

Planning Committee

7th December 2021

Application number: 21/00300/FUL

Decision due by 21st May 2021

Extension of time 17th December 2021

Proposal Demolition of no's 17 and 17b Between Towns Road and Cowley Conservative Club. Erection of three, four and five storey building incorporating 189 student study rooms, indoor and outdoor communal space, bin and bicycle storage and ground floor space for local community use falling within F2 of the Use Classes Order as amended.

Site address 17 17A 17B And 19 Between Towns Road,— see **Appendix 1** for site plan

Ward Cowley Ward

Case officer Michael Kemp

Agent: Mr Simon Sharp **Applicant:** Cantay Estates Ltd

Reason at Committee The proposals are major development

1. RECOMMENDATION

1.1. The 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 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; and
- Finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to

dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning Services considers reasonably necessary; and

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

2. EXECUTIVE SUMMARY

- 2.1. This report considers a planning application which relates to the demolition of the Cowley Conservative Club (No.19 Between Towns Road) and Nos 17 and 17b Between Towns Road and the erection of a new building of 3-5 storeys incorporating 189 student rooms, along with indoor and outdoor communal space, bin and cycle storage and ground floor space falling with Class F2 of the Town and County Planning (Use Classes) Order. The proposals have been subject of a number of revisions of to the scale, massing and external appearance of the building, this has reduced the total number of student rooms from 206 rooms, as originally proposed to 189 rooms.
- 2.2. The application site is located within the Cowley District Centre and would represent an appropriate location for student housing in accordance with Policy H8 of the Oxford Local Plan. The site would result in the loss of two relatively poor quality residential dwellings in the form of first floor flats at 17 and 17b Between Towns Road. Whilst this would be a departure from Policy H5 of the Oxford Local Plan which aims to prevent the loss of existing residential dwellings, the loss of the two flats would in this instance be outweighed by the provision of 189 student rooms which would equate to the release of 75 dwellings into the local housing market, where applying the Governments Housing Delivery Test. A financial contribution would be secured towards the provision of off-site affordable housing, in accordance with Policy H2 of the Oxford Local Plan. The two retail units on the site would not be afforded specific protection as these units fall outside of the district centre shopping frontages as defined within the Oxford Local Plan 2016-2036. In any event as the area is well-served by existing retail provision it is considered that the loss of these small retail units would not be harmful in planning terms.
- 2.3. The amendments to the design, scale and massing of the building have significantly improved the extent to which the development would relate to the site context and character of the area and reduce the actual and perceived scale of the building when viewed from Between Towns Road. Whilst the proposed building is of a significant scale, the design and massing would relate appropriately to the scale of existing development, most notably the adjoining development at Between Towns Court. The massing along the secondary frontage facing St Luke's Road achieves an appropriate transition between the larger scale development on Between Towns Road and the adjoining more modest, suburban development to the rear of the site. The removal of the existing buildings on the site and the addition of additional planting and soft landscaping would significantly enhance the presently poor standard of public realm. Taking these factors into consideration the design proposed would be appropriate in the context of the site and surrounding area and the proposals comply with Policy DH1 of the Oxford Local Plan.

- 2.4. In accordance with Policy H8 of the Oxford Local Plan the development would be car free, except for the provision of 4 disabled parking spaces. The site is within a CPZ and residents would be excluded from obtaining parking permits. Adequate cycle parking provision is proposed in line with the requirements of Policy M5 of the Oxford Local Plan.
- 2.5. The siting and scale of the building would not significantly compromise the amenity of surrounding residential dwellings, including the adjoining property No.62 St Luke's Road. An acceptable separation distance is retained between the proposed building and the adjoining student accommodation at Between Towns Court to the north of the site. Although the development would result in a material loss of light to a number of ground, first and second floor rooms, where applying the BRE criteria used to assess daylight and sunlight, all but one of the rooms would pass at least one of the BRE tests, with the vast majority of the rooms passing two or more of the tests. It is concluded that the adjoining student accommodation would be afforded adequate levels of daylight/sunlight. The development would therefore comply with Policies H14 and RE7 of the Oxford Local Plan, which aims to preserve the amenity of existing uses.
- 2.6. For the reasons outlined within the report, it is recommended that approval is granted subject to a legal agreement covering the matters addressed in the following section of this report.

3. LEGAL AGREEMENT

3.1. A legal agreement would be required to cover the following matters:

City Council Obligations

- A financial contribution of £1,097,391 towards the provision of off-site affordable housing.
- Provision that the exhibition and function space proposed on the ground floor of the new building would be secured for public use.

County Council Obligations

- Contribution of £30,000 towards relocation and upgrading of side road entry treatment on St Luke's Road.
- Contribution of £3,120 to implement the necessary Traffic Regulation Order removing eligibility for parking permits and variations to the parking bays and double yellow lines on St Luke's Road.
- Travel Plan Monitoring contribution of £2,346.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for a CIL contribution of £549,864.88

5. SITE AND SURROUNDINGS

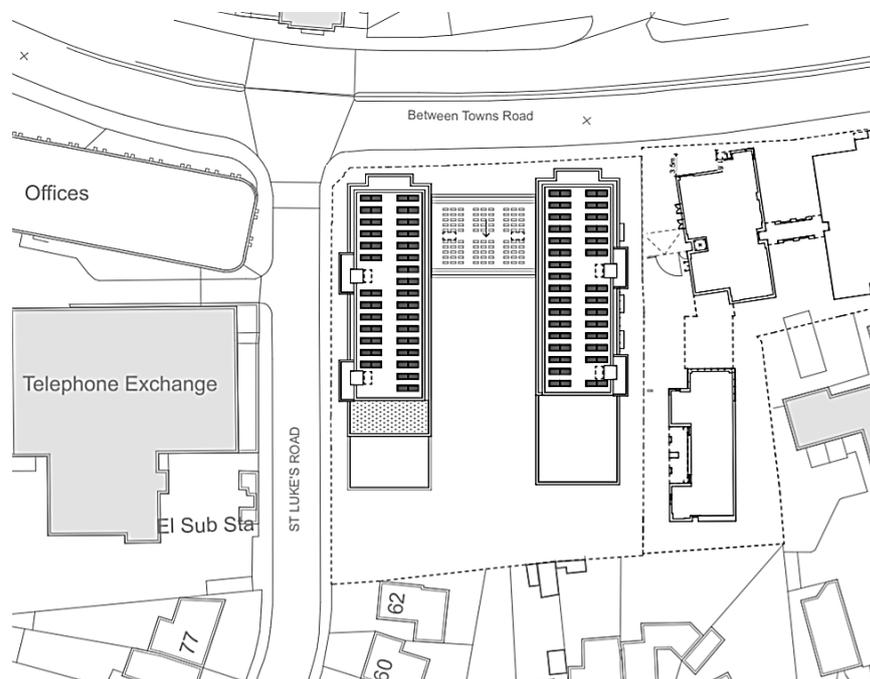
- 5.1. The application site is a 0.30 hectare parcel of land adjoining Between Towns Road and St Luke's Road located in central Cowley. The site includes the former Cowley Conservative Club and Nos. 17 and 17b Between Towns Road a pair of two storey buildings with ground floor retail consisting of a betting shop and barbers with two residential flats located at first floor level. The oldest of this pair of buildings, housing the betting shop at ground floor level was originally a house which dates back to the 1930's. The upper floor of the building is faced in white render and features a prominent front facing gable. The adjoining building, No.17b is a two storey flat roofed building constructed from a buff brick.
- 5.2. There is a tarmacked area of parking to the rear of Nos.17 and 17b which serves as parking for the retail units and the flats. To the rear of the Conservative Club is a large area of hardstanding located behind a mid-height brick wall fronting St Luke's Road. There is also a single storey row of garages to the rear of the club building.
- 5.3. The Cowley Conservative Club was constructed in 1924 and is a long, brick built building with a hipped roof. The central bay is of two storeys, with hipped roof, three windows to the upper storey and two to the ground floor which have been replaced with modern windows. The central element has two stone string courses and an attractive front door surround with the date of 1924 carved into the keystone. The two recessed flanking bays have a stone string course and large windows. The building has been subject of a number of single and two storey flat roofed extensions in the 1960's and 1970's constructed from a dark coloured brick. The building has been disused since the Association of Conservative Clubs closed the premises in 2015.
- 5.4. The surrounding area contains a mix of uses including retail, residential, offices and community uses. The site lies within the Cowley Centre Area of change as identified under Policy SP3 of the Oxford Local Plan. There are a number recent large scale developments within the area which have been completed, are currently under construction or benefit from planning permission. The former Swan Motor Centre site to the north of the application site has been redeveloped to provide student accommodation within a five storey building housing 144 student rooms, this building is known as Between Towns Court.
- 5.5. Kings Court and Raglan House to the south west of the application site are a pair of three storey linear office buildings. Beyond these buildings are a cluster of three storey buildings located at the junction of Barns Road and Between Towns Road and are associated with the Templars Square Shopping Centre. The Templars Square site is anticipated to be brought forward for redevelopment in the near future as planning permission has recently been granted for a mixed use scheme on this site. Planning permission has also been granted in 2019 for the redevelopment of the former Murco garage site to the north west of the site to provide 38 residential dwellings (18/03287/FUL). Development on this site which includes a frontage building facing Between Towns Road varying between three to five storeys is under construction.
- 5.6. To the north west of the application site is a single storey red brick church, which is adjacent to the two storey Cowley Workers Club, a two storey building set back from Between Towns Road behind off street parking. Adjacent to this is a former

office building (Trinity Court) which has undergone conversion into residential flats.

5.7. To the south of the application site fronting St Luke's Road is a flat roofed building currently used as a telephone exchange. Large elements of the north façade of this building facing the application site are blank and the upper floor windows are obscure glazed. There is a metal platform tower located above this building housing masts and telecoms apparatus.

5.8. There is existing residential development to the south and south east of the site fronting St Luke's Road and Coleridge Close, typically consisting of rendered semi-detached or terraced two storey houses.

5.9. The site block plan is included below:



6. PROPOSAL

6.1. The application proposes the demolition of Nos. 17 and 17b between Towns Road and the former Cowley Conservative Club and the erection of a replacement building of three, four and five storeys incorporating 189 student rooms. The development would include the provision of outside areas of communal space, the provision of four disabled parking bays, 190 cycle parking spaces and bin stores. An area of the ground floor is proposed as a flexible exhibition or meeting space.

6.2. Following consultation with officers, the proposals have been subject of a number of design amendments since the original plans were submitted in February 2021. Most notably there have been significant changes to the massing of the building, including a repositioning of the central wing of the building and the removal of the fifth floor element of the building previously located above the central section of

the building. Other fifth floor elements of the building have been further recessed. Other changes include the addition of glazed stair cores to provide further articulation to the façade facing St Luke's Road and the replacement of solar PV previously shown on the south east facing end gable walls with green walls, with the solar PV now solely being sited on the roof of the building. The overall number of student rooms has reduced from 206 rooms originally proposed to 189 rooms. These amendments were re-advertised in August 2021.

- 6.3. The building floor plan would consist of an inverted U shaped plan form, featuring frontages to Between Towns Road to the north west and St Luke's Road to the south west. The massing of the building varies between three and five storeys. The highest five storey sections of the building are concentrated to the front of the site, along Between Towns Road and the corner with St Luke's Road and would measure 16.3 metres to the roof ridge. The building would step down to four and three storeys along the St Luke's Road frontage. The four and three storey elements of the building along this frontage would measure 13.5 metres and 10.4 metres to the roof ridge respectively. The stepped massing along this frontage is intended to achieve a transition between the existing larger scale development along Between Towns Road and the more modest, suburban two storey residential dwellings on St Luke's Road.
- 6.4. In design terms the building would be similar in appearance to the adjoining student housing development at Between Towns Court. It is proposed that the building would be constructed from a buff brick which would be matching or similar in appearance and colour to the buff brick used at Between Towns Court. The upper storey of the building would be clad in a metal vertical profiled metal cladding, also similar to the materials used on the adjacent building. A glazed curtain walling system would be used for the stair cores facing St Luke's Road.
- 6.5. The primary access to the site for students would be from main entrance facing Between Towns Road, whilst a secondary access would be provided from St Luke's Road. Vehicle access to the site would be from St Luke's Road, however access would be restricted to the 4 disabled parking bays, refuse vehicles and emergency vehicles. With the exception of the disabled parking bays, the development would be car free.
- 6.6. The majority of the internal spaces would house student rooms and communal and circulation spaces associated with the student accommodation. Exhibition/function space is proposed on the ground floor, which would be 91.9sqm in area and is proposed to be made available for general public use.

7. RELEVANT PLANNING HISTORY

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

<p>52/02581/A_H - Alterations and additions at Cowley Conservative Club. Permitted 14th October 1952. 62/12937/A_H - Extension to club and additional room to flat at Cowley Conservative Club. Permitted 11th December 1962.</p>

64/15541/A_H - 11 Garages for private cars at Cowley Conservative Club. Permitted 13th October 1964.

66/17500/A_H - Alterations and extensions at Cowley Conservative Club. Permitted 10th May 1966.

68/20703/A_H - Extension to provide stage and storeroom at Cowley Conservative Club. Permitted 8th October 1968.

69/21388/AA_H - Demolition of existing billiard room and games room; extension to form concert room, skittle alley, additional lavatory accommodation and Committee Room facilities at Cowley Conservative Club (revised). Permitted 9th September 1969.

69/21388/A_H - Demolition of existing billiard room and games room. Extension to form concert room, skittle alley, additional lavatory accommodation and Committee Room facilities at Cowley Conservative Club. Permitted 6th May 1969.

76/00171/A_H - Extension to club premises to provide new dining room area, new lounge and skittle alley and internal alterations at Cowley Conservative Club. Permitted 30th June 1976.

11/01680/FUL - Demolition of 19 Between Towns Road (Cowley Conservative Club). Erection of a 4 storey building to provide a new Conservative club, retail unit and 150 student bedrooms, ancillary accommodation, plant and secure and integrated cycle storage for 152 cycles. External works including associated communal spaces, 4 visitor car parking spaces and 2 disabled spaces.. Withdrawn 4th August 2011.

14/02850/FUL - Demolition of existing buildings on site. Erection for four storey building consisting of retail shop and social club on ground floor plus 20 x 1-bed, 17 x 2-bed and 8 x 3-bed flats. Provision of 26 car parking spaces accessed off St. Luke's Road and 91 cycle parking spaces within building (Amended Plans). Withdrawn 24th February 2015.

19/02620/FUL - Demolition of no's 17 and 17b Between Towns Road and Cowley Conservative Club. Erection of three, four and five storey building incorporating 212 student study rooms, indoor and outdoor communal space, bin and bicycle storage and ground floor space with a flexible use (Use Class A1/ A2/ A3/ B1(a)/ D1). (Amended Plans)(Amended Description). Withdrawn 18th June 2020.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan
Design	124-132	DH1 - High quality design and placemaking DH2 - Views and building heights DH3 - Designated heritage assets DH7 - External servicing features and stores
Conservation/Heritage	184-202	DH4 - Archaeological remains DH5 - Local Heritage Assets
Housing	59-76	H1 - Scale of new housing provision H2 - Delivering affordable homes H8 - Provision of new student accommodation H14 - Privacy, daylight and sunlight
Commercial	80-90	V1 -Ensuring the vitality of centres V4 - District and Local Centre Shopping Front
Natural environment	170-183	G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure
Social and community	91-101	V7 - Infrastructure,cultural and community
Transport	102-111	M1 - Prioritising walking,cycling and public transport M2 - Assessing and managing development M3 - Motor vehicle parking M4 - Provision of electric charging points M5 - Bicycle Parking
Environmental	117-121, 148-165, 170-183	RE1 - Sustainable design and construction RE2 - Efficient use of Land RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE5 - Health, wellbeing, and Health Impact Assessment RE6 - Air Quality RE7 - Managing the impact of development RE8 - Noise and vibration RE9 - Land Quality
Miscellaneous	7-12	S1 - Sustainable development S2 - Developer contributions

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 4th March 2021 and an advertisement was published in The Oxford Times newspaper on 4th March 2021.

9.2. Following receipt of amended plans the application was re-advertised by site notice on 26th August 2021 and in the Oxford Times Newspaper on 25th August 2021.

Statutory and non-statutory consultees

Environment Agency

9.3. Do not wish to comment.

Oxfordshire County Council

Highways

9.4. The Site is in a sustainable location and can make use of good access to public transport. There are many local amenities within walking/cycling distance of the site which makes the site a good location for development in transport terms.

9.5. The development proposes to be car-free other than 4 disabled bays to the rear of the site with access from St Luke's Road. As the site sits within the Cowley Centre East Controlled Parking Zone (CPZ), the site will need to be excluded from eligibility for parking permits.

9.6. The courtyard will also be used for student drop-off/pick-up. Initial concerns were raised regarding access into the proposed bays as the bays require 6 metres clearance to allow safe manoeuvring. The County Council have advised that this matter has been resolved as sufficient space is now provided for manoeuvring in the amended plans.

9.7. 208 cycle spaces are being provided mainly to the rear of the building and there are a few Sheffield stands in the north-west corner for visitors which is deemed beneficial to the scheme and is accepted.

9.8. Further information was requested to better understand the procedures in place for refuse collection, this can be secured by planning condition.

9.9. A financial contribution for the relocation and upgrading of the side road entry treatment has been requested which will help pedestrian movement from the site.

Drainage

9.10. No objection subject to conditions including the provision of a detailed surface water management strategy which includes details for the management of site drainage.

Thames Water Utilities Limited

9.11. No Objection, as the development is within 15 metres of a sewer and a strategic water main a condition would be needed requiring the applicants to submit a piling method statement before any piling takes place on the site.

Natural England

9.12. No comments to make.

Thames Valley Police

9.13. Consider that some aspects of the scheme may be problematic in terms of crime prevention. Secure cycle stores and stair wells are required. Advise that the planting scheme take into account the need to retain natural surveillance and the submission of a lighting scheme. Appropriate management will be required to prevent parking and anti-social behaviour and noise. Advise that a condition is attached requiring that the applicant make an application for secured by design accreditation.

Oxford Civic Society

9.14. No objection to the demolition of the existing buildings on the site, though oppose the principle of speculative student housing not attached to either university.

9.15. No evidence is provided that the building has been scrutinised by the Oxford Design Review Panel. The building has a barrack-like appearance which contrasts unfavourably with the neighbouring new build. The street scene is undergoing great change and there are opportunities to create new and attractive frontages. This building will not contribute and permission should be withheld on design grounds alone. Any building should be no higher than existing neighbours.

9.16. There is mention of local consultation but no detail of how this was conducted nor any information about the responses of local people.

RSPB

9.17. Request provision of swift bricks in building if approved.

Public representations

9.18. Councillor Malik has submitted comments in objection to the application on the basis that the proposals would be over-development, are out of character with the area, would impact on the local community and would generate noise pollution.

9.19. 4 letters of objection have been received from members of the public, the objections are summarised below:

- The site is part of probably the 2nd most important Roman pottery in Oxford, the subject of numerous excavations/finds. The submitted heritage statement fails to address this, it is requested that an archaeological excavation should be undertaken prior to any works
- Concerns regarding use of the main student entrance in St Luke's Road being close No.62 St Luke's Road and potential impact from noise disturbance. It was requested that the entrance be located to the front of the building along with the cycle racks.

- Concern regarding the location of the bin store and proximity to No.62 St Lukes Road.
- Development would cause light pollution to residents of Coleridge Close.
- Development would result in a loss of privacy to residents of Coleridge Close by reason of overlooking.
- Concern regarding access during construction, including potential for roads to be blocked by HGV's.
- Concerns regarding storage of construction materials.
- Local residents were not consulted about replacement of the community space that would be lost.
- Concern regarding pressure on local services, including doctors.
- Concerns regarding access arrangements for emergency vehicles.
- Concern regarding number of HMO's in area.
- There is too much student housing in the area at present.
- Concern about increase in traffic and on-street parking.

9.20. Correspondence was received from Cornerstone, a mobile network telecommunications consultancy who had contacted officers seeking further clarification regarding the impact of the development on the phone mast and telecoms equipment at the adjacent BT exchange site at St Luke's Road. The initial letter expressed concern that the height of the building and its relative proximity to the phone exchange could impact on network coverage. This matter is further discussed in the relevant section of the report below, however Cornerstone have since confirmed in writing to officers that their initial objection has been withdrawn following further consideration of the matter.

9.21. 1 letter of support was also received. This expressed support for the provision of new housing and the contribution of the scheme to regeneration of the area.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Design
- Neighbouring amenity
- Transport
- Sustainability
- Trees
- Land Quality
- Drainage
- Air Quality

Principle of development

Location of Student Housing

10.2. Policy H8 of the Oxford Local Plan is permissive in principle of the provision of student accommodation within specific permitted locations, this includes within areas of the city defined as district centres. The site lies within the Cowley District Centre and officers would therefore consider that the proposals represent an appropriate location in principle for the provision of student housing in line with Policy H8 of the Oxford Local Plan.

Affordable Housing

10.3. Policy H2 of the Oxford Local Plan states that new student accommodation developments comprising 25 or more bedrooms will be required to make a financial contribution towards delivering affordable housing elsewhere in Oxford. The proposed development would therefore be a qualifying site for affordable housing.

10.4. The Policy lists circumstances where sites will be exempt from this requirement, these being developments within an existing or proposed student campus site; or where the proposal involves the redevelopment of an existing purpose built student accommodation site. Neither of these exemptions would be applicable to this site.

10.5. A financial contribution towards affordable housing would be sought through a Section 106 agreement, this would follow the formula outlined within Appendix 3.2 of the Oxford Local Plan. Applying this formula a contribution of £1,097,391 would be required towards the provision of off-site affordable housing. The applicants have confirmed that they would be prepared to enter into a legal agreement to secure the financial contribution required. Subject to completion of the legal agreement the proposals would comply with Policy H2 of the Local Plan.

Loss of Residential Accommodation and Provision of Student Accommodation

10.6. There are two existing flats located on the site. This consists of a two bedroom first floor flat located above the betting shop (No. 17a Between Towns Road) and a single bedroom flat located above the barbers (17b Between Towns Road). Both units on the site would be lost, which would equate to a net loss of 2 Class C3 dwellings.

10.7. Policy H5 of the Oxford Local Plan states that planning permission will not be granted for any development that results in the net loss of one or more self-contained dwellings on a site except in specific circumstances including where essential modernisation is proposed to make living accommodation acceptable and it can be shown that loss of a unit is essential for operational reasons or to secure space standards; or where this involves the change of use to non-self-contained Class C2 care, specialist or supported housing; or a change of use to a primary health care facility, children's nursery or community hub.

10.8. Policy H5 does not allow for student accommodation as an alternative use when considering the loss of residential dwellings, the proposals would represent a departure from the development plan in this respect. It is pertinent however to consider the potential contribution of student housing in terms of alleviating local

housing need. In November 2018, the Government introduced the Housing Delivery Test which looks at housing data based on Local Authority housing returns from 2015/16 onwards and calculates what the provision of student accommodation achieves in terms of releasing C3 housing back onto the open market. 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.

10.9. The application proposes a total of 189 student rooms, therefore when applying the governments housing delivery test this would equate to a release of 75 dwellings back into the local housing market. This would make a substantial contribution towards the local housing supply, which would in officer's view outweigh the loss of the two first floor flats currently on the site, as the development would effectively equate to a net gain of 73 dwellings.

10.10. It should be noted that 17a is currently unoccupied and is in a poor condition and would likely require significant renovation to be brought up to an acceptable condition for occupation. The present public realm and site specific circumstances have a negative impact on the quality of the accommodation and it is noted that neither flat benefits from external amenity space for existing occupiers.

10.11. It is noted that the re-provision of the two Class C3 dwellings within the proposed development was considered by the applicants. There are practical complications with this approach given the nature of the uses and differing amenity requirements expected for Class C3 and C2 uses. Officers consider that re-provision of the two Class C3 units within the development would be neither a practical or desirable approach.

10.12. In summary the provision of 189 rooms, which would equate under the governments housing delivery test to the release of 75 market dwellings would outweigh the loss of the two relatively low quality Class C3 dwellings on the site. Officers therefore consider that the benefits arising from the provision of the student accommodation justifies departure from Policy H5 of the Oxford Local Plan.

Loss of Community Facility

10.13. The Conservative Club, whilst a private members club would be classed as a community use. Policy V7 of the Oxford Local Plan is applicable and specifies that the City Council will seek to protect and retain existing cultural and community facilities. The policy states that planning permission will not be granted for development that results in the loss of such facilities unless new or improved facilities can be provided at a location equally or more accessible by walking, cycling and public transport.

10.14. Paragraph 93 of the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should guard against the unnecessary loss of valued facilities and

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

- 10.15. The Conservative Club functioned as a social club and private drinking establishment and also offered spaces for private functions. The application does not propose like for like re-provision of these uses within the new development or elsewhere so there will be a loss of these facilities, which would be contrary to Policy V7 of the Oxford Local Plan.
- 10.16. To justify the loss of the Conservative Club the applicant has provided a schedule of existing community facilities which are in walking distance of the site a number of which provide similar functions, this includes the Cowley Workers Social Club immediately opposite the site and a number of other community facilities which offer spaces for private events and functions. Overall the applicant has identified 7 facilities in the area within 1km of the site which offer similar uses to those provided within the Conservative Club. It is also worth noting that the existing club has been closed since 2015, therefore the facilities in the club have not been available for the community for the last 6 years. Accounting for these factors it would be reasonable to conclude that the loss of the Conservative Club would not be contrary to Paragraph 93 of the NPPF, as this would not reduce the community's ability to meet its day-to-day needs.
- 10.17. The proposals designate an area of space on the ground floor of the building (92sqm) for an exhibition/function use. It is noted within the applicants planning statement that this would be made available for wider community use, for example by local groups. This would fall far short of the 2056sqm of floorspace presently falling under a community use within the existing building, though this would provide an alternative, flexible space which could be made available for the community, compensating to a minor degree for the loss of the function spaces provided in the former Conservative Club. Retention of the space for a community use would be secured through the accompanying Section 106 agreement.
- 10.18. Whilst the proposals would represent a departure from Policy V7 of the Oxford Local Plan in terms of the loss of a community use space, officers consider that local residents would not be substantially disadvantaged given the existence of similar facilities in close distance to the site. For this reason it is considered that the development would not be contrary to Paragraph 93 of the NPPF, which similarly addresses the loss of community facilities.

Loss of Retail uses

- 10.19. The development would result in the loss of two ground floor retail units on the site consisting of a bookmakers and a barbers, both of which would fall under Class E of the Town and County Planning (Use Classes) (Amendment) (England) Regulations 2020. The proposals do not include the re-provision of retail space within the development.
- 10.20. The site lies within the Cowley Centre District Centre but does not fall within the district shopping frontages which cover Templars Square and the John Allen Retail Park. The two retail units are peripheral in relation to main retail in the area

and the site would not be subject to Policy V4 of the Oxford Local Plan which restricts the use of ground floor frontages within the Cowley Centre district shopping frontages.

10.21. As there are no specific policies within the local plan which afford protection to the retail uses on this site their loss is considered acceptable in principle. Given the sites proximity to Templars Square, the John Allen Retail Park and the range of shops offered within the Cowley District Centre, it is considered that local residents would not be disadvantaged by the loss of the retail units.

Design and Heritage

Design Approach

10.22. Between Towns Road consists mainly of mid to late 20th century buildings and a diverse mix of uses varying from retail uses, which are typically concentrated around the Templars Square shopping centre; office uses including Knights Court to the south west of the site; student housing at Between Towns Court to the north of the site; as well as the church and Cowley Workers Social Club to the north west of the site.

10.23. There is no architectural uniformity, or generally consistent design language along Between Towns Road. The majority of the buildings are constructed from brick, of varying colour. There is also variation in the scale of the buildings, which range between five storeys at Between Towns Court to two storeys in the case of the church and social club opposite the site. There is precedent for larger buildings within the context of the site, including the adjacent Between Towns Court building and construction has commenced on a new residential development on the site of the former Murco Garage, which would be four to five storeys in scale along the Between Towns Road frontage.

10.24. The design of the building has undergone a series of amendments on the basis of advice from officers to ensure that this sits appropriately within the context of Between Towns Road, this is particularly important given that the site sits on a prominent corner plot with St Luke's Road. The amendments involved a repositioning of the mid-section of the building to create an improved ground floor frontage to Between Towns Road. This means that the floor plan of the building reads more as an inverted U shaped plan than the previously proposed H plan where the mid-section of the building was set back from Between Towns Road. The amendments to reposition the mid-section of the building has the benefit of providing additional amenity space to the rear of the building, rather than to the front of the building which would have been smaller and less desirable given its proximity to the road. The amendments to the plans involved the exclusion of the fourth and fifth storey elements along the mid-section of the building which were, in officers view undesirable in terms of the overall massing as these sections appeared bulky and over dominant in the context of the street scene. The fifth floor elements have also been further recessed with glass stair cores added to the St Luke's Road frontage.

10.25. Officers consider that the amendments to the massing of the building are beneficial in reducing the extent to which the previous design of the building

appeared overly large and dominant, even in the context of the buildings at Between Towns Court which is of a similar height. The massing of the proposed building along the Between Towns Road frontage would be similar to that of the adjacent Between Towns Court and the overall ridge height of the building matches that of Between Towns Court.

10.26. The building would be constructed principally from buff brick of an appearance matching that of Between Towns Court, though the central section would be of a differing buff colour to the remainder of the building. The upper sections of the building would be clad with metal cladding of a grey colour, which is intended to match the metal cladding used on the upper floor of the adjoining building. The use of the cladding on the upper levels is effective in reducing the perception of the scale of the building, compared to if this were also faced with brick. Likewise recessing the upper elements of the flats reduces the prominence of the upper elements of the building. This approach closely aligns with the architectural appearance of the adjoining building in terms of the materiality, position and treatment of the upper floors.

10.27. The approach to the massing of the building along the St Luke's Road frontage is well considered and negotiates the transition between the larger buildings on Between Towns Road and the modest two storey suburban houses along St Luke's Road.

10.28. The site plan includes the provision of several trees along the Between Towns Road and St Luke's Road frontages and other soft landscaping. This would be an enhancement on the present situation given the notable lack of trees or soft landscaping along this part of either street. The provision of the new buildings and new soft landscaping and tree planting would enhance the public realm which is of a poor standard and has further diminished since the closure of the Conservative Club.

10.29. In summary, whilst the proposed building is large in scale, it would sit within the context of similarly large buildings along the Between Towns Road frontage including the adjoining Between Towns Court, from which it takes many architectural cues. The approach taken is considered to be contextually justified and the addition of the building, including the provision of significant new tree planting has the potential to improve what is a neglected site and poor standard of public realm. The proposals are therefore considered to comply with Policy DH1 of the Oxford Local Plan.

Heritage Impact

10.30. The Conservative Club building was constructed in 1924. The original brick frontage, consisting of a two storey central section and single storey wings facing Between Towns Road remains the only surviving original element of the building. The remainder of the building comprises a series of large, single and two storey extensions constructed in the 1960's and 1970's. The building is unlisted and does not lie within a Conservation Area, however the building is of some heritage interest and could be considered as a local heritage asset, notably from a social and communal perspective as the building has an association with the historic

growth of Cowley during the 20th Century as a result of the development of the Morris Motors factory.

- 10.31. The club together with the red brick hall with gabled front opposite in Between Towns Road show historic evidence of the smaller scale 20th century development of Cowley and Temple Cowley, when workers from local industry were housed in the area and the population grew, requiring social facilities for the newly expanded population. Aesthetically, it has Art Deco elements which are of good quality. The club had strong communal significance as a meeting and socialising place for the community offering a place to drink, eat and play sports.
- 10.32. Policy DH5 of the Oxford Local Plan is relevant to development which affects local heritage assets. The policy states that planning permission will only be granted for development affecting a local heritage asset or its setting if it is demonstrated that due regard has been given to the impact on the asset's significance and its setting and that it is demonstrated that the significance of the asset and its conservation has informed the design of the proposed development. In determining whether planning permission should be granted for a development proposal, which affects a local heritage asset, consideration will be given to the significance of the asset, the extent of impact on its significance, as well as the scale of any harm or loss to the asset as balanced against the public benefits that may result from the development proposals.
- 10.33. In the context of the NPPF, Paragraph 203 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 10.34. In terms of architectural interest the only elements which would be deemed to be of any value is the original frontage of the building. The extensions to the building constructed in the 1960's and 1970's are of no architectural value and have a poor relationship with the original building and the adjoining street scene in St Luke's Road. The loss of the Art Deco front façade would constitute harm though the building is unlisted and the design and scale of the original building is considered to be limiting in terms of the ability to provide an effective redevelopment of the site, which makes best use of the site and responds effectively to the context of the surrounding built form. In terms of the communal value of the building this is no longer used as a social club or other form of social or community based use and there is considered to be a limited likelihood of the building being reused for these purposes in the future.
- 10.35. The front section of the building holds some architectural significance as an example of 1920's Art Deco architecture which has some interest and rarity. Furthermore the building has identified social and communal significance in the context of the social history of Cowley and development of the area.
- 10.36. As the proposals would result in the total loss of a local heritage asset, this would be classified as substantial harm when assessed under Paragraph 203 of the NPPF. The loss of this non-designated must be weighed against the public

benefits of the proposed development. Officers consider that there would be notable public benefits arising from the proposed development. Redevelopment of the site would provide 189 student rooms, which as referenced in the above sections of this report would equate to the release of 75 homes back into the local housing market. Furthermore there are significant aesthetic and visual benefits arising from redevelopment of the site, given the present condition of the site and resulting benefits to the public realm in Between Towns Road from the provision of new soft landscaping and tree planting. The removal of the unsightly later extensions to the building as well as the garages and areas of hardstanding to the rear of the building would significantly improve the quality of realm to the rear along St Luke's Road.

10.37. Overall it is considered that the public benefits of the development would outweigh the loss of the former Conservative Club building, which when considered in the context of Paragraph 203 of the NPPF would constitute substantial harm to a local heritage asset. As the loss of the building is considered to be outweighed by the public benefits of the proposed development it is considered that the proposals would not conflict with Policy DH5 of the Oxford Local Plan, which relates to development affecting local heritage assets.

10.38. It shall be required by condition that the Conservative Club building be made subject of a building recording condition to level 3 of Historic England's 'Understanding Historic Buildings: A Guide to Good Recording Practice'. It is further recommended that the 1930's house on the site is recorded to level 2 as this building is deemed to be of some significance though not to the extent where this is deemed to be classed as a local heritage asset.

10.39. The Temple Cowley Conservation Area extends to a position 115 metres to the north east of the site, north of Oxford Road. Accounting for the scale of the building and relative proximity of the building to the Conservation Area it could be interpreted that the development falls generally within the wider setting of the Temple Cowley Conservation Area.

10.40. For development within or affecting the setting of Conservation Areas, the NPPF requires special attention to be paid towards the preservation or enhancement of the Conservation Area's architectural or historic significance. Paragraph 199 of the NPPF requires that: "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

10.41. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 outlines that in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

- 10.42. Policy DH3 of the Oxford Local Plan (designated heritage assets) reflects the requirements of the NPPF in respect to development which affects Conservation Areas and heritage assets.
- 10.43. The frontage of the site is visible from within the Conservation Area, adjacent to the Church of St Luke and the junction of Oxford Road and Between Towns Road. As evidenced within the views assessment provided by the applicant, which includes rendered photomontage visuals, the frontage of the new building would be visible alongside the adjoining development at Between Towns Court and the three storey 20th century office building Knights Court to the south west of the site. The remainder of the building would not be visible as it would be obscured by the adjoining building.
- 10.44. Read within the context of these sizeable modern buildings which dominate the character of the view of Between Towns Road from the edge of the Conservation Area, the development would not appear unduly prominent or out of place and would be read as a continuation of the adjacent Between Towns Court in terms of scale, massing and treatment of the front façade of the building. Accounting for these factors it is considered that the development would have a negligible impact on the setting of the Temple Cowley Conservation Area and would not result in harm to the setting and significance of the Conservation Area.

Archaeology

- 10.45. The site is of interest because important Roman remains were recorded during the construction of the Cowley Conservative Club in 1934 and during further work on the site in 1969. Unfortunately the 1934 and 1969 observations were not recorded in detail, however further recording of the Roman activity zone was undertaken on the opposite side of St Luke's Road in 1939-40, 1972 and 1981-2 that identified Roman kilns, stokeholes, drier, puddling table and water dumps spread over an area of 90m.
- 10.46. An archaeological evaluation by Oxford Archaeology was undertaken in the car park of the Conservative Club in 2015. A single Roman pit was recorded containing a small pottery assemblage that included a rare white ware flagon face mask. Previously identified geophysical anomalies were partially investigated and did not prove to be archaeological in origin. Subsequently an excavation on the former Swan Motors site located directly to the east of the application site in 2017-18 recorded pottery manufacturing waste and associated sub-rectilinear enclosures which can be projected into the application site (Southampton Archaeology 2019).
- 10.47. A geophysical survey undertaken by SUMO Ltd in 2019 identified the same 'kiln' like anomaly that was previously identified and trenched by Oxford Archaeology in 2015 who demonstrated that this feature was not a kiln. Elsewhere the survey identified pits (possibly for pottery wasters) that were not identified in the previous survey. The 2019 survey also failed to identify the Roman enclosure ditches known to run into the site from the adjacent property (excavated in 2017-18) demonstrating the limited reliability of geophysics for identifying such features in this geology. The survey does however provide confidence that we do not appear to have any Roman kilns surviving in the

accessible part of the site as such assets produce very strong thermo-remnant signatures.

10.48. The available evidence suggests that St Luke's Road was the focus of a 2nd-3rd century pottery manufacturing site that was producing mortaria in the 2nd century and red colour-coated vessels and bowls and orange ware jars in the 3rd century. The site forms part of a major regional pottery industry that is of national importance in terms of Roman studies. As the remainder of the application site is constrained by standing structures and no kilns have been identified in the accessible area the Council's archaeologist has advised the following measures are followed during construction:

- 1) Demolition to ground level only, leaving foundations in place.
- 2) Further archaeological evaluation of the site informed by an initial indicative foundation design.
- 3) Redesign/amendments of the foundations should identified Roman kiln remains warrant preservation.
- 4) Further open area excavation as appropriate (potentially a strip and record excavation up to and including the entire new building footprint).

10.49. Conditions to secure a programme of partial demolition (to ground level only), archaeological investigation and further mitigation by sensitive foundation design and/or archaeological recording will be required.

Impact on Neighbouring Amenity

Existing Occupiers

10.50. In accordance with Policies H14 and RE7 of the Oxford Local Plan, it is important to consider the impact of the development on existing residential properties, with regards to potential impact on privacy, outlook and impact on sunlight/daylight and overshadowing.

10.51. No.62 St Luke's Road is the nearest residential property to the site, this is a two storey detached property which adjoins the southern boundary of the site and the side wall of this property extends up to the site boundary. The side elevation of this property features a window at first floor level which currently overlooks the site, there are also ground floor windows. The rear garden of this property also extends along the boundary of the site. As noted in the above section of this report, there is a transition in the massing of the proposed building along the St Luke's Road frontage between the larger existing built form along Between Towns Road and the more suburban scale of housing on St Luke's Road. The lower (three storey) section of the proposed building would measure 10.4 metres to the roof ridge and would be sited 15 metres from the side elevation and rear garden of No.62 St Luke's Road. In total there are four windows on the north east elevation of No.62 St Luke's Road. Three of the windows at ground floor level serve kitchen and dining space and the single window at first floor level serves a bedroom. The majority of student rooms within the development would face inwards towards the communal areas of amenity space or outwards towards St Luke's Road and the only windows facing No.62 St Luke's Road would serve corridor areas. It would be conditioned that these

windows are fixed and fitted with obscure glazing to prevent overlooking of the garden and internal living spaces. The windows in the mid-section of the building facing the adjoining dwellings to the south would be sited 47 metres from the boundary of No.62, which would be a substantial distance and officers conclude that the siting of these windows would not result in an acceptable loss of privacy to the existing occupiers.

10.52. It is noted that the occupier of No.62 St Luke's Road submitted comments citing concerns with respect to the location of the entrance to the accommodation, as well as the originally proposed location of the proposed bin stores and corresponding issues of noise and smell associated with the siting of the stores and their relative proximity to adjoining windows. The bin stores have since be re-sited away from this property and would instead attach to the side elevation of the proposed building on the opposite side of the vehicles access to No.62. It is noted that the comments also suggest that the bin stores should be located to the front of the building to avoid vehicle movements by refuse lorries along St Luke's Road. This would not be preferable in design terms or in terms of highway amenity, as this would involve collection from Between Towns Road, which is a busy through route and the building is positioned adjacent to the junction with St Luke's Road. In terms of the concerns expressed regarding the use of the St Luke's Road access by students, it should be noted that this would not be the primary pedestrian access point to the development. The access to the side of No.62 would mainly be used by cyclists during the daytime and access during night time hours would mainly be via the other entrances to the building which offer a more direct route into the accommodation. To prevent disturbance to local residents and anti-social behaviour, a management plan condition would be attached to any planning consent. It is considered that the siting of the cycle stores is unlikely to cause significant disturbance.

10.53. The gardens of a further four dwellings at Coleridge Close (Nos. 1, 2, 3 and 4) adjoin the south eastern boundary of the site. Nos. 3 and 4 Coleridge Close are closer to the side boundary compared with Nos. 1 and 2 Coleridge Close. The three storey north east wing of the proposed building would extend to a position 10.5 metres from the boundaries of Nos. 3 and 4 Coleridge Close. This section of the building would measure 10.4 metres to the roof ridge and the only windows facing the gardens would serve corridor spaces. There would be a separation distance of 23.8 metres between this section of the building and the rear elevation of the houses. In relation to the impact on the aforementioned residential dwellings, officers conclude that there would be adequate separation between the adjoining lower sections of the proposed building and the neighbouring properties in order to ensure that the development would not appear overbearing in relation to these properties. It is considered that these properties would retain an acceptable outlook. Approval would be subject to a condition requiring the side facing windows serving the corridors in the new building are to be fitted with obscure glazing.

10.54. Between Towns Court (15 Between Towns Road) is sited to the north and north east of the application site and is used as student accommodation. Two sections of Between Towns Court face the application site, this includes a number of windows on all levels. Policy H14 of the Oxford Local Plan relates to residential dwellings, as opposed to purpose built student accommodation,

though Policy RE7 of the Oxford Local Plan requires more generally that standards of amenity for adjoining uses are preserved. Given that student accommodation represents a place of residence, albeit on a relatively short term basis it is appropriate to ensure that good standards of amenity for existing student residences are preserved, this includes ensuring privacy for existing occupiers and a consideration of the impact of the development on sunlight and daylight.

10.55. The north east elevation of the proposed building would be sited between 8.5 and 11.1 metres from the side sections of the adjoining building at Between Towns Court (Block A) and between 7.3 metres and 10.9 metres from the rear sections of Between Towns Court (Block D). The building features a number of windows at ground and upper floor level which face the development site. This includes a management suite and two bedrooms at ground floor level and several bedrooms at upper floor level in Block A at the front of Between Towns Court and four bedrooms at first and second floor level in Block D to the rear of the site.

10.56. The application is accompanied by a Daylight and Sunlight Report, which assesses the impact of the proposed development on natural light to the internal and external amenity spaces associated with the surrounding buildings. It can be concluded from the Daylight and Sunlight report that the greatest impact of the development in terms of loss of light would be in relation to No.15 Between Towns Court. The Daylight and Sunlight Assessment, applies 4 criteria where assessing the impact of the development on natural light these being the Vertical Sky Component (VSC), Average Daylight Factor (ADF), Annual Probable Sunlight Hours (APSH) and No Sky Line. In relation to these four tests the greatest impact associated with the development would be in relation to the windows on the south west elevation of Between Towns Court, which includes bedrooms and kitchens. The greatest impact would be on the range of windows at ground to second floor level in the five storey section of the south west elevation of Between Towns Court. This would be expected given that this section of Between Towns Court would adjoin the five storey section of the proposed building. It can be concluded in relation to the kitchen and bedroom spaces at ground to second floor level in this adjoining section of Between Towns Court that there would be a material impact in terms of loss of light to these rooms. It is however the case that with the exception of one room (a first floor kitchen) that the existing rooms at Between Towns Court would pass 1 or more of the BRE tests applied in the Daylight and Sunlight Assessment. The vast majority of the rooms in Between Towns Court (93%) pass the Average Daylight Factor Test, meaning that these rooms are likely to benefit from an acceptable standard of daylight, even if the siting of the adjoining building is likely to reduce sunlight and affect compliance with the other BRE tests.

10.57. It is important to note that Paragraph 125 of the NPPF states that to avoid homes being built at low densities and to make efficient use of sites, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards). On balance, whilst the development would impact on daylight and sunlight to a number of the student rooms in the adjoining block at Between Towns Court,

officers consider that this would not create living conditions that would be considered unacceptable for existing occupiers. A reasonable separation distance is afforded between the existing and proposed blocks. To achieve compliance with all BRE tests would require a significant reduction in the number of student residences deliverable on site and a significant reduction in the height of the building, or repositioning of the proposed building some distance from the site boundary. As the majority of the rooms in the adjoining accommodation pass two or more of the BRE tests; and all but one of the rooms pass at least one of the BRE tests, officers conclude that there would not be significant harm to the amenity of the adjoining student residences which would justify refusal in relation to loss of daylight/sunlight.

10.58. In relation to the other surrounding buildings, the BT building to the east of the site is used as a telephone exchange and therefore an assessment of the impact on internal light to this building is not required. Knights Court is used as an office building, however the windows facing the application site are circulation spaces and the function of this building would not be negatively affected through loss of light resulting from the proposed development. The New Testament Church and Cowley Workers Social Club are sufficiently distant from the front elevation of the new building to comply with the 25 degree rule with respect to the windows in the frontages of these buildings.

10.59. In terms of No.62 St Luke's Road, the Daylight and Sunlight Report concludes that the impact of the development on all but one of the windows serving habitable living spaces would be negligible when applying the BRE methodology. This is aside from a ground floor window which serves as a secondary window to a kitchen and lounge space. It was assessed that the development would have a high impact when applying the Annual Probable Sunlight Hours (APSH) test in relation to this window, however the window passes the remaining BRE criteria. In any event this is a minor secondary window and as the impact on the remaining windows is deemed to be negligible. Officers therefore conclude that the development would not have a significantly adverse impact on daylight and natural light in relation to the internal living spaces of this property.

10.60. In summary officers consider that the development would not have a significantly adverse impact on the residential amenity of surrounding properties and land uses with regard to overlooking, loss of light or impact on outlook by reason of the scale and siting of the development. The proposals would therefore comply with Policies RE7 and H14 of the Oxford Local Plan.

Future Occupiers

10.61. Policy H8 of the Oxford Local Plan requires that for student housing developments of 20 or more bedrooms that the design includes indoor communal amenity space for students to gather and socialise. The building design includes a large central hub area of shared communal space for all students which is located on the ground floor of the building. The arrangement of the building includes clusters of between 6 and 10 rooms on all floors which are each served by common rooms which are between 33 and 46sqm in area and includes kitchen/dining/living space. It is concluded that future occupiers would be adequately served with internal communal space.

- 10.62. It should be noted that Policy H8 of the Oxford Local does not include a specific requirement to provide outdoor areas of communal living space in student housing developments. Nevertheless when accounting for the number of student rooms proposed on the site the provision of outdoor space is important particularly for wellbeing reasons and the size of the site and contextual circumstances allow for the ability to provide external amenity space.
- 10.63. The amendments to alter the building floor plan from an 'H' shaped arrangement to an inverted 'U' shaped form have resulted in the loss of the previously proposed front courtyard in favour of a larger, deeper rear courtyard. This is a preferable trade off in amenity terms as the previously proposed front courtyard was north west facing and would be lacking in sunlight, furthermore its position adjacent to Between Towns Road would have meant that this space would be noisy and overlooked from the street. The area to the rear of the block would be south east facing and although some areas would be overshadowed by the higher elements of the proposed building, this space would still benefit from a good degree of sunlight in summer and winter months as evidenced in the Daylight and Sunlight Assessment. The space would be less affected by traffic noise from Between Towns Road and would generally be a more pleasant environment.
- 10.64. As noted in the above sections policies H14 and RE7 of the Oxford, whilst drafted to apply particularly to residential dwellings are also material when considering student housing developments, therefore it is pertinent to consider the quality of proposed internal living spaces in relation to factors such as daylight and sunlight.
- 10.65. The submitted Daylight and Sunlight Assessment provides a sample analysis of the quality of light which would be provided to internal living spaces, applying the four BRE tests. The report indicates that the majority of the windows pass all of the tests. One of the tests, annual probable sunlight hours (APSH) is affected heavily by the orientation of rooms, therefore it is not unexpectedly a number of the bedrooms and studios in the north west and north east facing elevation fail this particular test. The north west facing windows however pass each of the three BRE tests.
- 10.66. The windows on the north east facing elevation are affected by their siting in relation to the adjoining five storey Between Towns Court. It is noted that four of the windows tested on the north east facing elevation also fail the VSC and No Sky Line tests, this is resulting from the spatial relationship of the lower windows in relation to the height of the adjoining building. A number of other windows in the proposed building fail the VSC test but pass the No Sky Line test, this includes a number of ground and first floor windows on the north east facing elevation as well as two windows on the south east and south west facing elevations, which face the internal courtyard of the building and are consequently impacted by the massing of the building and its overall height. In total 83% of the windows in the building comply with the BRE VSC test and all of the windows in the building pass the average daylight factor (ADF) test. The amendments to the massing of the building have improved the quality of internal spaces and the performance of the surveyed sample of rooms against the BRE test criteria in relation to daylight and sunlight.

10.67. In summary, whilst a number of the rooms do not pass all of the BRE tests in relation to daylight and sunlight, owing in part to orientation or proximity to either existing buildings or elements of the proposed building, the vast majority of rooms would pass at least two of the BRE tests and all windows pass the average Daylight Factor (ADF) test. Officers would therefore conclude that future occupiers would benefit from adequate standards of daylight and natural light in accordance with Policies H14 and RE7 of the Oxford Local Plan.

Noise

10.68. A noise survey has been submitted in support of the planning application which has been reviewed by the Councils Environmental Health Officers. Outline mitigation measures, including a glazing specification and the use of appropriate ventilation have been recommended in the submitted assessment and should be sufficient to achieve recommended internal noise levels for the proposed development according to BS 8233: 2014. It has been demonstrated within the acoustic submission that the calculated predicted noise levels are with the recommended criterion and internal noise have been predicted to have a low level of noise impact and noise disturbance would be unlikely. The development is therefore considered to comply with Policy RE8 of the Oxford Local Plan and existing and future occupiers would not therefore be exposed to undue noise disturbance.

10.69. To protect existing occupiers a demolition method statement will be required by condition which shall include control measures for dust, noise, vibration, lighting, delivery locations and hours of work. A condition will also be required to ensure that enhanced sound insulation is provided within the design of the student living accommodation to protect future occupiers.

Impact on Adjoining Telecommunications Site

10.70. The adjoining site to the south is used by BT as a telephone exchange. On the roof of the building is a 4 metre high stub tower which contains 6 telecoms antenna. A letter has been received from Cornerstone, consultants acting on behalf of telecoms service providers Telefonica and Vodafone. It was advised in the consultant's initial letter that the scale and siting of the proposed building had the potential to impact on network coverage given the buildings height and proximity to the telecoms apparatus.

10.71. The Council does not have a specific policy relating to the impact of development on telecoms coverage. The importance of advanced, high quality and reliable communications is emphasised in Paragraph 114 of the NPPF. Paragraph 116 (b) of the NPPF states that local planning authorities should ensure that they have considered the possibility of the construction of new buildings interfering with broadcast and electronic communications services.

10.72. Negotiations have taken place between officers the applicants, Cornerstone and the network operators with regard to addressing the potential impact of the development on network coverage, this included the possibility of re-siting mast infrastructure on the proposed building. This would have offered a potential solution as the proposed building would be one of the higher buildings in the

immediate area and is higher than the existing exchange and tower installation. Following consideration and further discussion the network operators have decided against this approach when considering the potential capacity of the building to accommodate the 12 antenna, ancillary development and equipment cabins required which would need to be provided in conjunction with the roof mounted solar PV.

10.73. Cornerstone have advised that the network operators would not object to the development even in the absence of direct re-provision of the telecoms equipment on the roof of the proposed building. Cornerstone have instead advised that other options would be considered, if enhancements to the network coverage needs to be addressed were development on the application site proceed. This may include the possibility of increasing the height of the existing tower structure on the telephone exchange, or re-providing the equipment on other high buildings in the area.

10.74. In the absence of an objection from the network operators and when considering the likelihood that any potential impact on network coverage can be addressed by other means, officers consider that the potential for the development to impact on network coverage should not represent a reason for refusing planning permission.

Transport

10.75. In accordance with Policies H8 and M3 of the Oxford Local Plan student accommodation must be car free except for operational and disabled parking. Four disabled parking spaces are proposed on the site to the rear of the building which would be accessed via St Luke's Road. An objection was previously raised by the County Council in relation to the amount of manoeuvring space behind the bays; however, this has now been addressed following amendments to the site plan and the objection has been removed. There would be no further parking provision on site and the remainder of the units would be car free. The surrounding streets including St Luke's Road fall within the Cowley Centre (East) controlled parking zone, which provides a means of controlling the car free nature of the development.

10.76. The site is in a sustainable location in terms of access to local services with a range of supermarkets available at the Cowley Centre, whilst the site is within 200 metres of bus stops serving large parts of the City, including the City Centre and Oxford Brookes University.

10.77. Policy H8 of the Oxford Local Plan requires that the developer undertakes and provides a mechanism to prevent residents from parking their cars anywhere on the site, (unless a disabled vehicle is required), which the developer shall thereafter monitor and enforce. The Transport Statement indicates an in principle agreement on behalf of the developer to provide such a mechanism. Details of this mechanism will be required by planning condition. Future residents will also be excluded from eligibility for a parking permit. Amendments to the existing parking controls on St Luke's Road will also be required in order to form the new access to the rear parking/servicing area, this will be secured through a TRO. The costs associated with this will be £3,120, funding would be secured through

a legal agreement. Details of visibility splays relating to this access are also required by condition to ensure safe access can be obtained to the site.

- 10.78. Arrangements for picking up and dropping off belongings at the start and end of terms will be required as part of a management regime which will be required by condition. The rear courtyard area and parking bays will be used during pick up and drop off times. In order to ensure student drop-off can be achieved over the set time (usually a weekend) without impacting upon the local highway network, a Student Accommodation Management Plan has been conditioned which sets out the process for end and start of term pick up and drop off.
- 10.79. Cycle parking for 190 bicycles would be provided, this would be located to the rear of the adjacent to the courtyard accessed from St Luke's Road. This would comply with the minimum cycle parking requirements outlined under Policy M5 of the Oxford Local Plan.
- 10.80. The submitted Transport Statement states that refuse collection will take place from St. Luke's Road which is acceptable. Additional information is required as to how students will use the storage provided. Students from the north of the site, especially those on higher floors will be expected to carry their refuse a significant distance. Further information will be required by condition outlining full details of the expected arrangements as part of a waste management strategy.
- 10.81. Overall it is considered that the development would fully comply with the relevant policies relating to parking provision namely Policies H8 and M3 of the Oxford Local Plan, as well as transport Policies M1 and M2 and cycle parking Policy M5.

Sustainability

- 10.82. Proposals for development are expected to demonstrate how sustainable design and construction methods will be incorporated in line with Policy RE1 of the Oxford Local Plan. All development must optimise energy efficiency by minimising the use of energy through design, layout, orientation, landscaping and materials, and by utilising technologies that help achieve Zero Carbon Developments. Planning permission will only be granted for development proposals for new build residential developments which achieve at least a 40% reduction in the carbon emissions from a code 2013 Building Regulations.
- 10.83. In accordance with the requirements of Policy RE1 the applicants have provided an Energy Statement in support of the application. The Energy Statement outlines that a combination of energy efficiency measures and on site renewables will be incorporated into the design of the residential buildings to reduce carbon emissions and energy demand.
- 10.84. In order to meet energy efficiency targets, the following measures are recommended within the Energy Statement for inclusion within the design of the building:
- High performance insulation and glazing.
 - Air tightness improvements.

- Reduced artificial lighting
- Site waste management including waste minimisation and recycling.
- High efficiency and low energy lighting.
- Air to water heat pumps.
- Water efficiency measures and reduced water consumption including rainwater harvesting.

10.85. The Energy Statement recommends a combination of air source heat pumps and solar PV to provide a renewable sources of energy for the development.

10.86. The combination of measures proposed would achieve a 41% reduction in carbon emissions against a Part L compliant base. This would meet the requirements of Policy RE1 of the Oxford Local Plan.

Trees

10.87. Policy G7 of the Oxford Local Plan states that Planning permission will not be granted for development that results in the loss of green infrastructure features including trees where this would have a significant adverse impact upon public amenity or ecological interest.

10.88. There are no trees within the application site itself, though there is a cluster of four category C trees within the garden of the adjacent property No.62 St Luke's Road. These trees are some distance from the proposed building and would each be retained.

10.89. The plans submitted alongside this application differ significantly from the previously withdrawn scheme (19/02620/FUL) in the altered built form driving related changes to the configuration of its landscape arrangements. Significantly this increases the space available for landscaping/ tree planting to address the frontage relationship with Between Towns Road. The design is set further back from the curb lines of Between Towns Road and a central section of the north-eastern elevation is recessed, which allows for the selection of trees with higher landscape performance impact characteristics (ultimate growth-potentials in maturity) that can act as foils to the substantial massing of the proposed building. Tree planting has been carried out along the Between Towns Road frontage of the adjacent Between Towns Court. The provision of further landscaping along this frontage and the frontage of St Luke's Road has the potential to contribute positively to the character of the streetscene along what is quite a harsh public realm at present. A landscaping plan and landscape management plan will be required by condition.

10.90. Overall the development is considered to comply fully with Policy G7 of the Local Plan.

Land Quality

10.91. A Phase 1 Ground Condition Assessment was submitted alongside this application which assesses potential contamination risks on the site. The report concludes that contamination risks on the site are likely to be low, however in view of the proposed use and nearby historical contamination identified, together

with the presence of asbestos containing materials on site, it is considered necessary to undertake a Phase 2 intrusive ground investigation to confirm the predicted absence of significant contamination risks to construction workers, nearby receptors and site end-users in accordance with Policy RE9 of the Oxford Local Plan. This will be secured by planning condition.

Drainage

10.92. The application site lies within Flood Zone 1 and is at a low risk of flooding. The site consists either of buildings or impermeable surfacing. The application is accompanied by a drainage strategy, which outlines the inclusion of SuDS features in the design of the development. The proposals include approximately 250m² of green roofs as well as permeable paving to be used in hard landscaped areas. This will significantly reduce the extent of the site which is currently impermeable. A total of 675m² of the porous paving will be utilised to provide attenuation storage and treatment of surface water flows.

10.93. Oxfordshire County Council have reviewed the submitted drainage strategy and have raised no objection, subject to the provision of a detailed Design, Surface Water Management Strategy, detailed records of the proposed SuDS and a management and maintenance plan which would be secured by planning condition. The submitted strategy would however comply with the requirements of Policies RE3 and RE4 of the Oxford Local Plan.

Ecology

10.94. A Preliminary Ecological Appraisal has been submitted in support of the planning application. No evidence of bats was found in any of the buildings on the site during site inspection and the buildings were assessed to offer negligible potential for roosting bats. No evidence of any other protected species was found on the site. Officers conclude that the findings of the PEA would suggest that the development would have no impact on protected species and there would be no conflict with Policy G2 of the Oxford Local Plan.

10.95. A scheme of ecological enhancements is requested by way of planning condition, this will include the provision of bat and bird boxes, including swift boxes in addition to the provision of landscape planting. Cumulatively the measures would secure a net gain in biodiversity in accordance with Policy G2 of the Oxford Local Plan.

Air Quality

10.96. The baseline assessment has shown that the air quality to the south of Oxford city centre is good at locations away from major roads. The annual mean NO₂ objective is not exceeded and concentrations have gradually been reducing over the 3-year period 2015 to 2017. The 1-hour NO₂ objective is unlikely to be exceeded at the development site based on automatic monitoring at the urban background site and nearby diffusion tube data. The air quality objectives are achieved at the automatic urban background monitoring site and using Defra's modelled urban background data. On that basis, both current area and future occupants of the proposed development will be exposed to acceptable baseline

levels of air quality and the site is deemed suitable for its proposed future use in this respect.

10.97. A conservative approach with regards to expected improvements to air quality has been taken in that no improvement in the pollutant background concentrations or road transport emission factors have been assumed between the base year (2017) and the first year of occupation (2022). With expected improvements to the traffic fleet, improvements in pollutant concentrations may however materialise. This is in line with best practice to apply worst-case assumptions.

10.98. The ADMS-Roads dispersion model has been used to determine the impact of emissions from road traffic on sensitive receptors. Predicted concentrations have been compared with the air quality objectives. The results of the assessment indicate that annual mean NO₂ concentrations are below the objective in the base year scenario. Concentrations of particulate matter (PM₁₀) are also predicted to be below the annual mean objective in the base year scenario. Based on the evidence it is estimated that there will be no exceedances of either short term objective for NO₂ or PM₁₀. The future year scenario predicts NO₂ and PM₁₀ concentrations to change by a maximum of 0.6 and < 0.1 µg/m³, respectively. However, this is due to assumptions on future general traffic growth, as the development itself is expected to have a negligible impact on local traffic generation.

10.99. A qualitative assessment of the potential local air quality impacts associated with the construction phase activities has identified that the Proposed Development is considered to be a Medium Risk Site with respect to dust soiling and Low Risk with respect to human health impacts for the earthworks and trackout phases. However, through good site practice and the implementation of suitable mitigation measures (identified on the reviewed AQA), the effect of dust and PM₁₀ releases would be further reduced and the impact on air quality considered to be negligible.

10.100. Overall, officers conclude that there will be not negative air quality impacts over current and future receptors as a result of the new development subject to the submission of an appropriate Construction Environmental Management Plan (CEMP). The development is therefore considered to comply with the requirements of Policy RE6 of the Oxford Local Plan.

11. CONCLUSION

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

11.2. In the context of all proposals paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development. This means approving development that accords with an up-to-date development plan without delay; or where there are no relevant development plan policies, or

the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

- 11.3. The application site represents an appropriate location for the provision of student housing accounting for its location within the Cowley District Centre in line with Policy H8 of the Oxford Local Plan. The loss of the community use on the site, whilst representing a departure from Policy V7 of the Oxford Local Plan would not in officers view disadvantage the local community accounting for the provision of existing facilities in the local area which provide a similar function to the former Conservative Club and this would not reduce the community's ability to meet its day-to-day needs and would not conflict with Paragraph 92 of the NPPF. The loss of the two flats on the site, whilst also representing a departure from Policy H5 of the Oxford Local Plan would be outweighed by the benefits arising from the provision of 189 student rooms, which would equate to the release of 75 dwellings back into the local housing market where applying the Governments Housing Delivery Test formula. A financial contribution of £1,097,391 towards the delivery of off-site affordable housing would also be secured.
- 11.4. The design of the development has been subject of a number of amendments and officers consider that the massing of the building, overall scale and design approach relates appropriately to the context of the surrounding area consistent with Policy DH1 of the Oxford Local Plan.
- 11.5. The Conservative Club building is considered to be a local heritage asset owing to the social and communal value of the building and its association within Cowley, as well as the architectural merits of the original 1920's elements of the building. The removal of the building would amount to substantial harm to a local heritage asset. It is considered that the substantial harm associated with the removal of the building would be outweighed by the public benefits of the development, particularly the provision of 189 student rooms, which would equate to the release of 75 dwellings back into the local housing market. In addition there would be benefits to the visual amenities of the area, particularly enhancements to the public realm as well as a financial contribution of £1,097,391 towards the delivery of off-site affordable housing. It is concluded that the development would not result in harm to the Temple Cowley Conservation Area.
- 11.6. The amendments to the scale and massing of the building have improved the levels of daylight and sunlight provided to the amenity spaces and rooms within the proposed building, providing enhanced standards of amenity for future occupiers. Communal amenity areas are provided in the proposed flats in accordance with Policy H8 of the Oxford Local Plan.
- 11.7. The siting and scale of the building would not significantly compromise the amenity of surrounding residential dwellings, including the adjoining property No.62 St Luke's Road. An acceptable separation distance is retained between

the proposed building and the adjoining student accommodation at Between Towns Court to the north of the site. Although the development would result in a material loss of light to a number of ground, first and second floor rooms, where applying the BRE criteria used to assess daylight and sunlight, all but one of the rooms would pass at least one of the BRE tests, with the vast majority of the rooms passing two or more of the tests. It is concluded that the adjoining student accommodation would still be afforded adequate levels of daylight/sunlight and the development would comply with Policies H14 and RE7 of the Oxford Local Plan, which aim to preserve the amenity of existing uses.

11.8. In accordance with Policy H8 of the Oxford Local Plan the development would be car free, except for the provision of 4 disabled parking spaces. The site is also within a CPZ and residents would be excluded from obtaining parking permits. Adequate cycle parking provision is proposed in line with the requirements of Policy M5 of the Oxford Local Plan.

11.9. 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.

12. CONDITIONS

Time Limit

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.

Approved Plans

2. The development referred to shall be constructed strictly in complete accordance with the specifications in the application and the submitted plans.

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

Materials

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

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

Highways and Access

4. A Construction Traffic Management Plan shall 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 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.

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.

5. The development/proposed unit(s) shall be excluded from eligibility for parking permits prior to first occupation of the proposed development.

Reason: To ensure that the development or change of use does not generate an increase in parking demand, restrict existing residents' access to on-street parking and to ensure that the low-car nature of the development is met.

6. Prior to first occupation a Travel Plan shall be submitted to and approved by the Local Planning Authority and shall be implemented.

Reason: To promote sustainable modes of transport.

7. The student study bedrooms comprised in the development shall not be occupied until the wording of a clause in the tenancy agreement under which the study bedrooms are to be occupied restricting students resident at the premises (other than those registered disabled) from bringing or keeping a motor vehicle in the city has been submitted to and approved in writing by the local planning authority; and the study bedrooms shall only be let on tenancies

which include that clause or any alternative approved by the local planning authority.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with Policies H8 and M3 of the Oxford Local Plan.

8. Prior to the first occupation of the development, cycle parking shall be laid out and installed in accordance with the details provided alongside this planning application or as otherwise approved by the Local Planning Authority.

Reason: To ensure that adequate cycle parking is provided in accordance with Policy M5 of the Oxford Local Plan.

Drainage

9. No development shall take place until a Detailed Design, Surface Water Management Strategy, for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved Detailed Design prior to the use of the building commencing. The Detailed Design shall be based upon the Outline Design principles set out in the following documents and drawings: "Surface and Foul Water Management Strategy, Stantec. Project reference: 46381, Document Reference: 2001/R001, Rev B, dated 8th February 2021." The submitted strategy shall include the following measures:

- Discharge to be restricted to maximum of 6l/s.
- Evidence of permission to for connection into the Thames Water network.
- A compliance report to demonstrate how the scheme complies with the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire" Detailed design drainage layout drawings of the SuDS proposals including cross section details.
- Detailed design clearly demonstrating how exceedance events will be managed.
- Pre and Post development surface water flow paths to be identified.
- Details of how water quality will be maintained during construction. Infiltration test results to BRE365 to be submitted.
- Evidence that WFD requirements have been addressed to improve water quality.
- Discharge Rates.
- Discharge Volumes.
- Sizing of features - attenuation volume.

- Detailed drainage layout with pipe numbers.
- SUDS (including list the suds features mentioned within the “Surface and Foul Water Management Strategy” documentation, to ensure they are carried forward into the detailed drainage strategy).
- Network drainage calculations.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal in accordance with Policies RE3 and RE4 of the Oxford Local Plan.

10. The development hereby permitted shall not commence until full Detailed Design details of the proposal, implementation, maintenance and management of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:

- a) Information about the design storm period and intensity (1 in 30 & 1 in 100 (+40% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;
- b) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- c) Flood water exceedance routes, both on and off site;
- d) A timetable for implementation and;
- e) Site investigation and test results to confirm infiltrations rates.

Reason: To ensure that the proposed development can be adequately drained. To ensure that there is no flood risk on or off the site resulting from the proposed development in accordance with Policies RE3 and RE4 of the Oxford Local Plan.

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

- As built plans in both .pdf and .shp file format;
- Photographs to document each key stage of the drainage system when installed on site;
- Photographs to document the completed installation of the drainage structures on site.

- Management company information must be provided clearly identifying the name of the company and contact details.

Reason: In accordance with section 21 of the Flood and Water Management Act 2010 and Policies RE3 and RE4 of the Oxford Local Plan.

Secured by Design

12. Prior to commencement of development, an application shall be made for Secured by Design 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 confirmation of SBD accreditation has been received by the authority.

Reason: In the interests of ensuring that the design of the development minimises opportunities for crime in accordance with Policy DH1 of the Oxford Local Plan.

Archaeology

13. No demolition shall take place until a method statement for setting out how foundations will be left in place until the completion of archaeological recording have been approved in writing by the local planning authority. The method statement shall be expressed in terms that commit the developer to compliance unless otherwise agreed in writing by the planning authority.

Reason: To ensure that Roman remains are protected prior to mitigation works (Local Plan Policy HE2, Local Plan Submission Draft Policies DH3 & 4).

14. No development shall take place until a detailed design for foundations; other ground-works; intrusive landscaping; and a method statement for their construction in areas of archaeological potential; have been approved in writing by the local planning authority. The method statement shall be expressed in terms that commit the developer to compliance unless otherwise agreed in writing by the planning authority.

Reason: To ensure that the impact on significant Roman remains is minimized and mitigated effectively (Local Plan Policy HE2, Local Plan Submission Draft Policies DH3 & 4).

15. No development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of archaeological significance and research objectives, and;

- The programme and methodology of site investigation and recording and public outreach and the nomination of a competent person(s) or organisation to undertake the agreed works.

- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Roman remains (Local Plan Policy HE2, Local Plan Submission Draft Policies DH3 & 4).

CEMP

16. 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. As a minimum, the dust mitigation measures that need to be included and adopted in the referred plan can be found on (page 18) of the reviewed Air Quality Assessment that was submitted with this application (Air Quality Assessment: September 2019). The development shall be constructed in accordance with the approved CEMP.

Reason: To ensure that the overall dust impacts during the construction phase of the proposed development will remain as “not significant”, in accordance with the results of the dust assessment, and with Core Policy 23 of the Oxford Local Plan 2001- 2016.

EV Charging

17. Prior to the commencement of development, details of the Electric Vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following provision: - The amount of electric car charging points to be installed should cover at least 25% of the amount of non-allocated permitted parking of the development the electric vehicle infrastructure shall be formed, and laid out in accordance with these details before the development is first in operation and shall remain in place thereafter.

Reason - To contribute to improving local air quality in accordance with CP23 of the Oxford Local Plan 2001- 2016 and future planning policy M4 and enable the provision of low emission vehicle infrastructure.

Land Quality

18. Prior to the commencement of the development (other than that required to undertake site investigation including demolition of above ground structures) a phased risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Land Contamination Risk Management (LCRM) procedures for managing land contamination. Each phase shall be submitted in writing and approved by the local planning authority.

Phase 1 has been completed and is approved (desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model and preliminary risk assessment).

Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals.

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

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

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

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

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

Reason- To ensure that any 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 Oxford Local Plan 2016 - 2036.

Piling

21. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility and sewerage infrastructure. Piling has the potential to impact on local underground water utility infrastructure.

Trees and Landscaping

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

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

23. The landscaping proposals as approved by the Local Planning Authority shall be followed and any planting required under the landscaping plan shall be carried out no later than the first planting season after first occupation or first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority. Any existing retained trees, or new trees or plants planted in accordance with the details of the approved landscape proposals that fail to establish, are removed, die or become seriously damaged or defective within a period of five years after first occupation or first use of the development hereby approved shall be replaced. They shall be replaced with others of a species, size and number as originally approved during the first available planting season unless otherwise agreed in writing 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.

24. Prior to first occupation or first use of the development hereby approved a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules and timing for all landscape areas, other than small, privately owned domestic gardens, shall be submitted to, and approved in writing by, the Local Planning Authority. The landscape management plan shall be carried out as approved by the Local Planning Authority.

Reason: In the interests of amenity and the appearance of the area in accordance with Policies DH1 and G7 of the Oxford Local Plan.

Ecological Enhancements

25. Prior to the commencement of development, a scheme of ecological enhancements shall be submitted to, and approved in writing by, the Local Planning Authority to ensure a net gain in biodiversity will be achieved. The scheme will include details of landscape planting of known benefit to wildlife and artificial roost features, including specifications and locations of bird and bat boxes. A minimum of five dedicated swift boxes shall be provided. Any new fencing will include holes suitable for the safe passage of hedgehogs.

Reason: To comply with the requirements of the National Planning Policy Framework and Policy G2: Protection of biodiversity and geo-diversity of the adopted Oxford Local Plan 2036.

Demolition Method Statement

26. Prior to commencement of the development hereby approved, a demolition method statement and a construction management plan shall be submitted to and approved in writing by the Council. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800 -1300 hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. Approved details shall be implemented throughout the project period.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site

Noise Measures

27. Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value $D_{nT,w}$ and $L_{nT,w}$ of at least 5dB above the Building Regulations value, for the

floor/ceiling/wall structures separating different types of rooms/ uses. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise

28. 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 35dB $L_{Aeq\ 16hrs}$ daytime and of more than 30dB $L_{Aeq\ 8hrs}$ in bedrooms at night.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise.

Obscure Glazing

29. Prior to the first occupation of the development, the first and second floor windows serving corridors located on both gable ends of the south east elevation of the building shall be fitted with obscure glazing which shall be retained thereafter.

Reason: To limit overlooking to preserve the privacy and amenity of adjoining residential occupiers in accordance with Policies H14 and RE7 of the Oxford Local Plan.

Term Time Use Restriction

30. The student accommodation hereby permitted shall only be occupied during term time by students who are in full time education on courses of an academic year or more.

Outside term time the permitted use may be extended to include accommodation for cultural and academic visitors and for conference and summer school delegates. The buildings shall be used for no other purpose without the prior written approval of the Local Planning Authority.

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

Historic Building Recording

31. No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a programme of historic building recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

The Conservative Club building shall be recorded to level 3 of Historic England's 'Understanding Historic Buildings: A Guide to Good Recording Practice' as revised. The 1930s house (17 Between Towns Road) shall be recorded to level 2 of the same guidance.

All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors (Local Plan Policy DH4).

Refuse Storage and Waste Management

32. A waste management strategy including details of the facilities for the storage and removal of refuse from the premises shall be submitted to, and approved in writing by the Local Planning Authority before first occupation of the development. The proposed measures shall be implemented before first occupation of the development and shall be retained thereafter.

Reason: In the interests of residential and highway amenity in accordance with Policies M2 and DH1 of the Oxford Local Plan.

Energy Statement Compliance

33. The development shall be carried out in accordance with the recommended energy efficiency and sustainability measures outlined the Energy and Sustainability Statement prepared by ERS Consultants dated 4th August 2021, reference PR7296.

Reason: To ensure that the development achieves the required sustainability and energy efficiency standards outlined under Policy RE1 of the Oxford Local Plan.

Student Accommodation Management Plan

34. A Student Accommodation Management Plan shall be submitted for approval by the Local Planning Authority in advance of occupation of the student accommodation. This shall include control measures for ensuring that the movement of vehicles associated with the transport of student belongings at the start and end of term are appropriately staggered to prevent any adverse impacts on the operation of the highway. The development shall be carried out in accordance with the approved measures.

Reason: In the reason of highway safety and the efficient operation of the public highway in accordance with Policy M3 of the Oxford Local Plan and to

preserve the residential amenity of surrounding occupiers in accordance with Policy RE7 of the Oxford Local Plan.

13. APPENDICES

- **Appendix 1** – Site location plan

14. HUMAN RIGHTS ACT 1998

14.1. 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.

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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