH2 recognises that land is scarce and there is an imperative to use land efficiently. Taller buildings can positively contribute to increasing density, enabling a more efficient use of land. The policy recognises the sensitivity of the iconic historic skyline and care is needed to ensure taller buildings do not negatively impact on this, or the green hills surrounding. The policy states that the City Council will seek to retain significant views both within Oxford and from outside, in particular to and from the historic skyline. Planning

permission will be granted for developments of appropriate height and massing subject to a range of criteria regarding clear design rationale and positive impact; regard to the High Buildings TAN and demonstrate the impact on important views both on the historic skyline and out towards Oxford's green setting.

- 10.36. Policy DH2 identifies a 1200m radius of Carfax Tower, which contains all buildings that are in the historic skyline (Historic Core Area). The policy states that for buildings within this radius and exceed 18.2m in height are likely to intrude into this skyline. Development taller than 18.2m in that range will be subject to more extensive scrutiny to assess their impacts of the proposals. The Clive Booth site is outside of this 1200m radius and outside of the Historic Core.
- 10.37. Any proposal within a View Cone that may impact on roofscape and the foreground part of any views should be designed carefully and meet the following criteria, including that they are being based on a clear understanding of characteristic positive aspects of roofscape in the area and they contribute positively to the roofscape, to enhance any significant long views the development may be part of and also the experience at street level. Planning permission will not be granted for development proposed within a View Cone or the setting of a View Cone if it would harm the special significance of the view.
- 10.38. Policy RE2 of the Local Plan states planning permission will only be granted where development proposals make efficient use of land. Development proposals must make the best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford and address a range of criteria.
- 10.39. The site falls within the Headington Neighbourhood Plan area. Policy GSP4 has regard to the protection of the setting of the site and states new development will be permitted where "its design responds appropriately to the site and the character of the surrounding area". Policy CIP1 has regard to development respecting existing local character and states that new development will only be permitted where they respond to and enhance the distinctive local character where it is described in the character assessments". Policy CIP2 seeks to protect important views within Headington itself and out of the Headington Neighbourhood Plan area. In Appendix C of the Neighbourhood Plan it identifies views on the viewpoint map. The nearest views are along Cuckoo Lane which is described as a "Historic footpath which merits protection" and Headley Way described as a "Tree lined avenue with a view out of the neighbourhood plan area of the hills in the distance. Policy CIP3 encourages high quality development proposals, stating development proposals which are of an innovative and/or contemporary design will be permitted where they (inter alia) "respect and take account local heritage; and enhance the distinctive identity, character and setting in terms of scale, layout, density, orientation and massing".
- 10.40. Context: The proposal seeks to demolish the older buildings on site, retaining the newer Blocks A and B, and to replace those buildings with new student accommodation to be provided in both a series of flat blocks and town houses. The design response to this brief has been to respond to the opportunities and constraints of the site that addresses the characteristics of the site being namely

its topography and its wooded nature. The discussion of how this responds to the site's opportunities and constraints are discussed through the report.

- 10.41. Further to the 'Background' section raised above, the applicants engaged with the Authority following the refusal of the previous application, 18/02587/FUL, with a series of pre application discussions as well as a review of the scheme with the Oxford Design Review Panel. The application is accompanied by a Design & Access Statement and LVIA. A Heritage Assessment which considers the impacts of the proposal upon the designated heritage assets has also been submitted.
- 10.42. Design Process: The Design and Access Statement sets out the analysis undertaken of the site's existing constraints and opportunities, assessing the multiple components to arrive at a scheme that responds to the site's position in the landscape, and is a landscape led strategy. The analysis undertaken assesses the sloping gradient of the site and where it is most visible in long and short range views; the heavily treed character of the site and the assessment of the quality of existing trees; the opportunities for connections, and enhanced connections with principal thoroughfares through the site to Pullens Lane, Cuckoo Lane and John Garne Way; existing woodland and the ability for locations or groups of buildings to create a community based on the location of woodland and trees; new tree enhancements; landscape layers; movement; access and a mix of typologies.
- 10.43. This process of layering has informed the site layout and the design of the proposal, to achieve a high quality development, achieving a biophilic design that sits comfortably in its setting.
- 10.44. Site Layout: The proposed site layout indicates that the scheme will be delivered in a series of blocks scattered through the site in a manner that responds to the site's constraints and opportunities, as identified above, and principally responding to the site's topography; opportunities for improving connections through the site and the site's significant wooded setting. This results in a number of flatted blocks on the lower ground to the west and mid-section of the site, with lower height town houses to the east of the site. This broadly responds also to the site's existing internal road alignments that exist within the village and builds upon the opportunities to connect with Pullens Lane and Cuckoo Lane, but to enhance these routes through also.
- 10.45. The replacement buildings will be sited in approximate locations to those that are being demolished, albeit on different axis. This takes into account the site's topography and landscape impact, positioning and orientating the buildings so that the impact on long range and short range views are minimised. This pulls buildings away from boundaries, and enables the retention of the maximum number of existing trees, and tree cover, as well as allowing sufficient opportunities for replacement tree planting and mitigation.
- 10.46. In terms of their footprint the flat blocks are relatively long and narrow with the larger buildings within the centre of the site, occupying either a linear or L shaped form. The town houses, being on higher ground occupy a much smaller footprint and shorter linear length.

- 10.47. Footways through the site are sought to be re-provided particularly up to Cuckoo Lane and access to the Headington Hill Hall site, as existing pathways are too steep and not DDA compliant. The relationship of buildings to routes through the site are purposely to provide natural surveillance, for public safety and security. There are also a number of existing internal courtyards between buildings that are uninviting, which are sought to be eradicated through the redevelopment of the site as well as dead ends.
- 10.48. Whilst Cuckoo Lane is considered to be an attractive rural lane, it is also poorly lit, narrow and not safe with the vegetation, and its meandering nature, obscuring views. Furthermore the route from Clive Booth Student Village through to Headington Hill Hall is also not considered to be desirable or safe for students, particularly in the evening and at night. The site layout seeks to improve the connections through Clive Booth up to Cuckoo Lane, as well as the junction with Cuckoo Lane, which is presently narrow, poorly lit and unsafe. The proposal will create an arrival glade within the Clive Booth site at the point of the node onto Cuckoo Lane, which will widen the connection considerably and create a more safe arrival point, by it being open and visible.
- 10.49. To further this enhancement, an application has also been submitted to extend this axis of footpath up to Headington Hill Hall from Cuckoo Lane. This proposal is a separate application, and is pending consideration, on land outside of the red edge. The references are 21/01368/FUL and 21/01369/LBC and include a stepped footway and a ramped access for those less able. The delivery of this footway enhancement will need to be secured via a S106 Agreement as it is outside the red edge and in separate ownership.
- 10.50. Scale and Massing: The proposed buildings across the site vary from 3-4 storeys in height to the east of the site where the site is higher on the hillslope; 3 to 6 storeys in the mid section and 4 to 6 storeys in the west of the site where the land is on lower ground. The intention to limit the height of buildings at the higher level is to keep them below the tree line of the scarp, and seeks to keep buildings within the mid range of the hillside, with the taller buildings at the lower level, where this part of the hillside is less visible.
- 10.51. The ridge line of the flatted blocks have been distorted through a series of different build heights in order to ensure broken parapet lines, a change in window sizes and fenestration and layered views. This is also achieved through utilising various axis to the building's footprint as well to break the massing.
- 10.52. The heights of buildings have been reduced in places in response to further consideration of the surroundings. Shadow studies have resulted in the pulling back of buildings from particularly sensitive boundaries of the site and in places reductions in the height of perimeter or buildings at edges. This has also reduced the apparent mass of building when seen in views out of and across the city and has allowed the potential, future treescape, canopies and density of these to make a more distinctive contribution to these important views.
- 10.53. For comparison purposes the Post Graduate Centre on the Marston Road and John Garne Way junction is a 3 to 4 storey building and measures 11.6m to 14m (08/00688/FUL).

- 10.54. External Appearance: The approach to the external façade of the buildings is informed by the woodland setting of the site, and the strata of the woodland, which is characterised and formed by emerging ground cover, trunks and canopy above. This translates into buildings with a base to ground the buildings, a mid section and then canopy concept above for the upper tier which is considered to follow a clear design rationale, allowing the buildings to have a stronger relationship with the character and appearance of the site and their immediate surroundings.
- 10.55. The buildings are proposed to be constructed in brick utilising a palette of differing hues to represent the different woodland strata as described above.
- 10.56. The entrances into the building will be emphasised and articulated as important features and points of punctuation. The entrances being double height, recessed and framed by patterns of brickwork that define the change from the building's plinths to the upper stories, emphasising the opening as a whole and its importance which gives identity to the building facades which was an important design consideration following an early engagement with the design panel. The buildings are grounded through the use of a plinth on the ground floor that is not a consistent height which would be monotonous, but that undulates, following the site's topography and the accommodation of ancillary functional spaces at this level. The plinth provides the additional benefit of giving a human scale to what are otherwise tall buildings and providing a strong backdrop to the outdoor spaces that surround the buildings.
- 10.57. Typically on a residential block the entrances are to the middle of each block, with the kitchen and social spaces at the ends of the floor, again articulated with larger recessed fenestration. Ground level windows are generally larger with a lower window cill seat allowing greater levels of light.
- 10.58. At the top floor the parapet of the roof rises and falls and is articulated by the recesses in the façade, mainly to the circulation cores and kitchen/living ends. The use of different fenestration emphasises different positions in the façade but also helps to create a roof scape and articulation. The larger picture windows are mostly employed in the circulation core, the base and the ends of the buildings.
- 10.59. The design of windows to these shared spaces provides interest and important points of punctuation on the buildings' facades. Variation in the framing of or detail of how windows will be set into the buildings' facades adds a richness of detail to a deliberately restrained architectural language which is an attractive feature.
- 10.60. This approach is similar to the approach adopted on the façade of the town houses to the east of the site.
- 10.61. In respect of the welcome building this employs a curved feature to the upper floor, but still utilises a similar palette of materials and design rationale to the student village.

- 10.62. Architecturally the design presents a homogeneous family of buildings. Individual elements, such as the welcome building at the John Garne Way entrance to the site offer distinctive punctuation marks within a more restrained and consistent backdrop.
- 10.63. Security: Thames Valley Police raised concerns with the scheme flagging issues with boundary treatments, defensible space/ground floor windows, lighting and access control. The applicants responded with an Access and Security Strategy and indicated that they would be satisfied with a condition that the scheme will subject to the scheme receiving Secured by Design Silver accreditation. Thames Valley Police have agreed this approach and the details in the Security Strategy and have removed their objection.
- 10.64. Landscape: The landscape strategy, and the objective overall, is to create a high quality biophilic village, which stresses connection with nature, and the importance of good outdoor spaces to the well being of residents. The applicants state that the siting of buildings and external spaces has been driven by the importance of minimising their impact on important views, as well as influenced by the different areas of character and appearance of the present site. The landscape strategy connects the site with direct routes to Pullens Lane and Cuckoo Lane with clear open and 'hard' routes. But from this central route secondary routes, along what will become more wooded paths connect to secondary spaces and to the various residential buildings, the shared housing courtyard to the north-east of the site and the larger, lawned space between the longer buildings at the southern end of the site. The creation of a variety of outdoor spaces, both in terms of their character and appearance but also their size and intimacy as well as siting and aspect is specifically intended to encourage different groups to gather and meet outdoors.
- 10.65. How the development sits in the treed wooded character of the hillside, and provides this biophilic design has been a key area of concern, as there will be inevitable impact on trees. This is a highly important, and a sensitive constraint on the site and it is a key characteristic of Headington Hill and the wider landscape of the Eastern Hills of Oxford, and the green backdrop of the historic City Centre.
- 10.66. In arboricultural terms, the development of the site will result will result in the loss of a total of 98 trees. However, a total of 193 trees are proposed to be planted to mitigate the impact of the loss of trees on site in order to retain the existing treed character of the site. This is discussed in further detail below in the report, however the design objective of the development proposal, the landscape and tree strategy and the effect on trees and canopy cover is integral to the assessment of the landscape and visual impact.
- 10.67. In pursuing the biophilic ethos of the village, and to address the previous reason for refusal, the impact on trees and the overall landscape has been the subject of testing by the applicant to overcome objections that developing this site would have a significant adverse impact on the landscape character of the site. This is assessed further below, in greater detail, but it is important to set out that the approach to the landscape has been to review those trees that are important to the character of the site in short terms views surrounding the site, as well as in long range views, and to retain those that are of a high quality with the longer life

expectancy, so that coupled with mitigation planting would provide the greatest tree cover and maintain that character. This also takes into account repositioning buildings away from sensitive boundaries also.

10.68. Ahead of the assessment of landscape and visual impact, it is prudent to note that in terms of canopy cover, the assessment identifies that the mitigation planting would be such that by 2051, the extent of canopy cover over the site would be 86%. The reason for this is essentially the retention of good quality mature trees on site with larger canopies, which together with the use of more semi mature trees with larger canopies at day 1 which has a greater impact on canopy growth. If the site is not developed and is retained in its current form, the canopy cover by 2051 would be by comparison 67%.

Assessment of the Landscape and Visual Impact

10.69. The design of the proposed development has been fundamentally landscape led building on the present dominant character and appearance of the hillside, the immediate and wider surroundings to the site and the historical as well as present day context.

10.70. The importance of this landscape setting and the effect of such changes of the proposal and the impact on the landscape has been assessed through an Landscape Visual Impact Assessment (LVIA). This draws upon the identified verified views including from St Marys Tower in the City Centre, the Headington Hill Allotments and from the Western Hills View Cones, the views as identified in the View Cones Study, and the impact this has on receptors. Visualisations of the site have been submitted from these viewpoints and assessed. For clarity, the site falls in the View Cones from Raleigh Park, Boars Hill and south of High Field House, Doris Field and Headington Hill Allotments, with views of the site in the context of the historic skyline from the Western Hills having been assessed. In addition these viewpoints consider the impact of the proposed tree planting as mitigation of the proposal at year 1 and 15 taking into account the proposed mitigation planting.

10.71. The siting, alignment, orientation and heights of the buildings is proposed in response to the impact of development in the important views from view cones but also importantly views from elevated and street level views out of the city and from public viewpoints or vantages surrounding the site. During the pre-application stages of the development proposal, the scheme has been heavily tested in these long and short range views.

10.72. The landscape upon which the site is located is distinctive owing to the significant woodland setting of the student village, planted at the time of the sites development in the 1970/80s, but including its immediate context of allotments, parkland and residential curtilages, which also have a high tree cover. Cumulatively this character defines this 'green backdrop' to Oxford. The contribution that the tree cover has to the significance of this hillside is considered high, as the existing trees, and in particular their canopies contribute to the existing special character of this site and the sense of place. It is this high level of tree cover that the applicant is seeking to emulate in order that the special

character is retained in the longer term with substantial landscape planting proposed to offset the trees that are lost.

10.73. The LVIA considers the impact of the proposed development at year 1 and at year 15.

10.74. *Long range views:* The site is visible from a number of view cones outside of the city. These are namely from the Western Hills from Raleigh Park and Boars Hill and visualisations have been provided of the site in these views. Additional visualisation has also been provided from Wytham Woods, which is not a view cone, but does provide long range views.

10.75. Officers note that there will be some inevitable change to the landscape with the loss of trees initially with an initial reduction to the wooded landscape. However, officers consider this impact will be temporary in the short term, as the mitigation and the growth of new trees would further reduce the visual impact of the proposed buildings, which would reduce the amount and extent that buildings will be visible, especially in views across the city in the wooded hillside.

10.76. It is considered from the LVIA study of views that the design intention, that the new buildings should, over a period of time become as the original C19 buildings do, part of the hillside with glimpsed views of parts of buildings appearing from within the tree canopies, embedded into the landscape of the hillside in an entirely sympathetic, contextual manner. The site is also part of a much wider wooded hillside and would be read in the context of that existing green backdrop, and not isolated in those views. Officers consider that the massing of the buildings in these long range views would appear to be sitting into the hillside, threaded amongst tree canopies. It is considered that the site will assimilate into the background of the hillside and be a part of the background to the all-important spires and towers, but would not distract from them the historic skyline in these key views. The buildings will therefore sit in the mid range and will not exceed the skyline.

10.77. Additionally, using the views study as a working model the architects have chosen building envelope materials that have a tone and colour that will reduce or ameliorate the potential visual impact that the buildings will have in key views and in particular on the important Oxford Skyline where the design and suggested materials will reduce the potential distraction that the proposed buildings might have.

10.78. The suggested detailing, particularly of roof profiles has been rigorously tested to minimise the impact of the buildings' size in important longer views. This has been achieved by pushing and pulling the building facades which enables the overall building mass to be broken down into apparently smaller elements.

10.79. *Short range views:* The site is clearly visible in views from popular public viewing points within the city, in particular from St Mary's Church tower in the city centre, as well as from more view points from highly valued allotment sites at John Garne Way and Pullens Lane, as well as at Cuckoo Lane. The application site is located between the allotments and their openness and popularity offers

the possibility of views for a significant body of people. The site is also visible on the boundary of Cuckoo Lane and on approach from John Garne Way.

10.80. In terms of views from St Marys Tower, it is considered that similar to the above assessment, that whilst there will clearly be an initial change in canopy cover, the adopted design approach, to break up the mass of buildings, shortening the lengths of buildings, the variation of roof heights, articulation and palette choice would, accompanied with the mitigation planting will reduce the visual intrusion of the proposed development in its valued landscape setting. Officers consider that this impact on the hillside landscaped setting is more limited, with the buildings sitting amongst the trees that characterise the hillside, and not breaking the treeline of the hill.

10.81. However, it is the views from Pullens Lane Allotments and John Garne Way Allotments, where it is considered the buildings will potentially have a more discernible impact. This is however, more difficult in assessment terms as these views are only open to those that can access the allotments i.e. key holders.

10.82. At Pullens Lane Allotments, within the allotments the foreground is green and verdant, but with a narrow view across to North Oxford and the historic skyline. It is clear from the visualisations that the proposed buildings would begin to encroach on the available view within the green frame across to North Oxford. However, whilst there is some encroachment on that view from within the allotment, what will be visible will be articulated rooflines which in time will become glimpsed between the growing canopies of new tree planting combined with existing retained canopies in a similar manner to the existing C19 and later C20 housing is seen at present.

10.83. In terms of the impact of this on the historic skyline, it is considered that firstly this would neither eliminate the view of the historic skyline, but would also not detract from the green verdant frame which is what is important in this view, as this represents the green hills of Oxford and the backcloth. Essentially the green frame of the view is not removed or diluted, and that the impact of built form does not eliminate on view across the historic city.

10.84. In respect of the views from John Garne Way to the city, there would be no adverse impact on the historic skyline from these views as the site turns its back to the skyline. Nor would there be an adverse impact on views of the historic skyline from Doris Field as the site sits below this view and concealed from this position.

10.85. However, from John Garne Way Allotments towards the site there is an expansive view of the student village. However, these views similar to Pullens Lane, would be restricted to those able to access the allotments ie allotment holders. Nonetheless this is a view and the visualisations received clearly show that in these views from the allotments, that the buildings will dominate the new character of the place.

10.86. From John Garne Way allotments there would be clearly an initial loss of green canopy cover and tree planting, which along with the construction of new buildings will clearly impact on this view initially as well as at year 15. The impact

on this view was a considerable concern in the consideration of the previous planning application for development on this site. However it is noted that the buildings have been realigned so as to break up their mass and their dominance of buildings. This is particularly seen in breaking up building 4 to 4a and 4b, along with a setting these buildings back to open up views through to the wooded site. This, along with a reduced height and incorporating a more pared back palette of brick hues is considered to have a simpler and calmer façade. Coupled with the mitigation planting and canopy coverage, it is considered that the impact will be ameliorated in this view.

10.87. Further the visualisations show from this view point, that the buildings will not breach the tree tops behind the buildings. Overall therefore, whilst the development will have an impact on the view from the John Garne Way allotments as the buildings have a greater visual presence, it is considered this design allows for a sympathetic approach to developing the site which is considered to be made acceptable by the landscape strategy adopted.

10.88. From Cuckoo Lane there will be views of the development, as there are of the current scheme, but will be opened up by the arrival glade allowing greater views into the site. However, it is considered that these views will be localised to this node and that the impact on the wider thoroughfare will be limited given the safeguarding of existing trees on this boundary. This will serve to retain the surviving rural character on both sides of the lane. It is also noted that building 1 has been moved away from the southern boundary and is not as close as previously proposed.

10.89. From Headington Hill Hall, the view would be substantially limited from the retention of existing vegetation and landscape planting.

10.90. Summary on LVIA: It is evident that the scheme will have a significant visual presence in terms of its scale and its consequent impact on the existing landscape on a hillside that provides an important backdrop to the historic skyline of the city. Mature tree canopy cover is an important element of the green backdrop to the city skyline that is provided by Headington Hill and the reduction of mature tree canopy and the introduction of taller buildings will impact upon the existing balance between green and built elements initially.

10.91. However, in these long range views the impact of the development will be acceptable being located in the mid range as part of the landscape and not extending the skyline. Further this would be accepted given existing character of the hillside with C19 and C20 buildings weaving through the hillslope as well as the hillsides wider green appearance.

10.92. However, this would be more impactful on the views from both allotment sites and the effect of the building mass on John Garne Way especially would be more substantial, than the current experience, especially in the short to medium term. However officers consider that over time this visual presence would be significantly reduced and mitigated with the approach taken to realigning buildings, reducing heights and shorter building runs. Moreover, the retention of better quality trees and the growth of new planting on the site breaking up the apparent building mass means that whilst this is a discernible change, this would

be most impactful, and limited to, the short to medium term. The LVIA study shows clearly these changes.

10.93. Overall the proposed impact on long and short range views, and harm to short range views, has been considered to be justified by the applicant in terms of achieving a high quality place through a landscape led design. This design takes into account the character and appearance of the surroundings and their importance in terms of views out of and across the city of Oxford, as well as views from the immediate surroundings to the site, but that makes a new, high quality delightful place both for occupants and visitors which will make a positive contribution to the overall character and appearance of Headington Hill and that will in time enhance the important sylvan character and appearance of the hillside.

10.94. On balance officers consider that the impact on the view would be significant, but that with the realignment of buildings sitting in part below existing tree canopies, the palette of materials in terms of colour and tone, the landscape strategy, and design would collectively work to minimise this impact such that the impact on the character and appearance of the hillside would be reduced to a level that would in the mid to longer term be acceptable, such that the impact would be on balance acceptable having regard to policies DH1 and DH2 of the Oxford Local Plan as well as policies GSP4, CIP1, CIP2 and CIP3 of the Headington Neighbourhood Plan. However the acceptability of the proposal would need to have regard to the statutory requirement to consider the impact upon the designated heritage assets that lie within the site and also in the surrounding context as required by policy DH3 of the Local Plan and CIP4 of Headington Neighbourhood Plan which is assessed in detail below.

Impact on Designated Heritage Assets

10.95. The NPPF requires proposals which are likely to have an impact upon designated heritage assets to be based upon an informed analysis of the significance of all affected heritage assets and be sufficient to understand the potential impact of the proposal on their significance (paragraph 189). Local Planning Authorities should identify and assess the particular significance of any heritage asset affected by a proposal, and take this into account when considering the impact of a proposal on a heritage asset to avoid or minimise any conflict between the heritage assets conservation and any aspect of the proposal (para 190).

10.96. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets' conservation (para 193). Paragraph 196 of the NPPF advises that where development proposals will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

10.97. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building, conservation area, or their setting or

any features of special architectural or historic interest which they possess and which is it accepted is a higher duty.

10.98. Policy DH3 of the Oxford Local Plan states planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment, responding to the significance character and distinctiveness of the heritage asset and locality. For all planning decisions great weight will be given to the conservation of that asset. An application for planning permission which would or may affect the significance of any designated heritage asset, should be accompanied by a heritage assessment that includes a description of the asset and its significance and assessment of the impact of the development proposed on the asset's significance. It goes on to state that where a development proposal will lead to less than substantial harm to a designated heritage asset, this harm must be weigh against the public benefits of the proposal. Clear and extensive justification for this harm should be set out in full in the heritage assessment.

10.99. Policy CIP4 of the Headington Neighbourhood Plan states that where the significance of a heritage asset would be affected by a development proposal, that development proposal will only be permitted where it addresses the conservation and enhancement of the significance, character and any special architectural or historic features of significance the asset may possess.

Designated Heritage Assets

10.100. The site lies within the Headington Hill Conservation Area (HHCA) save for a small area to the far west of the student village which lies just outside. To the south lies Headington Hill Hall and boundary wall, Grade II* listed. On Pullens Lane to the east is High Wall, a Grade II listed Park and Garden. Beyond the site to the west on Marston Road lies St Clements and Iffley Road Conservation Area. The site is visible from St Marys Tower within Central (University and City) Conservation Area (CCA). Further the Central Conservation Area is viewed from Pullens Lane.

Demolition

10.101. The site formerly contained Government buildings and agricultural land when it was first built upon in the 1940s with the site the subject of this application and the buildings as it stands today, permitted from the 1970s onwards, with the buildings outside of the application site between the Marston Road and the Postgraduate Centre approved in the 1990s and 2000s. These buildings are all of 2 and 3 storey height and are of brick construction with plain tile roof and are typical of their age in terms of their appearance and construction. The buildings to be demolished comprised student blocks, Morals Bar and a children's nursery. Whilst these buildings are located within the Conservation Area they are not identified as being of any particular architectural distinction. Therefore, it is not considered that the loss of the buildings will harm the character or appearance of the conservation area or have a harmful impact on the setting of adjacent listed buildings.

Impact upon character and appearance of the Headington Hill Conservation Area (HHCA)

- 10.102. The majority of the site falls within the HHCA.
- 10.103. Headington Hill forms a green backdrop to the historic city centre in views out of the city and from the west. The hillside lies to the east of flat meadows that bound the River Cherwell rising up from the valley floor. The conservation area is characterised by this green and verdant landscape with areas of dense tree cover. The application site sits below the brow and it is primarily the landscape, trees and shrubby undergrowth planted at the time that the site was developed in its current form, in the 1980's and now maturing, that makes the greatest contribution to the "wooded hillside" character that is so valued.
- 10.104. The Eastern Hills have been valued for centuries as a place to walk and for open space on the edge of the city since the late 17th Century. Evidence of the area's rural character prior to suburban development is preserved as a green open spaces, agricultural buildings and a network of rural lanes. The development of Headington Hall occurred in the late 19th early 20th Century through the erection of country estates and later arts and crafts villas which are strung out across the brow of the west facing hillside which forms a backdrop to views out of the city, following a movement of business owners, university professors and their families out of the "dirty" city.
- 10.105. The middle and lower parts of the hillside slope are predominantly occupied by mid to late C20 developments, housing, commercial buildings and student housing that are contiguous with Marston Road and streets that run uphill from it. The topography of this part of the conservation area and its surroundings means that the setting of the conservation area extends some distance from the asset itself with views into it being available from footpaths alongside the Cherwell (Mesopotamia, Magdalen Fellows Garden) from recognised high viewing places within the city (the tower of St Mary's Church) from various points along the hills to the west of the city (Western Hills, recognised view cones) as well as from closer points such as South Park, open spaces within St Clements and views from Marston Road. Cuckoo Lane is an ancient thoroughfare that drops down the hillside from Headington, crossing Pullens Lane at its top end and meeting the Marston Road to the south of the student accommodation sites. The Lane separates Headington Hill Hall and its grounds from the site. The site falls steeply down toward Marston Road.
- 10.106. Topography also impacts on important views out of the HHCA such that
- "The viewing point is elevated with the historic high buildings rising up to the eye-line of the viewer and the foreground dropping rapidly in front of the viewer ensuring that houses in the foreground are below the viewer's eye line and do not compete with the historic high buildings." – Oxford View Cones Study – 5.1.7*
- 10.107. This is true not only for the formally identified views in the View Cones Study but also for other views from within the HHCA in particular views from points on the brow of the hill.

- 10.108. The treed character of the hillside is clearly a key characteristic of, and significant to the HHCA. The application proposes the removal of a substantial number of trees together with the construction of taller buildings with substantially increased footprints to those currently occupying the site.
- 10.109. In terms of the views identified in the preceding section, there will clearly be an evident change to the character and appearance of the HHCA. This will be through the removal of a number of trees and the effect this has on the character of the conservation area for which the wooded nature and appearance of the hillside is an important contributing factor.
- 10.110. The impact of change to the wooded hillside has been quantified through a canopy study which assesses the extent of canopy coverage proposed through the mitigation planting to offset this impact. That strategy as previously outlined seeks to retain a greater number of existing high quality trees and that to replace the trees lost with a greater number of trees of semi mature size, that would in time increase the canopy cover from tree planting, such that it would exceed the existing proposed and forecasted tree canopy cover should no development go ahead. Currently the study assessed the existing tree canopy cover within the site to be approximately 52% of the site area and that predicts if the site is not developed this would increase to approximately 67% of the site area over the next 30 years at 2051. However, with the proposed development there will be an initial reduction of tree canopy cover, but that tree canopy cover would increase over time as the trees grow so that by the same year 2051, the study predicts that tree canopy cover will be 86% of the site area, which is a net gain of 22% of the existing tree canopy cover compared with the no development baseline.
- 10.111. There is also an argument that the removal of the trees as identified on site would enable the management of poor quality crowded trees that have grown in an unstructured manner and which ultimate life span would be limited. This is shown in the loss of mainly C and U category trees which have poor or little lifespan. So whilst there is clearly some value or significance in the present wooded hillside, there is therefore a reasoned and justified case to be made in taking a long term view of the intended or proposed character and appearance of the site, which will result in a substantial change immediately, but that seeks to create a particular place that is responsive to its context by preserving the “wooded” character and appearance of the site in a more controlled and manageable manner.
- 10.112. Further, officers note the historical nature of the landscape was of an open, partially farmed hillside of fields and meadow prior to the changes that began with the building of Headington Hill Hall in 1856 for James Morell (brewing) and rapidly spread north along what became Pullens Lane. A number of large mid to late C19, ‘country’ houses for well-off industrial families who wanted to move out of the city with its sanitation and health problems, designed in the main by well-known architects and set in generous landscaped gardens following the fashion of the period which included specimen tree planting. It is understood that views of the city, its ‘dreaming spires’ set against the foreground of the Cherwell meadows and with the backdrop of the western hills, were valued and that originally designed into the landscape of the gardens these, in many cases have

been lost through erratic management of the gardens and changes to the use of the buildings themselves.

10.113. In terms of the built form, as stated above, there is clearly a change to the landscape, particularly in views from John Garne Way Allotments, Pullens Lane Allotments and from Cuckoo Lane. This will clearly be a discernible change on construction and in the short term which is considered to result in a level of harm to the significance of the conservation area. However, officers considered that views from John Garne Way, the Allotments as well as from more distant views from Mesopotamia and further along the Marston Road that the new buildings will appear to sit comfortably in the views as the variety in buildings, the creation of a layered building façade, their articulation, and distorted roof line, will all serve to break down the sense of building scale. Along with this, the tree mitigation planting and potential for growth from tree canopies will serve to reduce the initial low level of substantial harm to the character and appearance of the conservation area.

10.114. In respect of impact on the HHCA from Cuckoo Lane it is considered the initial loss of tree canopies would mean that the new buildings would dominate the site. However in time, the alignment of buildings and the spaces between buildings would be such that landscape and new tree canopies would have sufficient space to have a stronger presence and together with the more carefully considered design of building facades would result in no harm to the overall character and appearance of the HHCA.

10.115. In respect of the impact on HHCA from Pullens Lane the proposed design would result in small built elements with more articulated roof profiles allowing the views of new and existing tree canopies and landscape planting to play a greater role in these views. This would in time result in there being little or indeed no harm to the character and appearance of the conservation area.

10.116. Officers consider that the proposed development would therefore result in a change to the character and appearance of the conservation area, that would comprise a low level of less than substantial harm to the significance of identified heritage assets. However, this harm would be mitigated over time, to a lower level or even removed. Officers consider this harm to the HHCA would be a low level of less than substantial harm to the character and appearance and thereby to the significance of the HHCA.

Impact upon character and appearance of Central Conservation Area (CCA)

10.117. The impact on the significance of the CCA is derived from the views from the hillside. There are views of the skyline in particular with glimpse views from Pullens Lane between houses and gaps in enclosing garden landscapes, Cuckoo Lane and from the identified view cone of Pullen's Lane/ John Garne Allotments from where theoretically (with the removal of an intrusive belt of trees) the site would fall into the foreground of the important view of the city and its valued skyline, as well as in the views into the conservation area across the water meadows of the Cherwell and the registered Parkland of Magdalen College to the city beyond.

- 10.118. It is considered that in views out towards the Central Conservation Area, in particular from Pullens Lane Allotments, that there would be an element of harm with encroachment into the green frame view as described above. However, this would not eliminate the view of the historic skyline and the distinctive dreaming spire skyline of the CCA. The mitigation planting and additional growth of existing canopies and new canopies would as evidenced in verified views, positively impact upon the setting of the CCA. This harm would be deemed as less than substantial initially with encroachment into the view, at the lower end of that harm, but would be reduced to low with the growth of mitigation planting.
- 10.119. In terms of views out of the Central Conservation Area to the site, as described above there would be an initial impact on those views as the canopy is reduced but as the new tree planting establishes and contributes to the tree canopy, this impact is reduced to a level that is at the lower end of less than substantial to being eliminated.

Impact upon setting of Headington Hill Hall and High Wall Registered Park and Gardens

- 10.120. Headington Hill Hall: The Hall sits in the surviving elements of its historic park and garden. Beyond the edge of that historic landscape the environment that once contributed to the building and parks setting has evolved from its pre-C19 agricultural guise through its C19 wooded hillside with hidden late Victorian, arts and crafts style villas to a more hybrid landscape that comprises remnants of the wooded slopes amongst which have been inserted C20 university buildings for Brookes. The setting that contributes to the significance of the Hall, in part due to the subsequent changes that have taken place, is now confined to the immediate surroundings of the Hall, its surviving park and garden and structures that contain and fall within that area. It is certainly evident that in views of the Hall from the City and the Western Hills the site sits within the arc of the view or panorama. However Officers consider that the site cannot be regarded as being important to the setting of the Hall in the same way that the distinctive pine trees that dominate the skyline above the Hall and the mixed tree canopies of the parkland trees that fall down the hillside in the foreground of the Hall are.
- 10.121. Officers consider there would be initially on completion of the development a low level of less than substantial harm to the setting and thereby the significance of Headington Hill Hall and to the setting of surviving Victorian and Edwardian villas that populate and are visible as glimpses, primarily of roofs on the hillside and at Headington. This harm would be due to the visible presence of large new buildings on the hillside. However, it is considered that over time the increased canopy cover from new tree plantings would mitigate the harm such that there would not be harm to the setting and thereby significance of the hall and other C19 houses set within the green hillside.
- 10.122. Historic England echo these considerations and raise no objection to the proposal having regard to the setting of Headington Hill Hall as a Grade II* listed building.
- 10.123. High Walls – registered park and garden: High Walls was built on a large, sloping plot on the west side of Pullens Lane at the beginning of C20. The estate

was split up in the 1970's and some parts of the garden are now under 1970's suburban development. The setting of the garden no longer extends beyond the defined boundaries of the property although originally the design of both house and garden may well have derived some significance from views across the city to the western hills beyond. These views would have not been interrupted by buildings on the lower slopes of the hill which would at that time have been characterised by an open, agricultural landscape with hedgerow and trees and would have been clear through to the older buildings on Marston Road, St Clements Church, Magdalen's parkland and riverside gardens and the more open landscape of the Cherwell Valley all of which provide a foreground to the city. With regard to the impact on such views (considering the potential restoration of views) the application site lies to the south of High Walls, with the intervening C20 developments of Fielden Grove and Pullens Field now occupying those parts of the original garden that were sold off, in between. The more northerly portion of the application site falls into the view cone from High Walls and its gardens. The landscape here has clearly been substantially altered from that which contributed to the original view. The proposed design for this part of the application site will result in a more open, less tree covered site consequently offering clearer views of the three storey terraces of "villas", ostensibly taking reference from the early C20 villas that are threaded along the brow of the hillside, that are proposed to be built here. However, those existing trees that are considered to make a valuable contribution to the character of the hillside, are proposed to be retained and reinforced by carefully considered new plantings, where these are possible and it is thereby intended that this new landscape will eventually contribute to a new "cloak" that will reinforce the "wooded" character of the hillside brow thus mitigating any harm to the potential restoration of part of the intended setting of High Walls and importantly its surviving gardens.

- 10.124. Any part of the southern part of the proposed new development that might fall into the view from High Walls and its gardens would be seen alongside existing developments that align Marston Road.
- 10.125. Given the existing harm to the original garden and the subsequent developments on the western slopes of Headington Hill which have impacted on an important element of the setting of the heritage asset, combined with the ambitions of the proposed new design for the upper part of the application site it must be concluded that, on balance the proposed design will not result in any harm to the setting of the registered garden of High Walls and the contribution that that setting makes to the significance of the heritage asset or, importantly to any future restoration or enhancement that might be made to that setting.
- 10.126. Public Benefits: Para 202 of the NPPF states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including where appropriate securing its optimum viable use.
- 10.127. Policy DH3 of the Oxford Local Plan further states where a development proposal will lead to less than substantial harm to a designated heritage asset, this harm must be weighed against the public benefits of the proposal. Clear and

extensive justification for this harm should be set out in full in the heritage assessment.

- 10.128. As stated above the initial less than substantial harm has been identified in respect of the impact on the character and appearance of Headington Hill Conservation Area and to the setting of the Central Conservation Area and to the setting of Headington Hill Hall, being at the lower end of that harm.
- 10.129. The applicant has had regard to para 202 in the NPPF and the policy requirement in DH3 and states that the scheme will deliver the following public benefits, which should be weighed in the balance of harm identified.
- 10.130. Providing student bedrooms which would release private rented accommodation in the housing market. The applicant argues that the additional provision of 573 bedrooms at Clive Booth Student Village will relieve pressure on the housing market, through releasing private rented accommodation.
- 10.131. As stated in the preceding paragraphs above in the report, this is an allocated site for student accommodation, and is allocated so that the University can meet its own needs for student accommodation, which in turn will release pressure on the housing market. This principle is embedded in the Housing Delivery Test, established by Central Government, and was tested in the Examination in the Local Plan, noting that the site has the ability to bring forward a minimum of 500 student beds. The provision of a minimum of 500 beds as expected by policy H9, and the release of private market housing, is critical for the Local Authority to meet its housing need of 10,884 houses in the plan period.
- 10.132. The accepted means of calculating housing back to the market would be 2.5 beds provides 1 dwelling house. Therefore, it is anticipated that the provision of 573 would release approximately 229 dwellings, which is a significant public benefit arising from the development, not less because it is critical for Oxford to meet its housing needs.
- 10.133. University-owned accommodation: The redevelopment of Clive Booth Student Village will increase the amount of student accommodation being operated by OBU which brings a number of benefits. These benefits are as follows:
- 10.134. Affordability: The cost of accommodation in the private market is a considerable deterrent for students choosing to study at Oxford Brookes, and in Oxford in general, with the cost of accommodation being a considerable factor in students choosing not to take their offer of study. It is however acknowledged that it is far better for students to be accommodated in University owned accommodation, than in private rented accommodation, as it essentially allows the University to control rent levels, making student accommodation more affordable and attracting students from lower socio-economic backgrounds. Moreover, it stops students from paying extortionate rental prices if they can occupy university owned accommodation in the first year.
- 10.135. Pastoral care: Increasing the supply of university owned accommodation, will enable OBU to support and provide pastoral care to their students, which they

may not be able to reach as well in the rental market. This pastoral care would be to provide support with budgeting, communication, living away from home with non-family members, which they may not be able to reach as easily living off site.

10.136. *Benefit housing market:* It is a widely held principle that placing more students in OBU accommodation releases pressure on the private rental accommodation and therefore increase student accommodation on OBU owned land would in turn help regularise market conditions.

10.137. *Densification:* The redevelopment of the site and centralising the hub of activity within Headington Hill, and not at remote sites like Wheatley, is more sustainable for students and condenses development to allow better ease of movement between the village and the main Headington teaching campus.

10.138. *Health and Wellbeing:* The redevelopment of the Clive Booth Student Village would deliver significant improvements to student wellbeing and safety.

10.139. *Improved safety:* The inward nature of the buildings turning their back on public spaces, the existing quality of connections through to Cuckoo Lane and Pullens Lane, the lack of surveillance over public areas and connections from the site to beyond, have long been considered issues students encounter within the site. These safety concerns are then exacerbated beyond the site with Cuckoo Lane being an important, but narrow and dimly lit thoroughfare, which is an essential connection between the village and the Headington Hill and Gipsy Lane campus. This is long perceived as unsafe and uninviting, particularly at night time.

10.140. The development proposal seeks to create a new direct access through the site arriving at a new and improved access node at Cuckoo Lane with the provision of an arrival glade. The internal connections will be well overlooked with surveillance from kitchen and bedrooms to outdoor areas and the arrival glade will be open, legible and well lit, better placed to provide a safe and attractive route for students travelling through the site from the Student Village beyond to Headington Hill Hall and Gipsy Lane campus.

10.141. A further application for improved access and movement for students at Headington Hill Hall is currently being considered and pending consideration, under reference 21/01368/FUL and 21/01369/LBC. These schemes are showing the reposition of the opening on Headington Hill Hall side of Cuckoo Lane to being opposite the arrival glade so that there is a clear and direct route between the two sites. The current connections by contrast are dark, narrow and not attractive to students. Whilst these schemes are pending consideration, it is proposed that the current scheme as described in this report, will be subject to a S106 agreement that requires that these improvements are delivered, prior to first occupation of any student accommodation approved.

10.142. This improved access and arrival glade at Cuckoo Lane will provide public benefits, not only for students connecting between the Student Village and Headington Hall site which is currently unattractive for students, but also for the wider public connecting between the sites from Marston Road, Pullens Lane, and

Headington Road, and those accessing the adjacent Headington Hill Park. Increasing openness on Clive Booth land, and lighting would be a wider benefit for all providing safer, more accessible and desirable routes, whilst still having limited impact upon rural and historic character.

10.143. *Improved accessibility through the site:* The sloping topography and the layout of the site, means that the site is difficult to navigate and is difficult for those with mobility issues or with cycles to access. The site is also a barrier between Headington Hill Park and housing to the north. Consequently, these routes are to be rationalised drawing people through and around the site in a more clear and legible manner with direct routes through. Thus it is argued that this improved accessibility would be a public benefit to local residents and students.

10.144. *Improvement to Pullens Lane environment:* The creation of a new pedestrian path through Clive Booth Student Village to Headington Hall will encourage students staff and general public to utilise this route, which will in turn reduce the footfall on Pullens Lane. This is a public benefit as Pullens Lane suffers with high levels of pedestrians, foot traffic and noise/litter on Pullens Lane which is an issue driven by high volumes of students using this route to access Clive Booth. This will enhance the amenity of residents on Pullens Lane which is a private route.

10.145. *Nursery:* The ongoing provision of a nursery at CBSV will continue to offer childcare services for OBU staff, students as well as the local community. This will allow for local residents to continue to work, which supports the wider economy. This reprovided nursery will be an enhancement on the current facilities, providing an upgraded space and allowing for a greater number, albeit limited, nursery places of 75 spaces instead of 54 spaces.

10.146. The applicant has regard to other benefits in their Planning Statement, including increase in biodiversity net gain of 11.87% over the 5% net gain policy requirement. The applicant also has regard to the greater landscape management of the site with greater tree planting and succession planting, which allows for a more holistic approach to landscape management that would have occurred should the site not be developed. Further the sustainability credentials of the buildings providing a carbon reduction in excess of 70%. Whilst these are considered benefits, these are considered more limited as these are benefits brought forward by complying with planning policy.

10.147. It is clear that there are a number of public benefits that would arise from the proposal and the NPPF states that this can be considered in a proposal where less than substantial harm results to the heritage asset, in this case being the harm to the Headington Hill Conservation Area and the setting of the Central Conservation Area. Officers consider that the public benefits identified should be given weight in the assessment of harm and that the benefits would outweigh the harm identified.

10.148. In consideration of the application, great weight has been given to the conservation of the various designated heritage assets pursuant to paragraph 199 of the NPPF. Having regard to all of the above, officers consider that the

redevelopment of the site would culminate in an overall lower end of less than substantial harm to the significance of Headington Hill Conservation Area and the setting of Central Conservation Area. However, Officers consider that the public benefits as described would offset this impact sufficiently to outweigh the harm identified, delivering a scheme that would release housing back to the private market, critically meeting Oxford's housing need; will maximise the use of the site, making a more efficient use of land; will increase University owned accommodation making it affordable for students, will provide direct accessible and connections to the wider student campus; will provide safer and more attractive routes as well as centralising students into a site in a more sustainable manner, being sited within walking and cycling distance of the campus.

10.149. In considering the application against the merits of the previously refused application, it is considered that the harm identified in this scheme is sufficiently less than that it was previously, which is mainly due to the scale of changes proposed by the applicant to address the reasons for refusal. Those scale of changes has been the resiting of buildings; a shorter alignment of more articulated roof profiled buildings; reduced building heights and massing; improving the materiality; an enhanced landscape led design strategy that allows for greater tree retention of trees of longer life expectancy and quality, providing a greater canopy cover; and a biophilic approach to the student village allowing for greater outdoor spaces for well being.

10.150. Officers consider the impact of these scale of changes when taken together is the delivery of a higher quality development proposal more sympathetic to its sensitive hillside context, and a more balance response in delivering development on this allocated site, than the previous scheme offered. The harm arising from this scheme is at the lower end of less than substantial than previously considered, and would be mitigated in the longer term.

10.151. Additionally, the scale of public benefit, has increased over that offered in the previous scheme. This is for reason of the retention of the nursery and a more nuanced long term strategy for tree planting and management which outweighs the public benefits attributed to the previous refused scheme.

10.152. In summary, this proposed scheme is considered to result in a lesser degree of harm than the previous scheme coupled with a higher level of public benefit, which cumulatively would outweigh the harm.

10.153. It is also material that the site is allocated for development and as a consequence of this, there will inevitably be change to the landscape and potential impact on designated assets, which will need to be assessed in terms of the significance. The proposed scheme seeks to balance these sometimes conflicting requirements in a way that it is considered to deliver a high quality development that accords with the policy objectives of delivering student accommodation in Oxford in a manner that seeks to minimise this impact on designated heritage assets, landscape and visual impact.

10.154. Special attention has been paid to the statutory test of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses and the statutory test of preserving or enhancing the

character and appearance of the conservation area under sections 66 and 72 respectively of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the development would preserve the listed building and the character and appearance of the Conservation Area, and so the proposal accords with sections 66 and 72 of the Act.

10.155. Subsequently, the proposal is considered to accord with sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 199 and 202 of the NPPF, policies RE2, DH1, DH2 and DH3 of the Oxford Local Plan 2036, and policies GSP4, CIP1, CIP3, CIP4 of Headington Neighbourhood Plan

10.156. The ES considers minor adverse effect on HHCA and CCA, moderate adverse impact on John Garne Way and negligible effects on the significant of other designated heritage assets on the construction phase. Following completion the effect would be negligible due to the mitigation. Overall officers agree with the conclusion of the ES and note the design and landscape mitigation and the public benefits that would result.

Trees

10.157. Policy G7 of the Local Plan seeks the protection of existing Green Infrastructure features and states planning permission will not be granted for development that results in the loss of green infrastructure features such as hedgerows, trees or woodland where this would have a significant public amenity or ecological interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated.

10.158. The policy goes on to state that planning permission will not be granted for development resulting in the loss of other trees, except in the following circumstances, that it can be demonstrated that the retention of the trees is not feasible; and where tree retention is not feasible, any loss of tree canopy cover should be mitigated by the planting of new trees or introduction of additional canopy cover, and where loss of trees cannot be mitigated by tree planting on site then it should be demonstrated that alternative proposals for new green infrastructure will mitigate the loss of trees, such as green roofs or walls.

10.159. Policy G8 states development proposals affecting existing Green Infrastructure features should demonstrate how these have been incorporated within the design of the new development where appropriate. This applies to protected and unprotected Green Infrastructure features such as hedgerow, trees and small public green spaces.

10.160. As stated in the report, the site has an attractive sylvan woodland setting, with buildings set amongst trees on a steep hillside. This site sits in a wider wooded hillside and collectively contributes to the green landscaped backcloth to the historic city centre and dreaming spires of Oxford, which is highly prominent and distinctive, and a significant feature in the designation of the Headington Hill Conservation Area.

- 10.161. Across the site there are a relatively large proportion of early mature trees, including many English Oak that appear to have been planted following construction of the existing student accommodation buildings in the 1970s. Collectively these trees contribute significantly to the character and appearance of this part of Headington Hill Conservation Area and its existing sylvan character and appearance providing an attractive “urban woodland” type setting.
- 10.162. Given the heavily sloping nature of the site, and the proximity of trees close to the existing buildings, utility services and other built elements, it will be inevitable that any substantial development on the site, comprising demolition and replacement of existing buildings, will result in a significant impact on trees and result in a large number of losses. It is essential therefore that the new tree planting provides adequate mitigation for the adverse impacts on public visual amenity in the area and on the character and appearance of the site.
- 10.163. Since the refusal of 18/02587/FUL the existing tree coverage has been the subject of further analysis to understand the importance of the trees and their role in the landscape, underpinned by a tree survey looking at health, condition and life expectancy, to shape the design response to the site. The design process which has been tested through pre-application discussions, has sought to identify and protect trees that contribute to important views, screening and support wildlife habitats, including the woodland (Site of Local Importance for Nature Conservation) that is in the northern part of the site, along with woodland tree belts and the most higher value individual trees ensuring the retention of more category A and B trees with good health and a longer life expectancy, removing trees of a low visual value and amenity value, including health defects.
- 10.164. The tree survey recorded 274 individual trees, 6 groups of trees, 3 areas of trees and 3 hedges, and the proposal requires the removal of 98 individual trees, 3 groups of trees and part of an area of trees as detailed in the submitted Preliminary Arboricultural Impact Assessment.
- 10.165. Of these trees to be removed, one early mature oak tree (T031) is considered to be of high quality and value (BS5837:2012 ‘A category’).
- 10.166. 11 moderate quality and value (BS5837:2012 ‘B category’) trees are to be removed, of which 8 are early mature trees (1 lime, T268; 7 oak, T008, T014, T030, T032, T071, T260, T269) and 3 are mature trees (1 ash, T223; 1 oak, T188; sycamore, T039);
- 10.167. 69 trees are considered to be low quality and value (BS5837:2012 ‘C category’).
- 10.168. The 3 groups of trees (G001, 4 trees including cherry, field maple, 2 hawthorn; G002, 7 trees including a holm oak and 6 yew; G004, 8 trees including hawthorn and 7 oak) and the part of the area of trees to be removed (A001, predominantly willow) are also low quality and value.
- 10.169. In general, C category trees should not impose a significant constraint on development because their loss is not expected to have a significant detrimental impact on amenity and can be mitigated by new planting.

- 10.170. Additionally 17 trees have been identified as being unsuitable for retention regardless of any development (BS5837:2012 “U” category). These trees are considered to be such a condition they cannot realistically be retained. 9 of these trees are required to be removed in relation to the development proposal due to proximity to buildings and areas of public uses whilst the remaining 8 will be monitored and removed as part of future maintenance/management operations.
- 10.171. As a result of the previous reason for refusal, and the revised landscape/tree strategy and the layout of the proposed development has evolved which will enable a greater number of important and higher category trees to be retained that were previously intended for removal. This has resulted in less trees being identified for removal in this scheme compared with the previous. In the refused scheme, 140 trees were required for removal compared with 98 trees in this application. Further what is key here is that the current scheme proposes to remove less category A trees, with the refused scheme removing 4 and the proposed 1. And the refused scheme removing 100 category C trees compared to 69 in the current scheme.
- 10.172. It is also important to note that a number of existing critical trees along the south side of the access road into the site from John Garne Way (e.g. T013, T015, T016), are now retained, which is welcome as it will help maintain tree canopy cover along this key route through the site.
- 10.173. Many of the trees which are to be removed, including the high quality oak tree (T031), are located internally within the site so that their loss will not directly impact sensitive views from outside of the application site. However, tree removals will adversely affect localised public views from Cuckoo Lane (e.g. T051 - T053 – for Cuckoo Lane Arrival Glade), from along the footpath from Pullens Lane (e.g. 179-T184 – for buildings 10 -12) and from John Garne Way (e.g. T005 -T007 for Wooded Plaza and buildings 3 and 4a). While the trees to be removed are visually prominent, they are also mostly low quality and value and the new tree planting proposed will provide mitigation for visual impacts over time which is explained in more detail below.
- 10.174. The new buildings encroach closer to the woodland SLINC that is in the northern corner of the site than the existing. It is proposed to remove several trees from the southern edge of the woodland that currently stand very close to the existing buildings that are to be demolished and also in the existing car park area west of the nursery building. However, the proposals do not require any of the oak trees to be removed from within the area of the SLINC designation and should not adversely impact the integrity of the woodland.
- 10.175. The outlook from the John Garne Way Allotments and from the rear of several neighbouring properties in William Street, Feilden Grove and Pullens Lane will also be affected by tree losses, although mitigation tree planting is proposed, and the design of the ‘Arrival Plaza’ at John Garne Way has been improved compared with the earlier application to include additional tree planting. However, the tall buildings will be visible above tree canopies in these views. It seems that any harm in these views will largely be the consequence of the visual impacts of the proposed buildings rather than the result of tree removals.

- 10.176. During the application process officers have asked for clarification on matters in relation to demolition works, construction and traffic will not encroach into the RPAs of retained trees and the ground levels are protected within their RPAs, particularly in light of the topography of trees. Further, clarification has been required in respect of the impact of new underground utilities and drainage on retained trees, as there is scope for damage. This information has been submitted by the applicant and officers consider the information received to be acceptable in terms of impact.
- 10.177. In addition to tree removals and Root Protection Area encroachments, facilitation pruning is expected to be needed to several retained trees as detailed in the Preliminary Arboricultural impact Assessment, but this is relatively minor work in nature and extent and should not have a significant harmful impact on the trees, amenity or the conservation area.
- 10.178. Balanced against the tree losses and other arboricultural impacts, the proposal includes comprehensive tree planting as part of soft landscaping proposals. 193 new trees are to be planted which include a wide range of species, including natives such as English Oak, small leaved Lime and Field Maple, and also a variety of non-natives, which are appropriate to the particular site conditions and landscape character of the area, and also should support wildlife in the area (as encouraged by Oxford Local Plan 2036 policy DH1). Many of the new trees will be planted at advanced nursery stock sizes, including semi-mature trees, which will have an immediate beneficial visual effect.
- 10.179. Taking account of the mitigation tree planting, the cumulative effect of the tree removals will be a significant initial reduction in mature tree canopy cover green infrastructure across the site which will adversely affect its existing sylvan character and appearance.
- 10.180. As mature tree canopy cover is an important element of the green backdrop to the city skyline that is provided by Headington Hill, the reduction of mature tree canopy and introduction of buildings that are taller than the retained trees might be expected to alter the existing balance between green and built elements in mid and long distance external views of the site, and retained and new trees cannot be relied upon to screen or soften parts of the buildings that are taller than the existing tree canopies.
- 10.181. However, the submitted Tree Canopy Study provides some evidence that the tree planting proposed will mitigate the initial reduction in tree canopy cover over time and is predicted to deliver a net gain of tree canopy cover, and some enhancement of its characteristics (new tree planting should diversify species and age class characteristics of the tree population within the site making it more resilient to the effects of pests and diseases and climate change) can be expected, to meet the requirements of policy Oxford Local Plan 2036 policies G7 and G8.
- 10.182. The study assesses existing tree canopy cover within the site to be 24,056m² (approx. 52% of site area) and predicts that if the site is not developed this would increase to 30,926 m² (approx. 67% of site area) over the next 30 years at 2051. With the proposed development there will be an initial reduction of

tree canopy cover following tree removals and planting of new trees (this is not actually quantified in the study, although it assesses that retained trees alone will provide approx. 16,205m²/35% site area of tree canopy cover in 2026, so the initial reduction seems to be around 7,851m²/32% of existing tree canopy cover, not accounting for the new tree planting), but tree canopy cover would increase over time as the trees grow so that in 2051 the study predicts that tree canopy cover will be 39,819m² (approx. 86% of site area), which represents a net gain of 8,893m² or approximately 19% increase of existing tree canopy compared with the 'no development' baseline.

10.183. As context, it is noted that the Oxford i-tree canopy cover assessment outlines total tree canopy coverage across Oxford per ward with canopy cover being highest in Headington and Headington Northway at 29 and 30%.

10.184. Overall it is considered that the tree planting and landscape strategy is of a standard that improves upon the previous refused scheme, and the cited reason for refusal. This is for reason that the proposed development has been sited to respond to the existing treed context and important trees for quality and position, with the new 193 trees proposed will be planted to enhance existing woodland blocks and tree groups along the site boundaries.

10.185. Further the strategy includes a greater mix of new trees of varying height and age structure, and specifically includes a greater number of semi-mature trees which together with the standards and feathered stock proposed will have the benefit in supporting the development of a mixed age structure appropriate. The new tree positions have been carefully considered available space, light levels, proximity to buildings and new structures to ensure that the trees proposed are able to establish and develop and mature without the need for extensive management. An area which shows this is in the area of the Welcome Building which is moved further away from existing trees to alleviate impact on the boundary and to allow for mitigation planting to be planted.

10.186. The tree strategy retains more of the better quality trees, including category A and Bs which are more mature and have larger canopies. These are retained in different locations and as such they provide more impact and character within the site and have a longer lifespan.

10.187. The different tree strategy adopted to tree retention of better quality mature trees with larger canopies in addition to the re-designed tree planting strategy including the use of more semi mature trees with larger canopies at day 1, allows for a greater impact on the canopy growth compared with the previous application.

10.188. Overall strategy of retaining better quality trees in more strategic locations coupled with a more grounded replacement/succession tree planting strategy with greater diversity and larger stock will assist with reinforcing the treed site context both in the short and long term.

10.189. Therefore whilst the scheme results in the loss of a number of trees, it is considered the mitigation planting and tree strategy proposed is sufficient to

offset the initial harm to the visual amenity arising from the loss. It is considered that the application accords with policies G7 and G8 of the Oxford Local Plan.

Highways

10.190. Chapter 9 of the NPPF has regard to promoting sustainable transport and states that significant development should be focused on locations which are sustainable, through limiting the need to travel and offering a genuine choice of transport modes (para 103). The NPPF also states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

10.191. The Oxford Local Plan 2036 seeks to prioritise walking, cycling and public transport and states in policy M1 that planning permission will only be granted for development that minimises the need to travel. Policy M2 requires Transport Assessments must be submitted for development that is likely to generate significant amounts of movement, assessing the multi-modal impacts of development proposals and demonstrate the transport measures which would be used to mitigate the development impact. Policy M3 assesses motor vehicle parking for different types of development and whether located in a CPZ or not, assessing proposals against the standards in Appendix 7.3. Policy M4 assesses the provision of electric charging points for additional parking needs. Policy M5 assesses bicycle parking against the standards in Appendix 7.3.

Transport Sustainability

10.192. A Transport Statement (TS) has been submitted with the application that considers the highway impacts of the proposal. The site is considered to be in a highly sustainable location, approximately 2.2km east of the city centre. There are also excellent public transport links to the city centre and beyond in close proximity, including the University subsidised BROOKESbus service. The Headington District Shopping Centre is also within walking distance as are shops and services along Marston Road.

10.193. The applicant states that the majority of journeys made by residents of the student accommodation will be accessing the main campus at Gipsy Lane. Thus the intensification of Clive Booth student village being located adjacent to Headington Hill Campus and in close proximity to the main University campus, will mean that a higher number of students will travel in by foot or bicycle. The intensification of student accommodation on this site would mean that a greater number would access university and home, by foot or bicycle, within one larger campus, which is a benefit.

Accessibility

10.194. The TS makes clear that the proposal would maintain the existing access arrangements to the site from John Garne Way for vehicles, and pedestrian and cyclist access from Cuckoo Lane, Pullens Lane and from John Garne Way, which are all existing links and access points utilised by students living on site.

- 10.195. The County Council as Highways Authority in their response to the application acknowledges there are a number of ways of accessing the site by sustainable modes of transport with regular buses travelling to and from the site including the Brookes Buses going from the bus stops on Marston Road and closest to Pullens Lane on Headington Road (accessed via Cuckoo Lane).
- 10.196. For students travelling to the main Brookes Campus, Cuckoo Lane is the main route for pedestrians/cyclists. There is proposed funding in place for the surface to be improved further which will make this route more attractive as a viable option for students travelling in this direction, however, the lighting is considered insufficient and not to current standard. This makes the route feel unsafe and unattractive. This has been mentioned by Oxford Brookes in the past, and this application offers an opportunity to improve this. A condition is therefore recommended to be included which requires the applicant to bring the street lighting between the student village and Pullens Lane up to current standards.
- 10.197. For students travelling to/from the city centre and the Marston Road campus, there are good footways either side of Marston Road and a cycle lane on the southbound side. Due to the width of Marston Road, the northbound lane operates well as a popular cycle route. The bus routes (U5, 13 & X13) operate frequently with the number 13 to/from the city centre stopping 4 or 5 times an hour until midnight.
- 10.198. The County Council have raised concern over the lack of infrastructure in place for students crossing Marston Road. There is a crossing on Marston Road approximately 210 metres north of John Garne Way and approximately 900 metres from the junction with Headington Road to the south in which there is no crossing for students trying to access the site, Cuckoo Lane, the Mosque or the bus stop on the northbound land of Marston Road. In order to further promote sustainable methods of transport and in the interest of highway safety for both the high level of students and staff expected to use Marston Road to access the site, it is considered that a refuge island is needed close to the site.
- 10.199. The County Council has thus asked that this is delivered through a s278 agreement with the applicant and the applicant has agreed to this provision. The s278 agreement can be secured through the s106 agreement.
- 10.200. The application also proposes to improve accessibility through the site creating an accessible landscape, which is currently limited by the sloping topography of the site. This is proposed to be enhanced through the following means:-
- 1) Through the creation of more clear and direct route from within the site up to a new arrival glade on Cuckoo Lane. This node is an important arrival point on Cuckoo Lane and suffers from being narrow, overgrown on either side and not highly visible, being a rural lane, which can deter students/public from utilising this route between Clive Booth and Headington Hill and beyond. Opening this area up will increase its usability and desirability as this will become an improved route from Headington Hill across Cuckoo Lane into Clive Booth student Village. This is proposed to be secured by way of a S106 agreement as a public benefit and will

dissuade east west movements along Cuckoo Lane and north south movement on Pullens Lane, which is an overall improvement to the environment around the site.

2) Through providing a route through for less abled users from the arrival glade through lifts provided within buildings as well as external accessible routes to the western section of the site. The proposed improvements to the walkway south of Cuckoo Lane, within 21/01368/FUL will include accessible walkway to link to Headington Hill Hall Campus and beyond.

Traffic Generation and Vehicle Tracking

10.201. The County Council advise that despite an increase in the number of students, there is not expected to be a significant increase in traffic generation to the site other than due to activity at the start and end of the term where there will be a greater number of pick up/drop off. However, this is proposed to be controlled by the university's strategy for start/end of term arrivals. This is set out further below in the car parking section of the report. There is further no objection to the small increase of children attending the nursery (an increase of no more than 21 children a day)

10.202. Having regard to vehicle tracking this demonstrates that for emergency and refuse vehicles, in general this is all acceptable and vehicles can be safely accommodated, save for an area of conflict between existing buildings A and B where vehicles will need to turn in areas where parking is shown. However, the applicant has indicated as this area is only for temporary parking for when it is the start and end of term that an emergency plan will be triggered if in the unfortunate event of a fire or emergency. Highways have thus indicated that a condition requiring these alternative details for tracking in the event of an emergency are conditioned on any approval, which is accepted.

Cycle Parking

10.203. The Transport Assessment gives details of the cycle parking arrangements in the Appendix C. Overall, there is a total provision of 1045 spaces which can be provided on site, of which 677 spaces will be provided initially, but with scope for 368 to be provided at a later date should travel plan monitoring indicate that there is a greater need for spaces. This is a betterment over the current on site provision of 257 spaces.

10.204. This phased approach is being advocated by the applicant for reason that following a study of cycle use and storage on site, that there was only a 22% take up of spaces provided on site. Based on this lower take up the applicants have stated it would not make sense to provide more spaces than required should it be proven through Travel Plan monitoring that there is no demand. This position is agreed by the Highways Authority and a condition will be imposed to secure the submission of a Travel Plan as well as a S106 requirement to secure Travel Plan monitoring.

10.205. In terms of the spaces provided, 470 will be provided inside the student accommodation buildings, secured with a keycode. 468 spaces will be provided outside, if all spaces are being provided. The plans indicate that that the

external spaces are pepper potted across the site and will be contained within timber shelters. Of the proposed 677 spaces to be provided initially, 470 are within the building, 100 spaces will be provide outside in secure shelters, 70 sheffield stands will be provided outside and 37 spaces will be retained as they are currently provided, as existing. A condition will be imposed to show the exact position of the cycle spaces for all 1045 spaces as well as the spaces to be provided initially for on occupation as phased.

10.206. In respect of the nursery provision, there is no cycle standard in the Local Plan for nurseries, but the applicants have proposed 6 spaces for the nursery. In respect of the Welcome Building, 4 spaces will be provided. County has advised these spaces are acceptable for the nursery and welcome building.

Car Parking

10.207. Clive Booth Student Village has circa 87 formal on site parking spaces. The proposed redevelopment of the site is set to reduce this and provide a total of 24 permanent parking spaces for university staff and nursery users, plus a provision of 6 disabled spaces for residents resulting in a reduction of 57 parking spaces overall. The TS advises that staff parking is covered by a strictly policed parking permit scheme and 25% of the car parking will have electric charging facilities.

10.208. As stated above there will need to be management controls in place to prevent students bringing their cars to Oxford, unless required due to disability.

10.209. In respect of the start and end of term, the University has a strict strategy to manage parking on these key weekends. The Transport Statement details the existing strategy in operation by the University which controls the start/end of term arrivals, is largely coordinated by surnames of students to prevent bottle necks of students appearing. This is a known strategy and is considered a successful means of controlling these key weekends. Across both the neighbouring Post Graduate Centre (PGC) and Clive Booth Student Village on these weekends the parking restrictions are lifted to ensure that there is sufficient space for students to arrive. Across the two sites there are spaces for up to 83 vehicles to arrive, unpack and leave at any one time. This will increase to 116 spaces, with 79 spaces at arrivals/end of term weekend at Clive Booth Student Village and 37 spaces at the Post Graduate Centre. Whilst the PGC is outside of the red edge there are many shared resources between the two sites and are coordinated in this regard with shared parking. This level of provision spread across the arrival and leave period is considered to be acceptable. An appropriate condition has been requested requiring the submission of this strategy and management plan prior to occupation. The arrival and departure of students in this controlled manner would not be considered to have a detrimental impact on the surrounding road network

10.210. The County have raised no objection to this, acknowledging that the management controls which are to prohibit students from using their cars and a long standing policy objective, will control this element. Furthermore, arrival and departure times for student drop off and pick ups will be the subject of a control as set out above, required by a condition. Furthermore Marston South Controlled Parking Zone will restrict students from parking in the vicinity.

Travel Plan

- 10.211. In transport terms this site is sustainable and has a good range of transport options to offer alternative modes of transport. However, if the site is to be reorganised to accommodate extra students this also provides an opportunity to provide additional facilities to further promote sustainable modes.
- 10.212. The overarching framework travel plan for Oxford Brookes University covers the site as a whole but as it is dated 2016 – 2018, and requires updating. It is understood this is in the process of being updated. However, County have requested that the provision of 1035 student rooms will require a full Residential Travel Plan to be produced and then updated within 3 months of full occupation, once adequate survey data is available. This will plan and manage specific travel related facilities available to residents, to plan and manage movements to and from student accommodation throughout the day and to monitor for a period of 5 years.
- 10.213. Such a travel plan as detailed above will be imposed as a condition on any approval. For the number of student rooms, a travel plan monitoring fee of £2379 will be required to enable the travel plan to be monitored for a period of 5 years, secured through a S106 agreement.
- 10.214. In respect of the increase in nursery places, a Travel Plan will also be required for the nursery and a travel plan monitoring too, which will again be secured through a S106 agreement.

Electric Vehicle Charging (EVC)

- 10.215. Policy M4 states where additional parking is to be provided in accordance with Policy M3 that residential parking will be provided for each residential unit with an allocated parking space and non allocated spaces are provided at least 25% of EVC points installed. It states that planning permission will only be granted for non residential development that includes parking spaces if a minimum of 25% of the spaces are provided with EVC
- 10.216. In this application, there is no parking spaces (other than 6 disabled spaces) being provided for residential uses so this element of the policy is not applicable. In respect of the non residential element there will be a need for 25% of spaces with EVC. This will therefore require 8 spaces to be provided with EVC points. This can be secured via a condition.

Construction Traffic Management Plan (CTMP) and Delivery and Service Management Plan

- 10.217. A CTMP will be required to be submitted via a condition which meets County requirements and it is advised that this adequately mitigates the impact of construction vehicles on the highway network.
- 10.218. OBU will also establish a delivery and servicing strategy to ensure that the careful management of these vehicles accessing the site, and to manage the processes suitably. Essentially this will be to provide parking for delivery and servicing outside of the Welcome Building, which will be for a limited short term

period. Supermarket deliveries will be to the Welcome Building and students will collect their shopping from this building. This can be made subject to a condition to require that deliveries are limited to a strategy to be submitted to and approved in writing by the LPA.

Highway conclusion

10.219. Having regard to all these matters, officers consider that the TS has demonstrated that the proposal satisfies the aims of guidance in the NPPF and also Oxford Local Plan Policy M1, M2, M3, M4 and M5 of the Local Plan which states that development should be acceptable in terms of access, parking, highway safety, traffic generation, and pedestrian and cycle movements subject to appropriately worded conditions.

10.220. The Environment Statement concludes that for construction traffic, it will have negligible to minor effects and on completed development all other operational effects would be negligible. None of these effects are considered significant in EIA terms and this conclusion is accepted.

Energy and Sustainability

10.221. Policy RE1 states planning permission will only be granted where it can be demonstrated that a range of sustainable design and construction principles have been incorporated. The policy goes on to state an energy statement will be submitted to demonstrate compliance with this policy for new build residential developments and new build non residential schemes over 1000sqm. The policy states that planning permission will only be granted for development proposals for new build residential dwellinghouses or 1000sqm or more of C2 including student accommodation, which achieve at least a 40% reduction in carbon emissions from a 2013 Building Regulations compliant base case.

10.222. Policy RE1 also applies to non residential uses of 1000sqm or more and states planning permission will only be granted for non-residential development proposals that meet BREEAM excellent standard or recognised equivalent in addition to the requirement for non residential development proposals to achieve at least a carbon emissions reduction of 40% compared with a 2013 Building Regulations base case.

10.223. The development proposal is delivering primarily a residential scheme, with ancillary non residential components comprising the welcome building and social/community facilities within building 4a. However, there is a separate non residential component, being the nursery use, within building 6/7. Whilst this nursery is on the ground floor of the building, it is arguably a separate component of the uses on the site for the purpose of applying policy RE1. This nursery measures a floor area of 535sqm and on the basis that the floor area of the nursery falls below the threshold of 1000 sqm it is considered that the application is not required to meet BREEAM Excellent Standard.

10.224. The application is supported by a revised Energy Statement which sets out the energy strategy for Clive Booth, which is to adopt an all electric approach utilising a mixture of high efficiently air source heat pumps to provide all heating

and domestic hot water requirements. Coupled with this a high performance thermal envelope, mechanical ventilation with heat recovery throughout and high efficiency LED lighting. This is anticipated to deliver a carbon reduction in excess of 70% when compared to a typical gas fired heating solution. The air source heat pumps will be located around building 6/7.

10.225. It is noted that PV panels have been considered as an alternative to air source heat pumps, but are not supported by Officers given the potential arising harm on designated heritage assets and landscape and visual impact.

10.226. The building has been designed to incorporate sustainable design and construction principles. Further the building's orientation and siting has been considered in respect of the siting of existing trees for shading, to optimise solar gain in Winter and minimise solar gain in Summer. The buildings have therefore been orientated in an east-west direction where feasible. The windows have been sized to maximise daylight into the rooms, whilst limiting solar gain. To assist with this, windows have been recessed.

10.227. In respect of water, rainwater harvesting is not possible. Blue roofs have been incorporated into the building to ensure rainwater can be temporarily held back to reduce impact on the local waste-water infrastructure.

10.228. Materials will be chosen to comply with the BRE Green Guide at a specification of A+ to minimise environment impact, utilising a concrete and timber frame. In respect of site waste, this will be reused wherever possible, and disposed of appropriately. Existing roads retained to assist with the landscape strategy and helps to reduce the carbon footprint of the buildings.

10.229. Officers consider that the Energy and Sustainability Statement as submitted complies with policy RE1, subject to additional information to be submitted via a condition in respect of water efficiency to confirm that the water efficiency specs reach 110litres per person per day.

Impact on neighbouring amenity

10.230. Policy RE7 seeks to manage the impact of development and seeks to ensure that the amenity of communities, occupiers and neighbours are protected; does not have unacceptable transport impacts affecting communities and neighbours and provides mitigation measures where necessary.

10.231. Policy RE8 states permission will only be granted for development proposals which manage noise to safeguard amenity health and quality of life.

10.232. Policy H14 of the Local Plan. states planning permission will only be granted for new development that provides reasonable privacy, daylight and sunlight for occupants of existing and new homes, complying with a range of criteria including the degree of overlooking impacting upon privacy; the orientation of windows in existing and proposed development and also impact of existing and proposed walls, hedges, trees and fences in respect of protecting or creating privacy, and also in respect of their impact on overshadowing both existing and new development.

- 10.233. The site is an existing student village sited in a mixed use area adjacent an academic campus, other institutional buildings, allotments and an area of residential to the north east of the site, along Pullens Field. Fielden Grove lies further beyond the area of woodland to the north/north-east.
- 10.234. Whilst the site will accommodate a greater number of students than the existing village, in land use terms this will be an intensification of the existing C1 use and is considered compatible in the locality. The continued use of the site for an ancillary nursery is also considered to be compatible. The redevelopment of the already closed Morals Bar will allow for further streamlining of uses on site.
- 10.235. The plans indicate that an external area could be used for events between proposed buildings 3 and 4a and could be a cause of disturbance. The applicant has however clarified the use of this area as being for an informal space with the occasional pop up event for arrivals, freshers week and summer schools. It wouldn't be a permanent 'performance space' or used regularly and that the University would seek to manage the hours of activity so as not to disturb neighbours. In consultation with Environmental Health Officers, this is considered to not result in undue or material harm to residential amenity subject to management controls being placed on any permission to safeguard this which will be secured by conditions. It is relevant to note too that other Environmental Health legislation could be used to deal with any noise and disturbance.
- 10.236. Concerns have been raised in respect of the impact of the proposed buildings on the adjacent allotments at John Garne Way, with increased shading by the new build affecting the ability to successfully grow crops and tend to bees in the south eastern corner of the allotment. Following the refusal of the previous planning application, 18/02587/FUL, the buildings closest to the John Garne Way have been modified in scale to limit the impact on the allotment following consultation. Building 6/7 has been reduced to 2 and 4 storeys on the western boundary with the allotments. Building 3 has also been reduced from 5 storeys to 4 storeys. The welcome building has been also moved further south from the boundary as shown on the refused scheme, albeit that has increased in height.
- 10.237. To support the application, the applicant has provided a Daylight, Sunlight and Overshadowing Report, which assess the existing and proposed scenarios throughout the year at different times of the day.
- 10.238. The recommended study area for the assessment as set out in the Building Research Establishment (BRE) guidelines has been calculated and firstly it is noticed that the extent of the necessary study is limited to the existing village mainly, and only requires assessment outside of the site at the bottom south west corner of John Garne Way Allotments and part of the residential curtilages to 12 and 14 Pullens Field.
- 10.239. The assessment looks at the proposed properties compared with the existing buildings and calculates the impact at certain times of the day, throughout the year. The study reveals that the existing buildings have the greatest impact in the winter months where the sun is at its lowest with significant shadowing resulting from the building arising. However, it is vital to note that the shadowing doesn't only extend from the existing buildings, but also from the extent of existing tree

coverage on site. The shadow analysis reveals that the existing tree canopy already has a significant impact on the southern area of the allotments, albeit it is noted that the nature of the shadowing will be in a different form (with trees enabling dappled light).

10.240. Following the refusal of the previous application, the building heights have been reduced across most parts of the site, but especially along the boundary with the John Garne Way allotments. The welcome building and building 3 has also been set further back. This was as a result of the previous decision and consultation with the Allotment Association.

10.241. The shadow analysis reveals that it continues to be the winter months that are clearly the months that the site has the greatest of impact, in particular at 8am and 3pm where the sun is not at its highest on and around Winter Solstice in December. The analysis shows the site is already significantly overshadowed by the existing buildings and time of year, and that this impact is limited to the morning hours of up to 10am. Moreover, by reducing the height of the buildings close to the boundary with the allotments that at Winter Solstice firstly, the impact on the site is that the proposed buildings are considered to not materially worsen, and that by February 21st, that the impact is not discernible through to September. It is therefore considered that the impact on the allotments is minor, but that mostly this is restricted to the winter months and at the start and end of the day in particular. This may have some degree of impact within the winter months, which could in turn impact on the abilities of growing produce during these months, but this has to be set against the existing impact of the buildings and existing tree canopy cover which materially already impacts on this south eastern corner of the allotment. In any event, as the sun gets higher in the day during the winter months this impact is lessened.

10.242. The site bounds Pullens Field in the north east corner. Building 12 comprises a run of town houses, 3 storeys in height and is the closest building block to Pullens Field, with 14 Pullens Field being closest to the site. Pullens Field comprises 2 storey detached housing with a residential cul-de-sac, which is set at a higher level to the application site. The northern run of the town houses are located 24m at the closest point to 14 Pullens Field which is considered an acceptable separation distance between the townhouse block and the Pullens Field. Furthermore, there is a bank of retained trees on the northern boundary between these buildings. All other properties are a sufficient distance away so as not to be directly affected.

10.243. In terms of construction there is clearly going to be impact on the residential amenities of those receptors surrounding the site including Fielden Grove, Pullens Field and on Pullens Lane. The ES has had regard to construction noise and vibration, a construction transport management plan has been conditioned but it will also be necessary to condition a Construction Environmental Management Plan to mitigate this impact. The ES suggest this could include the minimal additional measures of 2.5m high solid hoardings, a management programme to inform residents of when noisiest activities are proposed and demonstration of how the construction programme across the various blocks is planned in order to minimise disruption due to noise. There will be elements of construction works that can't be mitigated for example, where it will be carried out above the

hoardings at higher level. However, overall it is noted that this would be temporary to the construction phase, and in operation it is not considered that the effects will be significant.

10.244. Overall it is considered that the development of the student village and its intensification will not cause harm to the amenities of the allotment holders and adjacent residential occupiers, in accordance with policies H14 and RE7 of the Local Plan.

Biodiversity

10.245. The NPPF states in Chapter 15 that when determining planning applications, local planning authorities should apply a number of principles stating amongst others, where significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or as a last resort, compensated for, then planning permission should be refused (paragraph 180).

10.246. Policy G2 of the Local Plan states development that results in a net loss of sites and species of ecological value will not be permitted. Compensation and mitigation measures must offset the loss and achieve an overall net gain for biodiversity. Within the site to the north is a Site of Local Interest for Nature Conservation/City Wildlife site. The policy requires that on sites of local importance, that have a biodiversity network function, and where there are species and habitats of importance for biodiversity that do not meet criteria for individual protection, development will only be permitted in exceptional circumstances whereby there is an exceptional need for the new development and the need cannot be met by development on an alternative site; and adequate onsite mitigation measures to achieve a net gain of biodiversity are proposed. For all major developments proposed on greenfield or brownfields sites that have become vegetated, this should be measured through the use of a recognised biodiversity calculator. To demonstrate an overall net gain for biodiversity, the biodiversity calculator should demonstrate an improvement of 5% or more from the existing situation.

10.247. Policy GSP3 of Headington Neighbourhood Plan states that development proposals that seek to conserve and enhance land which has a significant wildlife or ecological value will be welcomed. Development proposals which may result in significant harm to sites and/or species of ecological value as defined by policy CS12 of the Oxford Core Strategy, and any future policy in a subsequent development plan document will not be permitted, unless the developer can demonstrate that the benefits of the development clearly outweigh the loss and this can be mitigated against and compensated elsewhere within the Headington Neighbourhood Plan by providing a replacement habitat on an equivalent or higher ecological value.

10.248. The existing student village comprises a series of buildings, car parks and access roads, with landscaping around the buildings dominated by amenity grassland, with areas of tall ruderal vegetation, scrub, hedgerows and trees. A small pond and linear pond are present, as is 0.75ha woodland is present in the north of the site. The woodland in the north of the site is broadleaf and a Site of Local Interest to Nature Conservation (SLINC/Oxford City Wildlife Site)

- 10.249. An ecological appraisal has been submitted and Phase 1 and Phase 2 detailed species surveys have been undertaken, which seeks to qualify the impact of the development proposal on ecology.
- 10.250. The nature of the scheme and the requirement for extensive construction will inevitably impact upon the ecology of the site with the removal of biodiversity features including the removal of 98 individual trees, 3 groups of trees and loss of hedgerows. The trees identified for removal will also include some trees into the woodland north of the site, which is an Oxford City Wildlife Site. The impact on the loss of trees from an arboricultural perspective is evaluated in the sections above, but will also have a consequence for ecology features.
- 10.251. Phase 1 and 2 ecological surveys undertaken conclude that buildings J and G support a single Soprano Pipistrelle roost. The majority of the site was found to be of limited foraging value, however, as anticipated the wooded areas were more frequently utilised by commuting and foraging bats.
- 10.252. The waterbodies were also surveyed and in respect of great crested newts (GCN), the ponds were assessed for their potential to support GCN and were found to offer 'poor' suitability. Subsequent eDNA survey of Pond 2 confirmed the likely absence of GCN and Pond 1 was dry.
- 10.253. In respect of badgers, no evidence of badger was recorded on site during the ecological surveys, however, badgers are known to be present in the wider area. Although badger activity is highest outside of the site boundary and direct impacts on setts are unlikely, it is likely that badgers will utilise the site on occasion.
- 10.254. The nature and form of the development proposal, and having regard to the surveys undertaken, indicate that the scheme will directly impact on green infrastructure on site as well as on foraging and commuting bats. This is going to have more discernible impact in the short and medium term by nature of the loss of green features necessary to develop the site. Therefore mitigation and enhancement measures are therefore necessary to compensate for the impacts of the development on protected habitats and species, which will enable the development to demonstrate a net gain for biodiversity. The applicant has utilised a biodiversity metric calculator to assess this.
- 10.255. The mitigation proposed seeks to compensate for the short to medium impacts on ecology and this has been achieved through the incorporation of native trees and shrubs into the landscaping scheme and any areas of open space. This is a significant component of the mitigation as replacement green infrastructure equates to the planting of 193 trees and planting new landscape areas. Officers considered that the replacement planting and the proposed landscape strategy seeks to achieve a greater diversity of planting, including 193 trees, which are native and also non native species which are appropriate for the site conditions and climate resilience. Enhanced grassland seeding will seek to improve grassland quality in the long term over the amenity grassland currently present. The mitigation goes on to provide for management of retained habitat features such as boundary trees and woodland within the site boundary; installation of bat and bird boxes on retained trees or their incorporation into the fabric of the new buildings; sustainable drainage incorporating ecological features included in the

new design; creation of species rich road verges/grassland areas. In addition it is recommended that amenity grassland is regularly managed as well as the applicant needing to obtain a European Protected Species Mitigation Licence from Natural England in order for the development to proceed lawfully.

10.256. The applicant advises this biodiversity mitigation achieves a net gain of 11.87%. This is in excess of the policy requirement of 5% embodied within policy G2.

10.257. In respect of the Great Crested Newts, officers are satisfied that it is highly unlikely that the scheme would have negative impacts on GCN breeding or terrestrial habitat and no further mitigation is considered necessary.

10.258. In respect of badgers, it has been previously noted that owing to the highly mobile nature of badgers, it is necessary by way of mitigation to undertake a further survey 2 weeks prior to commencement to see if the position has changed. If any setts are identified, mitigation will be triggered through conditions to safeguard against harm. Whilst the site is considered to offer low quality foraging opportunities, there are higher quality foraging habitat available in the woodland areas and allotments adjacent to the site. This is anticipated to reduce therefore the availability of foraging within the site but could be an issue if badgers are commuting or foraging across the site. Hence it will be necessary to monitor and mitigate against harm to these species

10.259. In respect of the impact on sites of conservation interest, it has been concluded that the scheme will not have any significant impact on the New Marston Meadows SSSI, or any other statutory designation, and would not damage or destroy the interest features for which the site has been notified.

10.260. In respect of the woodland in the north of the site, which is a Site of Local Interest to Nature Conservation (SLINC/Oxford City Wildlife Site), it is considered that the tree removal shown in this area does not include the mature oak trees within the SLINC area. Overall on balance the removal of these trees is unlikely to affect the integrity of the SLINC, however measures will be required to ensure no harm results to the interest features of the woodland and that the proposed enhancement measures are undertaken.

10.261. It is clear from the above to facilitate the development in the manner proposed will inevitably have an impact on biodiversity. The applicants have however sought to reduce the number of trees felled in the development from the previous scheme, retaining a higher number, and higher quality category, trees, thereby limiting their loss; and through the mitigation measures of a much higher number of trees and creation of a habitat enhanced landscape, amongst other measures, has sought to compensate that impact.

10.262. A number of conditions will be necessary to be imposed to put in place long term management measures for delivery of the mitigation and enhancement features, and these are recommended in the list of conditions at the end of this report, including 30 year management of the habitat creation. This will need to be secured through a S106 agreement given the period of management. This will also be critical for during the construction phase to ensure no direct or indirect

impacts arise during the construction or operational phases of the development. Conditions regarding lighting too will be necessary to be provided to avoid disturbance and harm to light sensitive wildlife.

10.263. In conclusion, whilst it is acknowledged that a substantial loss of tree cover is required to facilitate the scheme, this will be mitigated by new planting with an overall net increase in net tree cover overall. This will take a considerable amount of time to mature, therefore from an immediate and medium term, the impacts of this loss are high from an ecological perspective. However, having reviewed the supporting documents, officers are satisfied that the package of mitigation and ecological enhancements have been sufficiently taken into account the harm and that the proposed mitigation and enhancement measures provided are acceptable and should be secured by condition.

10.264. Further in respect of the impact on the Oxford City Wildlife Site it is considered that this is a limited impact as involves only a small encroachment into the woodland offset by the mitigation measures proposed. Moreover it is considered that given the existing use of the site as a student village, the allocation policy SP17 which allocates this site for further student accommodation, that the impacts on the biodiversity network of the SLINC/City Wildlife Site is outweighed by the requirement and need for further student accommodation as outlined in preceding sections above, which sets out the exceptional circumstances of the scheme. As such the proposal would accord with the aims of policy G2 of the Oxford Local Plan.

10.265. In respect of the ES, it is concluded that the construction effects on bats roosting and foraging is not adverse and would be impacted on as new trees planted. Operational effects on bats would be temporary negative while trees mature but would be no significant effects on biodiversity through lighting and the conclusion of the ES is agreed.

10.266. Further consideration is required to be given to European Protected Species and the requirements of the Conservation of Habitats and Species Regulations 2010, which exist to safeguard against activities affecting European Protected Species. In this instance, bats were found on site in three buildings that are proposed to be demolished and thus a licence will be required from Natural England. Natural England was consulted on the original application and had no objection. However, where a licence will be required because of disturbance to European Protected Species, the Planning Authority, when dealing with planning applications, are required to have regard to the likelihood of a licence being granted and in so doing the three tests under Regulation 53 of the 2010 Regulations.

The three tests are:

- 1) Imperative Reasons of Overriding Public Interest
- 2) No satisfactory alternative
- 3) Favourable Conservation Status

In consideration of these it can be advised as follows:

- 1) In respect of whether there are reasons of overriding public interest, it is concluded that the site is allocated in the emerging Local Plan for student accommodation and is an existing student village. There would be clear social economic and environmental benefits that would arise from intensifying development on this site making a more efficient use of the land, reducing movements across the city enabling students to access University facilities within one campus, creating more affordable accommodation and critically delivering 229 houses back to the open market through creating more accommodation.
- 2) In respect of alternatives these benefits are derived from developing this site alone as this site in land use terms is an existing student village and locationally is situated within the wider reach of Headington Campus. Further this is an allocated site for this development and critically is within the control and ownership of the applicant with other sites not offering the same level of opportunity for providing this level of benefit in respect of numbers of units.
- 3) The third test relates to ensuring the action authorised is not detrimental to the maintenance of the population of the species concerned at a favourable conservation status. The Council's Biodiversity Officer has considered that given the relatively low conservation value of the roost found that their loss is unlikely to be considered significant and the mitigation proposed by way of bat boxes and the availability of existing woodland for commuting and foraging on the northern and southern boundaries is satisfactory.

10.267. Overall having regard to the above, the Planning Authority considers that the proposal meets the three tests under Regulation 53 of the Habitats and Species Regulation 2010 in that there are imperative reasons of overriding public interest, no satisfactory alternative sites that would deliver that interest and it provides favourable conservation status. As such, it is considered that a licence is likely to be granted.

Archaeology

10.268. Policy DH4 of the Local Plan has regard to archaeology and the historic environment. It is noted in the submitted Archaeological Desk Based Assessment for this site by GK Heritage 2021 that "the potential for archaeological remains, if any were likely to have existed on site, to have survived in anything other than very damaged and fragmentary conditions, is extremely low".

10.269. Officers agree with this position and reiterate previous advice given on this site that due to the sloping character of the site, the extensive development and landscaping that has taken place across the site, the previous history of archaeological advice for the incremental developments in this area and the absence of any recorded archaeology in the near vicinity and the results of the submitted desk based assessment by GW Heritage April 2021 that on the present evidence, this development is unlikely to have significant archaeological implications in accordance with policy DH4 of the Oxford Local Plan.

Air Quality

- 10.270. Policy RE6 of the Oxford Local Plan has regard to air quality and states planning permission will only be granted where the impact of new development on air quality is mitigated and where exposure to air quality is minimised or reduced.
- 10.271. The site is located within the Oxford city wide Air Quality Management Area. Pollutant concentrations at monitoring locations representative of the Application Site, show compliance with the annual mean nitrogen dioxide levels in recent years. The results indicate that concentrations at proposed receptor locations within the site boundary are well below relevant air quality objectives for nitrogen dioxide.
- 10.272. Officers note that the energy strategy for the buildings will adopt an all-electric approach utilising a mixture of high efficiency heat pumps to provide all the heating and domestic hot water requirements. Only 2 gas boilers will be installed on-site. The impacts of those have been adequately assessed on the Environmental Statement. There will be no other associated combustion emissions and no potential impacts on local air quality.
- 10.273. In respect of the Transport Statement, the proposed redevelopment will contribute to a reduction in on-site permit staff car parking, which will result in fewer vehicular trips on John Garne Way and is expected to more than compensate for the small number of additional vehicle trips predicted for the enlarged nursery. The assessment of the air quality impacts of operational traffic has been scoped out, as changes in traffic during the operation of the Proposed Development will not exceed the criteria detailed in the IAQM and Environmental Protect UK's (EPUK) Land-Use Planning & Development Control: Planning for Air Quality guidance. There are therefore no potential air quality impacts associated with road traffic emissions.
- 10.274. In respect of the requirement for a minimum of 25% of parking spaces to be provided with charging points on non-residential developments, this is complied with and required as a condition.
- 10.275. The impacts of demolition and construction work on dust soiling and ambient fine particulate matter concentrations have been assessed in the Air Quality Assessment, and the risk of dust causing a loss of local amenity and increased exposure to PM10 concentrations has been used to identify appropriate mitigation measures. Provided these measures are implemented and included within a dust management plan, the residual impacts are considered to be not significant.
- 10.276. Overall subject to two conditions to require electric charge points and a construction environment management plan (CEMP), it is considered that the review of all the above documents, allow Officers to conclude that that the air quality levels at this development will be below current limit values for NO₂, PM₁₀ and PM_{2.5}. The application is therefore considered to comply with policy RE6 of the Oxford Local Plan.

10.277. The Environment Statement concludes that all receptors show a negligible impact from the construction and operational phases of the proposed development and this assessment is agreed.

Flood Risk and Drainage

10.278. Policy RE3 relates to flood risk management and states planning applications for development on sites larger than 1 ha in Flood Zone 1 must be accompanied by a site specific Flood Risk Assessment (FRA) to align with national policy.

10.279. Policy RE4 relates to sustainable and foul drainage, surface and groundwater flow, and states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run off and reduce the existing rate of run-off on previously developed sites. Surface water run off should be managed as close to its source as possible, in line with the stated drainage hierarchy.

10.280. In terms of the impact on nearby SSSI, policy SP17 states planning permission will only be granted if it can be proven there would be no adverse impact upon surface and groundwater flow to the New Marston SSSI. Development proposals should reduce surface water runoff in the area and should be accompanied by an assessment of groundwater and surface water flows.

10.281. A Flood Risk and Drainage Assessment has been submitted with the application. The site is located within Flood Zone 1 which has a low probability of flooding at 1:1000 annual probability of flooding. Any existing risks from pluvial (surface water) flooding will be mitigated for by providing flow exceedance routes around existing buildings and directing them towards roads. There is no objection on flood risk grounds.

10.282. A Sustainable Drainage (SuDS) Strategy has been submitted (Integral Engineering Design Flood Risk Assessment and Drainage Strategy April 2021). A sustainable drainage plan has been submitted as part of the application.

10.283. To inform the drainage strategy, infiltration testing was undertaken on the site. Recorded infiltration rates were low, therefore disposal of surface water via infiltration was ruled out. There are no watercourses in the vicinity, therefore outfall to the existing surface water sewer is proposed, in accordance with the SuDS hierarchy.

10.284. The site is somewhat constrained from a drainage perspective – with topography, existing development, and trees (and subsequent RPA's) the main constraints.

10.285. The drainage strategy utilises a number of SuDS techniques to attenuate and treat surface water, effecting quantitative and qualitative benefits before discharge to the sewer. These include, blue roofs; pervious pavements (tanked, to avoid groundwater ingress); bio-retention features; ponds and swales and geocellular tank

- 10.286. In general terms, the policy approach would not generally accept underground attenuation tanks, however, given the constraints of the site, and the numerous other SuDS techniques employed prior to the tank (therefore providing treatment of water and removal of silt, thus reducing siltation/blockage risk), officers do not object in this instance.
- 10.287. The site has been split into sub-catchments, which cascade into one another using the topology of the site, before eventually flowing into the attenuation tank, from which outfall into the sewer system is limited by a flow control device.
- 10.288. Greenfield runoff rates have not been achieved, due to the constraints referred to above limiting the drainage system. However, the site is previously developed, and betterment of between 70-92% has been achieved compared to the existing situation, which is a significant improvement.
- 10.289. The Local Lead Flood Authority have requested a final drainage strategy based on that submitted. Officers concur with this, and add the specific point that plans, details, cross section's etc. of the SuDS features should be submitted as part of this final strategy.
- 10.290. Officers consider this approach would have no discernible impact on New Marston SSSI and Natural England raise no objections.
- 10.291. Having regard to capacity issues of the water and sewer infrastructure, Thames Water advise that the scale of the development doesn't materially affect the sewer network, and have no objection to surface water network capacity, but advise care is needed to ensure there is no surcharges. This can be controlled via a surface water drainage strategy. In respect of foul waste, Thames Water advise that further investigation is needed to address foul infrastructure capacity and the need for upgrades. It is accepted that Thames Water have a duty to provide capacity and will model upgrades, but only if planning permission is granted. Therefore, it is common with major development proposals, there is a need to impose a condition to request further works by the applicant. In light of this, it and in view of Thames Water's suggested condition, it is considered that there is scope to provide the necessary capacity for the development through the mechanism of a condition.
- 10.292. It is considered that the proposal complies with policies RE3, RE4 and SP17 of the Oxford Local Plan subject to the imposition of necessary conditions.

Health Impact Assessment

- 10.293. Policy RE5 requires the applicants to submit a Health Impact Assessment (HIA) for major development which should include details of implementation and monitoring.
- 10.294. The applicants have completed a Rapid HIA Matrix in accordance with the guidelines, and this matrix covers 11 broad topic areas including access to open space, affordability, access to healthcare services, crime reduction.
- 10.295. Having assessed the information, officers consider that the HIA Matrix does provide a good depth of assessment of the evidence that has been gathered and

analysed in order to inform the assumptions made in the HIA. However, the policy requires that details of implementation and monitoring is needed. This is considered to be a requirement secured in a condition.

10.296. Subject to a condition regarding the submission of further details of implementation and monitoring, it is considered that the proposal accords with policy RE5 of the Local Plan.

Waste

10.297. Waste is currently managed on site through bin lorries visiting the site 3 to 4 times a week. OBU propose a new waste strategy that will aim to deal with waste on site through the introduction of 2 new waste compactors to the west of Clive Booth within the wider campus site where bins are currently stored.

10.298. Waste is proposed to be managed on site through an internal waste room for the apartment buildings integrated into each building on the ground floor where waste will be segregated. For the town houses the bin stores will be external. Waste will then be transported by electric vehicles to 2 waste compactors, which will enable Oxford Brookes to manage their waste on site efficiently as these only require swapping every 6-8 weeks, as opposed to bin lorries visiting the site 3-4 times a week. The waste will then be transported off site via the existing closed access onto Marston Road. The County Council as Highways Authority have no objection with this arrangement.

10.299. The compound will be enclosed by a 2.2m hit and miss style fence, and a sliding gate, which will need to be required to be submitted via a condition.

10.300. The proposal is considered to be acceptable in respect of policy RE7 and DH1 of the Oxford Local Plan, subject to a condition requiring further details of the enclosure and bin store details for the townhouses.

Other Matters

10.301. Land contamination: From the site investigation works completed to date it is accepted that the potential soil and made-ground contamination risks to human health and the surrounding environment are low, and it is agreed that no specific remedial treatments are necessary at the site in this regard.

10.302. The only potential contamination risk at the site appears to be the presence of elevated carbon dioxide levels identified in some of the boreholes installed and as it is recommended that ground gas protection measures are incorporated into new buildings on site. This will need to be verified through submission of an appropriate validation report to document the installation of the appropriate gas protection measures. It is therefore recommend the addition of an appropriate condition on any approved planning permission to ensure that the approved gas protection measures are verified appropriately through submission of a validation report. In addition, is it recommended that an additional condition is placed on any granted permission in case any unexpected contamination is encountered during development.

10.303. Subject to the imposition of these conditions there are no objections on contamination and it is considered the application complies with policy RE9 of the adopted Local Plan.

10.304. Lighting: In view of the sensitive setting of the site, it will be imperative to require a lighting strategy to be secured by way of a condition.

11. CONCLUSION

11.1. The starting point for the determination of this application is Section 38 (6) of the Town and Country Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.

11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application, paragraph 2. The principal objective of the NPPF is to deliver sustainable development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF despite being adopted prior to the publication of the framework.

Compliance with Development Plan Policies

11.3. Therefore in conclusion it is necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations that exist that indicate otherwise.

11.4. In summary, the proposed development would seek to provide student accommodation in accordance with policy SP17 of the Oxford Local Plan, which is a policy allocation for development at Clive Booth Student Village, including student accommodation.

11.5. The redevelopment of the site would make an efficient use of land enabling the University to site student housing on an existing University owned student campus, adjacent to existing Heading Hill Campus and Gipsy Lane Campus. Through this, this enables the University to meet its own student needs and provide accommodation on a sustainable and central site, resulting in less student movements across the city and siting students within walking distance of their academic campus. Moreover, the quantum of development proposed by the applicant would deliver a number of student beds which would in turn help meet the pressure for housing, and housing need identified in the Local Plan within policies H8 and H9.

11.6. The report considers that since the refusal of 18/02587/FUL, that the design of the scheme has been re-evaluated to reconsider the impacts of the proposal on this important hillside location, and the impacts of the scheme having regard to the significance of the Headington Hill Conservation Area, the setting of Central Conservation Area, Headington Hill Hall and High Walls. The outcome

has been to reduce the quantum of development; to reduce heights of taller buildings to the west of the site; to move buildings away, and to reduce heights of buildings, close to the boundary with John Garne Way Allotments and Cuckoo Lane; to retain more Category A trees, and strategic trees; to reduce the number of tree loss overall; to mitigate visual and landscape impact through planting a higher number of trees than those lost and of a size and variety that will work to provide greater tree cover overall; to resite buildings to allow views through from short range to allow views of trees behind.

11.7. In consideration of the impact of the application, great weight has been given to conserving the designated heritage assets as required by paragraph 199 of the NPPF. In this instance the report considers the site layout, external appearance, scale, height, massing and landscape, and the impact of this on short range views from John Garne Way Allotments and from Pullens Lane Allotments and from Cuckoo Lane as well as the impact on mid to long range views from View Cones on the Western Hills, and the impact on significance of designated heritage assets. In arriving at a conclusion, officers consider that there would be a lower level of less than substantial harm to Headington Conservation Area and Central Conservation Area in the short to medium term through the impact of developing the site and loss of tree cover, which is significant to the designated heritage assets.

11.8. However, the report states that this harm should be weighed against the public benefits of the proposal, in accordance with paragraph 202 of the NPPF. The report considers the public benefits arising from the scheme and consider that the provision of student beds will release private market housing, which will contribute to the releasing the pressure on housing in Oxford and helping to meet Oxford's housing need; will make student housing more affordable; will enable the University to provide pastoral care of its students; will place more students on one sustainable site close to the existing Headington Hill and Gypsy Lane Campus. The public benefits also include improved connections to Headington Hill Campus through the provision of a wider more safe and direct route through the site with a wider arrival glade with Cuckoo Lane; a second application is pending consideration for works south of Cuckoo Lane to carry out works to extend a direct route through to Headington Hill Campus; a much more improved environment on Pullens Lane with less students walking this route. Cumulatively it is considered that the public benefits of the scheme identified will outweigh the lower end of less than substantial harm. It is further considered that the mitigation tree and landscape strategy will mitigate the impact of the loss of tree canopy cover and tree character of the site, and that in views from long range the development will sit within the mid range of the Eastern Hills, and that in mid to short range views, that the mitigation planting will assist in ameliorating the initial impact on canopy cover and tree loss.

11.9. The development of the site would not cause harm to the setting of the adjacent Grade II* listed Headington Hill Hall or High Walls listed park and garden in accordance with policy DH3 of the Local Plan.

11.10. In transport terms it is considered that the proposal would be acceptable in terms of access, parking, highway safety, traffic generation and pedestrian and cycle movements in accordance with Local Plan Policies M1, M2, M3, M4 and

M5. The development would not have a wholly adverse impact upon biodiversity and would incorporate mitigation measures in order to ensure that there is no net loss of biodiversity in accordance Local Plan Policy G2, and will represent a habitat gain of 11.87%. The development would also be acceptable in respect of amenity (Policy H14 of the Local Plan), energy and sustainability (Policy RE1), air quality (RE6), flooding and drainage (Policies RE3 and RE4), archaeology (Policy DH4) and land quality (RE9). Where there are any adverse impacts in relation to these matters officers consider that these could be mitigated through appropriately worded conditions.

11.11. In respect of the impact on the trees, it is considered the loss would be evident in the short to medium term with an adverse initial reduction in mature tree canopy cover across the site which will impact upon the existing sylvan character and appearance, impacting on the balance of trees and buildings as seen in the landscape. However, the submitted Tree Canopy Study provides evidence that the tree planting proposed will mitigate the initial reduction in tree canopy cover over time and is predicting to deliver a net gain in tree canopy cover as well as some enhancements of its characteristics within the site making it more resilient to effects of pests, diseases and climate change. Overall it is considered that the impact on trees will be offset by the proposed mitigation strategy and canopy cover.

11.12. In light of this, the NPPF states in paragraph 11 that proposals which accord with the development plan should be approved without delay.

11.13. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the NPPF, the allocation policy SP17 of the Local Plan, and relevant policies cited above in the Oxford Local Plan 2036 and Headington Neighbourhood Plan, when considered as a whole, and the material considerations identified justify this approach.

11.14. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990 (and other enabling powers) to secure the matters referred to in this report and subject to the conditions set out in Section 12 of the report.

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.

Reason: To control the extent of the development and to accord with policies SP17 and S1 of the adopted Local Plan 2036

- 3 Samples of the exterior materials to be used on the elevations and hard landscape surfaces, shall be submitted to, and approved in writing by the Local Planning Authority before the start of work above ground levels on the site and only the approved materials shall be used.

Reason: In the interests of the visual appearance of the Headington Hill Conservation Area in which it stands in accordance with policies DH1, DH3 of the Adopted Oxford Local Plan 2036 and policy CIP4 of the Headington Neighbourhood Plan.

- 4 The development hereby permitted shall not be brought into use until a detailed Lighting Strategy with technical specifications and lighting contour plans has been submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall include the following:

- Details of the external lighting of the development in particular architectural lighting of the buildings
- Details of the impact of the lighting upon views into the site from within the city
- A lighting design strategy for biodiversity for buildings, features and areas to be lit. No lighting shall be directed towards the existing woodland.
- Street lighting design for Cuckoo Lane arrival glade

All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy, and these shall be maintained thereafter in accordance with the approved strategy. Under no circumstances shall any other external lighting be installed without prior written consent from the local planning authority.

Reason: In the interests of safety, visual amenity and to comply with the requirements of the NPPF, the Conservation of Habitats and Species Regulations 2017, Wildlife and Countryside Act 1981 (as amended) in accordance with policies DH1, DH3, RE7 and G2 of the adopted Oxford Local Plan 2036 and policies CIP1 and CIP2 of the Headington Neighbourhood Plan

- 5 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas and each phase of the development, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: In the interests of amenity and the appearance of the area in accordance with policies DH1, G7 and G8 of the adopted Local Plan 2036

- 6 The landscaping proposals as approved for each phase of the development by the Local Planning Authority shall be carried out upon substantial completion of the development within that phase, and be completed not later than the first planting season after substantial completion.

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

- 7 Any plant, tree or shrub that dies, is removed or fails to establish within 5 years of its first planting, shall be replaced within the next planting season in accordance with details that shall be first submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To avoid damage to the roots of retained trees in accordance with policies DH1, G7 and G8 of the adopted Local Plan 2036.

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

Reason: To avoid damage to the roots of retained trees in accordance with policies DH1, G7 and G8 of the adopted Local Plan 2036

- 10 Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012

Trees in Relation to Design, Demolition and Construction- Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

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

- 11 The development shall be carried out in strict accordance with the approved tree protection measures contained within the planning application details and drawing nos. 8986-D1-AMS to 8986-D5-AMS, unless otherwise first agreed in writing by the Local Planning Authority.

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

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

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

- 13 A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority before development starts. The plan shall include a survey of existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner. The development shall only be carried out in accordance with the approved details.

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

- 14 Development, including demolition and enabling works, shall not begin until details of an Arboricultural Monitoring Programme (AMP) has been submitted to and approved in writing by the Local Planning Authority. The AMP shall include a schedule of all on-site supervision and checks of compliance with details of the Tree Protection Plan and/or Arboriculture Method Statement, as approved by the Local Planning Authority. The AMP should include details of an appropriate Arboricultural Clerk of Works (ACoW) appointed by the

applicant who shall be present at key stages during each demolition and construction phase to oversee work; a photographic record shall be submitted to the LPA at scheduled intervals in accordance with the approved AMP. The development shall only be carried out in accordance with the approved AMP

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

- 15 The development shall be carried out in accordance with the approved phasing plan. Prior to the occupation of each phase, details of the provision of cycle parking spaces, car parking and internal and external bin storage for each phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the occupation of each phase.

Reason: To control the extent of the development and to ensure that adequate car, bin and cycle parking is being provided for each phase and to accord with policy DH7 of the adopted Local Plan.

- 16 Prior to the occupation of the first phase of the development, a plan showing how a minimum of 677 cycle parking spaces will be provided across both phases shall be submitted to and approved in writing prior to the first occupation of any development in the first phases or any phase. The development will be provided in accordance with the approved plan, and permanently so retained for cycle parking thereafter

Reason: To ensure that sufficient cycle parking comes forward to ensure there is adequate infrastructure for cycle parking to accord with policy M5 of the adopted Local Plan 2036.

- 17 Prior to the occupation of the 2nd phase of development, a plan showing the provision and details for 368 cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority, indicating the stands and any enclosures. Should the Travel Plan monitoring indicate the need for additional cycle parking spaces, the additional cycle space provision approved under this condition shall be provided within 6 months of the date required by the Local Planning Authority.

Reason: To control the extent of development and to manage the future demands for cycle parking and its infrastructure in accordance with policies DH7 and M5 of the adopted Local Plan 2036.

- 18 Prior to first occupation of the development a Delivery and Servicing Management Plan, including contact details for staff responsible for delivery management and details of the servicing and delivery vehicles to be used, shall be submitted to and approved in writing by the Local Planning Authority and provided to the Highway Authority. The development shall be carried out in accordance with the approved details thereafter.

Reason: In the interests of highway safety and to mitigate the impact of delivery and service vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times and to comply with guidance in the NPPF

19 Development shall not commence until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development and Integral Engineering Design Flood Risk Assessment and Drainage Strategy April 2021, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;
- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Comprehensive infiltration testing across the site to BRE DG 365;
- SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan for SuDS in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details.
- Consent for any connections into third party drainage systems
- Phasing
- Detailed drainage layout with pipe numbers
- Sizing of attenuation
- Discharge rates
- Discharge volumes

Reason: To control drainage and flooding and to ensure compliance with policies RE3 and RE4 of the adopted Local Plan 2036

20 Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- (a) As built plans in both .pdf and .shp file format;
- (b) Photographs to document each key stage of the drainage system when installed on site;

- (c) Photographs to document the completed installation of the drainage structures on site ;
- (d) The name and contact details of any appointed management company information.

Reason: To accord with Section 21 of the Flood and Water Management Act 2010 and to accord with policy RE4 of the adopted Local Plan 2036

- 21 Prior to the first occupation of the accommodation, a Student Accommodation Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include the tenancy agreement under which the student accommodation shall be occupied and which shall include a clause restricting students resident at the premises (other than those registered disabled) from bringing or keeping a motor vehicle in the city. The Plan shall also set out control measures for ensuring that the movement of vehicles associated with the transport of student belongings at the start and end of each term are appropriately staggered to prevent any adverse impacts on the operation of the highway. The study bedrooms shall only be let on tenancies which include that clause or any alternative approved in writing by the local planning authority. The development shall be implemented and managed in accordance with the approved management plan in perpetuity

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 and in accordance with policies H8 and SP17 of the adopted Local Plan 2036.

- 22 Notwithstanding the submitted Travel Plan, a revised and updated travel plan which addresses both the site specific needs and impact of the hereby approved Clive Booth Student Village as well as the wider traffic impacts and movements across all of Oxford Brookes sites, and a separate Travel Plan for the nursery, shall be submitted to and approved in writing by the Local Planning Authority before first occupation of the site. The approved Travel Plan shall be implemented on first occupation of the site and adhered to thereafter.

Reason: To encourage the use of sustainable modes of transport and to comply with guidance within the NPPF, M2 of the adopted Local Plan 2036 and TRP3 of Headington Neighbourhood Plan

- 23 A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. 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

The CTMP shall be adhered to at all times during construction of the development hereby permitted

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 and to accord with guidance within the NPPF and policy M2 of the adopted Local Plan 2036

- 24 No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of “biodiversity protection zones”, in respect of protected and notable species and habitats;
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on biodiversity during construction (may be provided as a set of method statements) and biosecurity protocols;
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) Contingency/emergence measures for accidents and unexpected events, along with remedial measures;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of a qualified ecological clerk of works (ECoW) or similarly competent person, and times and activities during construction when they need to be present to oversee works; and
- h) Use of protective fences, exclusion barriers and warning signs;

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

Reason: The prevention of harm to species and habitats within and outside the site during construction in accordance with policy G2 of the adopted Local Plan 2036

- 25 Ecological surveys shall be considered valid for no longer than one year. Should work not commence within a year of surveys, updated surveys must be undertaken and the results submitted to and approved in writing by the Local Planning Authority. Should ecological conditions have changed, an

updated biodiversity impact assessment metric shall be undertaken and provided to the Local Planning Authority to ensure the approved net gain in biodiversity is achieved.

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

- 26 A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the occupation of the first phase of the development.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed within the scheme;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule;
- g) Details of the body or organization responsible for implementation of the plan; and
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details prior to the occupation of the development of the first phase .

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026 and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

- 27 No development shall take place (including ground works and vegetation clearance) until a European Protected Species Mitigation Licence has been granted by Natural England. Details of any required mitigation in respect of bats shall be agreed with Natural England. A copy of the licence shall be provided to the Local Planning Authority before any development takes place.

Reason: To protect bats in accordance with the requirements of the Conservation of Species and Habitats Regulations 2017 (as amended) and to comply with policy G2 of the adopted Local Plan 2036.

- 28 No more than 6 months prior to commencement of any works, a badger walkover shall be undertaken. Should any new badger activity be recorded within the site, full surveys and a badger mitigation strategy will be produced and submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the mitigation measures within the mitigation strategy as approved. If necessary, a licence shall be obtained from Natural England for works to proceed lawfully.

Reason: To comply with the requirements of the Protection of Badgers Act 1992 and to comply with policy G2 of the adopted Local Plan 2036

- 29 Prior to the commencement of development, a detailed scheme of ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme will include specifications and locations of landscape planting of known benefit to wildlife, including nectar resources for invertebrates. Details shall be provided of artificial roost features, including bird and bat boxes, and a minimum of 20 dedicated swift boxes. Other features, such as hedgehog domes and invertebrate houses shall be included. Any new fencing will include gaps suitable for the safe passage of hedgehogs. The development shall be carried out in accordance with the approved plans prior to the occupation of each phase of development.

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

- 30 Prior to the occupation of each building hereby permitted, the bin storage for that building shall be provided and retained for the use of bin stores, unless otherwise first agreed in writing by the Local Planning Authority

Reason: To ensure there is adequate storage for bins and to comply with policy DH7 of the adopted Oxford Local Plan 2036

- 31 The development shall be carried out in accordance with the details of the sustainability measures as specified within the Energy Statement submitted 9th July 2021 and retained and managed thereafter unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To minimise carbon emissions in accordance with policy RE1 of the adopted Local Plan 2036.

- 32 No development shall take place until a Construction Environmental Management Plan (CEMP), containing the site specific dust mitigation measures identified for this development, has first been submitted to and

approved in writing by the Local Planning Authority. The site specific dust mitigation measures that shall be included in the CEMP are described on pages 41-44 of the Environment Statement (Air Quality Appendix 10.9) that was submitted with the application. The development should be carried out in accordance with the approved details prior to the commencement of the 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 policy RE6 of the adopted Local Plan 2036

- 33 Prior to the commencement of development above ground, details of the Electric Vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:
- Location of electric vehicle charging point
 - Provision of electric vehicle charging points to cover at least 25% of the amount of permitted non allocated parking of the development;
 - Appropriate cable provision should also be installed to ensure that remaining parking is prepared for increased EV demand in future years.

The electric vehicle infrastructure shall be formed, and laid out in accordance with these approved details before the development is first occupied and shall remain in place thereafter.

Reason: To contribute to improving local air quality in accordance with policy RE6 of the adopted Local Plan 2036

- 34 Details of the day to day management of the student accommodation permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The details as approved shall be brought into effect upon first occupation of the development and shall remain in place at all times thereafter unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To avoid doubt and in order to insure the development is appropriately managed so as to protect the amenities of neighbouring occupiers, in accordance with policy H8 of the adopted Local Plan 2036

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

Reason: In order to maintain the availability of appropriate student accommodation and controls on its management in the interests of amenity, in accordance with policy H8 of the adopted Local Plan 2036

- 36 The development hereby permitted shall only be used for student accommodation as specified in the submitted application throughout the academic year and for no other purpose without the prior written approval of the Local Planning Authority. During the summer break 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 make efficient use of the accommodation provided, in accordance with policy H8 of the adopted Local Plan 2036

- 37 Prior to the commencement of works above ground level, an application shall be made for Secured by Design Silver accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until the Council has acknowledged in writing that it has received written confirmation of SBD accreditation.

Reason: To ensure the appropriate physical security is provided across the development, to safeguard future residents and the buildings themselves from crime and antisocial behaviour and to comply with policy RE7 of the adopted Local Plan 2036.

- 38 Prior to the occupation of the development, details of the proposed management of the use of external spaces for events and occasions shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the management measures be put into effect prior to the commencement of each event or occasion.

Reason: To control the extent of activity and to ensure that the use of outdoor spaces in this manner does not unduly harm the amenity of neighbouring residents in accordance with policy RE7 of the adopted Local Plan 2036

- 39 The development shall not be occupied until any approved remedial works, including the installation of appropriate ground gas protection measures, 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 Local Plan 2036.

- 40 Throughout the course of the development, a watching brief for the identification of unexpected contamination shall be undertaken by a suitably competent person. Any unexpected contamination that is found during the course of construction of the approved development shall be reported immediately to the local planning authority. Development on that part of the site affected shall be suspended and an investigation and risk assessment must be carried out by a competent person and in accordance with detail that have been 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 before the development (or relevant phase of development) is resumed or continued. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

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

- 41 No development shall be occupied until confirmation has been submitted to and approved in writing by the Local Planning Authority that confirms either:-

1. Wastewater capacity exists off site to serve the development, or
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or
3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

The development shall be carried out in accordance with the approved details.

Reason: Network reinforcement works may be required to accommodate the proposed development, and to accord with the requirements of RE4 of the adopted Local Plan 2036

- 42 No development shall be occupied until confirmation has been provided that either:-

1. all water network upgrades required to accommodate the additional flows to serve the development have been completed; or –
2. a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient

capacity is made available to accommodate additional demand anticipated from the new development, and to comply with the requirements of policy RE4 of the adopted Local Plan 2036

- 43 Prior to the first occupation of the development hereby permitted, details of the enclosures and gate to the waste compound hereby permitted, shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details

Reason: In the interests of visual amenity and to accord with policy DH1 of the adopted Local Plan 2036

- 44 The gated access from Marston Road to the waste compound shall be restricted for the use of access for waste only, and not used for any other use or purpose.

Reason: To control vehicular movement and use through the site and to accord with policy M2 of the adopted Local Plan 2036

- 45 Prior to the commencement of any development including demolition, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority to address noise impacts. The CEMP (noise) shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise and vibration and waste disposal resulting from the site preparation, groundwork and construction phases of the development. It should also include details of

- 2.5m solid site hoardings around the construction site perimeter to provide screening from ground level construction noise
- A management programme to inform the residents of the nearest noise sensitive properties of when the noisiest activities are likely to taken place and where possible arranging these activities for periods that are least likely to cause a disturbance
- Demonstration of how the construction programme across the various blocks is planned in order to minimise disruption due to noise

The development shall be carried out in accordance with the approved details unless otherwise first agreed in writing by the LPA

Reason: To safeguard neighbouring residential amenities and to limit the construction impact of the proposal and to accord with policies RE7 and RE8 of the adopted Local Plan 2036.

- 46 Prior to the commencement of work above ground, details of the proposed railings to the roof profile shall be submitted to and approved in writing by the Local Planning Authority. The railings shall be erected in accordance with the approved details.

Reason: In the interests of visual amenity and to comply with policy DH1 and

DH3 of the adopted Local Plan 2036 and policies CIP3 and CIP4 of the Headington Neighbourhood Plan

- 47 Prior to the commencement of work above ground, details of all proposed signage around the site shall be submitted to and approved in writing by the Local Planning Authority. The signage shall be erected in accordance with the approved details.

Reason: In the interests of visual amenity and to comply with policy DH1 and DH3 of the adopted Local Plan 2036 and policies CIP3 and CIP4 of the Headington Neighbourhood Plan

- 48 Prior to the commencement of work above ground, a plan showing the location, and details of all proposed gates, railings and enclosures as well as all structures including bike stores shall be submitted to and approved in writing by the Local Planning Authority. The enclosures and structures shall be erected in accordance with the approved details.

Reason: In the interests of visual amenity and to comply with policy DH1 and DH3 of the adopted Local Plan 2036 and policies CIP3 and CIP4 of the Headington Neighbourhood Plan

- 49 Prior to the commencement of work above ground, details of the proposed brick courses and window reveals shall be submitted to and approved in writing by the Local Planning Authority. The elevations and reveals shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to comply with policy DH1 and DH3 of the adopted Local Plan 2036 and policies CIP3 and CIP4 of the Headington Neighbourhood Plan

- 50 Notwithstanding the submission of the Health Impact Assessment (HIA), further details of implementation and monitoring of the HIA will be submitted to and approved in writing to the Local Planning Authority prior to the first occupation of the development. The development will be carried out in accordance with the approved details.

Reason: In order to promote strong vibrant and healthy communities and to accord with policy RE5 of the adopted Local Plan 2036

- 51 Notwithstanding the submission of the Energy and Sustainability Statement, further details to set out that water efficiency specification will reach 110 litres per person per day will be submitted to and approved in writing to the Local Planning Authority prior to the first occupation of the development. The development shall carried out in accordance with the approved details.

Reason: To ensure that the opportunities for maximising water efficiency are secured and to comply with policy RE1 of the adopted Local Plan 2036

- 52 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 L_{Aeq} 16 hrs daytime and of more than 30 dB L_{Aeq} 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 and to accord with policy RE8 of the adopted Local Plan

- 53 Prior to commencement of the development above ground, details shall be submitted to and approved in writing to the Local Planning Authority of an enhanced sound insulation value $D_{nT,w}$ of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/uses in adjoining dwellings, namely. The development shall be carried out in accordance with the approved details prior to occupation of the development and thereafter be permanently retained as approved.

Reason: In the interests of the health and wellbeing of neighbouring residents and occupiers/users of the application site subject to the development and to accord with policy RE8 of the adopted Local Plan

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.