

OXFORD CITY PLANNING COMMITTEE

22nd November 2021

Application number:	21/02384/RES		
Decision due by	26th October 2021		
Extension of time	30 th November 2021		
Proposal	Details of reserved matters (appearance and landscaping) for the redevelopment of Public House (The Adventurer) with four storey building comprising office space, short stay (hotel) accommodation and 1 x 1 bedroom and 1 x 2 bedroom apartments (including private amenity space, bin storage and cycle parking).		
Site address	Latent Logic, 8 Hollybush Row, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Osney And St. Thomas Ward		
Case officer	Jennifer Coppock		
Agent:	Mr Alex Cresswell	Applicant:	Robin Swailes Design And Development
Reason at Committee	Application referred to Committee at request of Head of Planning Services due to concerns regarding rights to light and loss of privacy to neighbouring properties.		

1. RECOMMENDATION

1.1. The Oxford City Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.

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.

2. EXECUTIVE SUMMARY

2.1. This report considers reserved matters relating to the appearance and landscaping of the building approved under outline planning permission

18/02103/OUT. The design largely replicates that approved under planning permission 19/03013/FUL as set out below in more detail.

- 2.2. It is considered that the proposed design and landscaping would not cause harm to the appearance or character of the Conservation Area in accordance with Paragraphs 199-208 of the NPPF and Policy DH3 of the Oxford Local Plan 2036.
- 2.3. With regards to the impact on neighbouring amenity, it is considered that the proposed development accords with the requirements of the Oxford Local Plan 2036, as set out in more detail below.
- 2.4. Officers consider that the proposal would be acceptable in all regards and would be in accordance with the relevant national and local policies.

3. **LEGAL AGREEMENT**

- 3.1. This application is not subject to a legal agreement.

4. **COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 4.1. The proposal is liable for CIL at a total amount of £36,401.81.

5. **SITE AND SURROUNDINGS**

- 5.1. The application site and its surroundings are located within the city centre, the West End (city centre commercial area) and within the Central Conservation Area. The area is predominantly mixed-use in character with built form comprising of both domestic brick terraces of two and three storeys, and larger commercial buildings.
- 5.2. The application property is a part two-storey, part single-storey building. The building comprises a roof-shape that is pitched with two end-gables, constructed of glazed red brick, dark grey plain roof tiles, and painted timber cladding. The upper floor has three windows with a painted pebbledash finish to the upper floor elevation.
- 5.3. To the immediate north of the site is King Charles House, a part three, part four storey building which provides commercial office accommodation. To the south is no.44 St. Thomas Street which is a two storey non-designated heritage asset which has been converted into residential dwellings. Bounding the site to the east and south east is the residential development known as Castle Mews. To the north west of the site, on the opposite side of Hollybush Row, is Coopers Jam Factory which is grade II Listed. The Lodge, located to the south west of the site is also grade II listed.
- 5.4. The site is located within flood zones 1 and 2 (lowest and medium probability of flooding respectively).

5.5. Please see block plan below:



6. PROPOSAL

6.1. This application seeks approval of the appearance and landscaping of the building approved under planning permission 18/02103/OUT. The appearance would largely replicate that of extant planning permission 19/03013/FUL and is discussed in more detail below.

7. RELEVANT PLANNING HISTORY

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

15/02694/FUL - Demolition of existing public house. Erection of four storey building to provide 5 x 1-bed and 2 x 2-bed flats (Use Class C3). Provision of private amenity space, bin and cycle storage. Approved 27th May 2016.

15/02694/CND - Details submitted in compliance with conditions 5 (Sample materials), 6 (Existing materials), 9 (Construction Traffic Management Plan) and 12 (Drainage) of planning permission 15/02694/FUL. Approved 1st March 2017.

15/02694/CND2 - Details submitted in compliance with conditions 7 (Development to salvage existing material) and 11 (Details of underground services and soak) of planning permission 15/02594/FUL. Approved 24th October 2016.

16/03189/FUL - Demolition of existing public house. Erection of a four storey building to create 7 flats (5 x 2-bed and 2 x 1-bed flats (Use Class C3)). Provision of bin and cycle store. Approve 15th May 2017.

18/01523/FUL - Change of use from drinking establishment (Use Class A4) to Office space (Use Class B1a). Removal of existing chimneys. Approved 6th September 2018.

18/02103/OUT - Outline application (seeking the approval of access/layout/scale) for the redevelopment of Public House (The Adventurer) with four storey building comprising collaborative office space, office space, short stay (hotel) accommodation and 1 x 1 bedroom and 1 x 2bedrooms apartments (including private amenity space, bin storage and cycle parking).(Amended description). Approved 12th November 2018.

19/03013/FUL - Demolition of existing building. Erection of a four storey building to create 5 x 2 bed flats and 2 x 1 bed flats. Provision of amenity space, bin and bicycle storage. (Amended Documents). Approved 20th August 2020.

16/03189/CND - Details submitted in compliance with condition 14 (Archaeological Investigation) of planning permission 16/03189/FUL. Approved 12th May 2020.

21/01187/FUL - Demolition of existing building. Erection of a five storey building to create office space (Use Class E(g)(i)), short stay hotel accommodation (Use Class C1) and 1 x 3 bed and 2 x 2 bed flats (Use Class C3). Provision of bin and bicycle storage. Refused 30th June 2021.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	NPPF	Local Plan	Other planning documents
Design	Paragraphs 126-136	RE2 - Efficient use of Land DH1 - High quality design and placemaking	
Conservation/Heritage	Paragraphs 189-208	DH3 - Designated heritage assets DH4 - Archaeological remains	Central (University and City) Conservation Area Appraisal
Housing	Paragraphs 60-77	H14 - Privacy, daylight and sunlight H15 - Internal space standards H16 - Outdoor amenity space standards	
Natural environment	Paragraphs 174-188	G7 - Protection of existing Green Infrastructure	

		G8 - New and enhanced Green and Blue Infrastructure	
Transport	Paragraphs 104-113	M3 - Motor vehicle parking M5 - Bicycle Parking	
Environmental	Paragraphs 152-173	RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE9 - Land Quality	
Miscellaneous	Paragraphs 7-14	S1 - Sustainable development RE7 - Managing the impact of development	

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 14th September 2021 and an advertisement was published in The Oxford Times newspaper on 9th September 2021.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

- 9.2. Objection due to lack of cycle parking provision and request of conditions regarding a Construction Traffic Management Plan and Delivery and Service Management Plan.

Historic England Commission

- 9.3. No comment.

Natural England

- 9.4. No comment.

Environment Agency Thames Region

- 9.5. No comment.

Oxford Preservation Trust

- 9.6. No comments received.

Oxford Civic Society

9.7. No comments received.

Oxfordshire Architectural and Historical Society

9.8. Concerns raised that the application documents do not give sufficient detail of materials and finishes. Requests that none of the conditions relating to reserved matters under planning permission 18/02103/OUT are discharged in a way that would harm the character and appearance of the Central Conservation Area and the setting of the surrounding listed buildings.

Public representations

9.9. The residents, leaseholders and freeholders from Castle Mews commented on this application in a joint representation.

9.10. In summary, the main points of objection were:

- Loss of privacy
- Breach of rights to light
- Noise
- Design not in-keeping with local historic context

Officer response

9.11. The highways authority has objected to the proposal due to an insufficient provision of cycle storage. However, a condition was attached to the outline permission (ref. 18/02103/OUT), requiring a detailed scheme showing the design of a secure, covered cycle store serving the office and residential uses to be submitted and approved by the local planning authority prior to the occupation of the building. This condition remains in force and therefore the highways objection can be addressed prior to occupation. The recommended highways conditions have been attached. Conditions relating to materials and privacy screening would be attached to this permission, replicating the conditions attached to planning permission 19/03013/FUL to ensure that the proposal does not cause harm to the conservation area and would protect the privacy of neighbours.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- a. Principle of development
- b. Design and impact on the historic environment
- c. Landscaping

- d. Impact on neighbouring amenity
- e. Highways and parking

a. Principle of development

- 10.1. This application seeks approval of reserved matters relating to appearance and landscaping only in relation to extant outline planning permission 18/02103/OUT. The principle of development has therefore been established by the previous planning permission.
- 10.2. Further, the full planning application approved in August 2020, proposing a similar scheme in scale, massing and appearance to this application, remains extant until August 2023.

b. Design and impact on the historic environment

- 10.3. The NPPF requires proposals to be based upon an informed analysis of the significance of all affected heritage assets and expects applicants to understand the impact of any proposal upon those assets with the objective being to sustain their significance (paragraph 194). In making any such assessment great weight should be given to the asset's conservation (paragraph 199). When assessing the impact of a proposal on a non-designated heritage asset the NPPF requires the Local Planning Authority to undertake a balancing judgement having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 203).
- 10.4. The application site is located within the Central Conservation Area, therefore, the test under section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 is relevant and must be given consideration.
- 10.5. Section 72 states:-
- 10.6. "(1)In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."
- 10.7. There are listed buildings within close proximity to the application site (The Jam Factory and Hollybush Lodge). Section 66 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 or its setting or any features of special architectural or historic interest which it possesses.
- 10.8. Local Plan Policy DH1 requires developments to demonstrate high quality design and placemaking. Policies DH2 and DH3 requires development to respect and draw inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset and locality.

- 10.9. The design and appearance of the building replicates that of extant planning permission 19/03013/FUL.
- 10.10. The proposed elevations show a predominantly brick building with a recessed top floor in zinc cladding. Steel guards are proposed around the terraces and a glass guard is proposed along the terrace of the fourth floor properties.
- 10.11. The contrasting material treatment at the top floor would reduce the perceived mass of the building when viewed from Hollybush Row and the setting in of this upper floor would help to create a transitional step between the larger King Charles House to the north and the smaller residential properties to the south. The use of recessed brickwork panelling would also help to provide visual interest and articulation in breaking up larger areas of brickwork.
- 10.12. Officers consider that while the architecture is relatively conventional, overall the proposal would not be harmful and would make a neutral contribution to the significance of the conservation area, thereby preserving the character and appearance of the conservation area, and, preserving the setting of the surrounding listed buildings. Therefore, for the reasons set out above, the appearance of the proposed replacement building is considered to comply with policies DH1 and DH3 of the Oxford Local Plan 2036.

c. Landscaping

- 10.13. In accordance with policy G7 of the Oxford Local Plan 2036, 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 adverse impact upon public amenity or ecological interest.
- 10.14. There is a large mature sycamore tree on land adjacent to south of the site. However the presence of the existing building foundations, acting as a barrier to the tree rooting zone, and the distance of the tree from the proposed building form both indicate that there should be limited harm resulting to this significant off-site tree. To ensure the tree is protected and public amenity is maintained, a condition has been attached requiring a tree protection plan to be submitted and approved to the local planning authority prior to the commencement of development.
- 10.15. In terms of proposed landscaping, it is recognised that the site is constrained and therefore the opportunity to implement significant landscaping features is limited. The proposal incorporates raised planters to the front elevation. This is considered appropriate in this instance and again replicates the landscaping proposals approved under extant planning permission 19/03013/FUL.
- 10.16. In light of the above, it is considered that the proposal complies with policy G7 of the Oxford Local Plan 2036.

d. Impact on neighbouring amenity

- 10.17. Policy H14 of the Oxford Local Plan 2036 requires new development to provide reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Planning permission will not be granted for any development that has an overbearing effect on existing homes.
- 10.18. The application site is bounded to the immediate north of the site by King Charles House which provides commercial office accommodation. To the south, with a separation distance of approximately 9 metres, is no.44 St. Thomas Street which has been converted into residential dwellings. Bounding the site to the east and south east is the residential development known as Castle Mews, with a separation distance of approximately 16.4 – 18.7 metres to nos. 1-9 and 18 metres to nos. 20-28. To the north west of the site, on the opposite side of Hollybush Row, is Coopers Jam Factory. The Hollybush Lodge located to the west provides student accommodation.
- 10.19. As above, the scale and layout of the building have already been approved under planning permission 18/02103/OUT and therefore the impact of the building on neighbours in this respect was previously carefully considered by officers as acceptable. However, the impact that the design and appearance may have on neighbouring privacy and how this could be mitigated is assessed fully below.

Castle Mews

- 10.20. Castle Mews is a residential development comprising 3 blocks, nos. 1-9, 10-12 and 14-19, and 20-28. Blocks 1-9 and 20-28 front St. Thomas Street whereas block 10-12 and 14-19 is set back from the road immediately to the east of the application site. The blocks are separated by a car parking area and hard landscaping.
- 10.21. Block 10-12 and 14-19 face towards the south and has no windows on the flank elevation fronting the application site. As such, officers consider there would be no harmful overlooking, overbearing impacts or loss of light to occupiers of this building.
- 10.22. Block 20-28 is sited approximately 18 metres from the application site towards the south east. Due to the significant separation distance and siting of the two buildings, officers consider that there would not be harmful overlooking, overbearing impacts or loss of light to occupiers of this building.

Block 1-9 is sited between 16.4 – 18.7 metres from the application site but is immediately opposite the proposed building. The application proposes south facing windows to serve offices on the first floor, offices and 3no. hotel rooms on the second floor and residential dwellings on the third floor. Terraces would be located on the second and third floors (although the majority of the terraced space would face east and west). These windows and terraces would afford some overlooking of the outdoor area to the rear of Block 1-9 however, considering the separation distance between the buildings it is considered that this arrangement would not be unduly harmful, especially considering the city

centre context of the site. Nevertheless, a condition has been attached to secure the erection of a 1.8m high wall along the east and south boundaries serving the terraces to the second floor hotel room and third floor 'apartment 1' prior to occupation. It is considered that this screening would mitigate the impact of overlooking onto the adjacent Castle Mews apartments.

44 St. Thomas Street

10.23. 44 St. Thomas Street comprises six 1 bedroom residential units. None of the proposed windows would result in harmful overlooking of the residential properties at no. 44. St. Thomas Street. The proposed development would be positioned to the north of 44 St. Thomas Street and therefore it is considered that there would be no unacceptable loss of light to occupiers of this building.

King Charles House

10.24. King Charles House is a commercial office building located to the north of the site with a car parking area located towards the north east. The north elevation is blank and therefore there would be no overlooking onto this building as a result of the proposed development.

Hollybush Lodge/ The Jam Factory

10.25. Hollybush Lodge is located approximately 13.6 metres to the west of the application site, across Hollybush Row. The Jam Factory is approximately 14 metres to the west. Officers consider that the west facing windows and terraces would not result in significant impacts in terms of overlooking and mitigation measures need not be put in place.

10.26. It is concluded that the proposed development would not give rise to overlooking by virtue of its design and appearance and the inclusion of a condition requiring partial screening fronting Castle Mews would mitigate any harm or perceived harm. The proposal therefore complies with policies RE7 and H14 of the Oxford Local Plan 2036.

e. Highways and parking

10.27. Policy M2 of the Oxford Local Plan 2036 requires development proposals to incorporate adequate and appropriate transport-related measures. As such, a Construction Traffic Management Plan and Delivery and Service Management Plan have been conditioned and would be required to be approved prior to the commencement of works to ensure that highways safety is maintained and the impact on local residents is mitigated.

10.28. The Highways Authority has objected to the proposed development on the basis that insufficient cycle parking has been provided on site, in accordance with policy M5 of the Oxford Local Plan 2036. The outline planning permission included a condition requiring a detailed scheme showing the design of a secure, covered cycle store for the office and residential uses to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the building. This condition remains in force and therefore it is

considered that the objection from the highways authority can be addressed prior to the occupation of the building.

10.29. It is therefore considered that the scheme is acceptable in highways terms in accordance with policies M2 and M5 of the Local Plan 2036.

11. CONCLUSION

11.1. Having regard to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes 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 main aim 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.

11.3. Therefore it would be 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, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.

11.4. In summary, the proposed development is considered acceptable for the reasons set out within this report and would accord with the relevant policies of the Oxford Local Plan 2036.

Material consideration

11.5. The principal material considerations which arise have been addressed in earlier sections of this report.

11.6. National Planning Policy: the NPPF has a presumption in favour of sustainable development.

11.7. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

- 11.8. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report.
- 11.9. Officers would advise members that, having considered the application carefully, the proposal is considered acceptable in terms of the aims and objectives of the National Planning Policy Framework and relevant policies of the Oxford Local Plan 2036 when considered as a whole. There are no material considerations that would outweigh these policies.
- 11.10. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions and informatives set out in section 12 below.

12. **CONDITIONS**

Time limit

1. The development to which this permission relates must be begun not later than the expiration of two 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.

Develop in Accordance with Approved Plans

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

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy DH1 of the Oxford Local Plan 2036.

Materials

3. The materials to be used in the development hereby approved shall be:
 - Brickwork - Orange/red multi brick with string detail (at ground floor); first and second floor
 - Walls buff brick. Mortar joints to be 10mm wide and raked. Colour of mortar to match more closely the yellow brick colour (i.e. less definition of the mortar to enhance the bricks)
 - Roof material- the matt Vieo finish with the standing seam top roll to be 20mm
 - Window schedule WD/SCH-01b. Colour to be matt 7016RAL
 - Balustrade colour to match matt 7016RAL

- Roof plan showing flues to be carried out in accordance with drawing wd/P/03 and drawings 16-016 PL E-01 and 1328/16/M/105.

as previously approved under reference 15/02694/CND. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure a satisfactory appearance and in the interests of the special character of the area and/or building in accordance with policies DH1 and DH3 of the Oxford Local Plan 2036.

Materials - Bricks

4. The development hereby approved shall be carried out in accordance with the details contained within the "Glazed Brick Salvage Schedule" as previously approved under reference 15/02694/CND2).

Reason: To ensure the preservation and protection of original materials and features of historic interest and their reinstatement in accordance with policies DH1 and DH3 of the Oxford Local Plan 2036.

Screening

5. Screening in the form of a 1.8m high wall shall be erected along the southern boundary serving the terrace to the second floor hotel room and third floor 'apartment 1'. The building subject of this permission shall not be occupied until the screening has been erected and shall be so maintained in perpetuity.

Reason: In the interests of visual amenity and to enhance the appearance of the area, in accordance with policies DH1 and H14 of the Oxford Local Plan 2036.

Tree Protection Plan

6. No development, including demolition or enabling works, shall take place until a Tree Protection Plan (TPP) has been submitted to, and approved in writing by the Local Planning Authority. The TPP shall include such details as are appropriate for the protection of retained trees during development, and shall be in accordance with the current BS. 5837: "Trees in Relation to Design, Demolition and Construction - Recommendations" unless otherwise agreed in writing by the Local Planning Authority. The TPP shall include a scale plan indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. The approved physical protection measures shall be in place prior to the commencement of any development, including demolition or enabling works, and shall be retained for the duration of construction, unless otherwise agreed in writing beforehand by the Local Planning Authority.

The Local Planning Authority shall be informed in writing when physical measures are in place, in order to allow Officers to make an inspection prior to the commencement of development. No works or other activities including

storage of materials shall take place within designated Construction Exclusion Zones unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

Construction Traffic Management Plan

7. A Construction Traffic Management Plan shall be submitted to, and agreed in writing by, the Local Planning Authority prior to commencement of works. The Plan is to be implemented as approved unless otherwise agreed in writing by the Local Planning Authority. The CTMP should follow Oxfordshire County Council's template if possible. This should identify;
 - The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
 - Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
 - Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
 - Contact details for the Site Supervisor responsible for on-site works,
 - Travel initiatives for site related worker vehicles,
 - Parking provision for site related worker vehicles,
 - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
 - Engagement with local residents

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times in accordance with policy M2 of the Oxford Local Plan 2036.

Delivery and Service Management Plan

8. A Delivery and Service Management Plan shall be submitted to, and agreed in writing by, the Local Planning Authority prior to commencement of the development hereby approved. The plan must thereafter be implemented for the lifetime of the development.

Reason: In the interests of highway safety and for efficient operation of the adjacent road network in accordance with policy M2 of the Oxford Local Plan 2036.

INFORMATIVES :-

1. The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Oxford City Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Oxford City Council prior to commencement of development. For more information see: www.oxford.gov.uk/CIL
2. The sycamore tree located to the south of the development site at Castle Mills is legally protected by virtue of its location within the Central Conservation Area. No lopping or topping of the tree may be carried out without six weeks prior notice under Sec 211 of The Town and Country Planning Act 1990 (as amended) made duly to Oxford City Council as Local Planning Authority.

9. APPENDICES

- **Appendix 1** – Site location plan

10. HUMAN RIGHTS ACT 1998

- 10.1. 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.

11. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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