

## Oxford City Planning Committee

24<sup>th</sup> January 2023

**Application number:** 22/01842/FUL

**Decision due by** 16th November 2022

**Extension of time** TBA

**Proposal** Partial demolition and alteration of C2 accommodation (17 Norham Gardens), demolition of C2 accommodation building (Brockhues Lodge), erection of 3 no. C2 accommodation buildings including drainage and landscape works; and minor alterations to listed building and demolition of curtilage listed building (19 Norham Gardens).

**Site address** 17 And 19 Norham Gardens, Oxford, see **Appendix 1** for site plan

**Ward** Walton Manor Ward

**Case officer** Felicity Byrne

**Agent:** Erin Porter      **Applicant:** The Principal,  
Fellows And  
Scholars Of St  
Edmund Hall In The  
University of Oxford

**Reason at Committee** Major development

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## 1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

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

## **2. EXECUTIVE SUMMARY**

- 2.1. This report considers the redevelopment of 17-19 Norham Gardens to provide student accommodation and ancillary facilities for St Edmund Hall. The site lies within the North Oxford Victorian Suburb Conservation Area, includes Grade II listed No.19 Norham Gardens as well as bounding to the south the University Parks, a Grade II registered Park and Garden.
- 2.2. Officers consider that the principle of the development is acceptable and the proposed development makes best use of an existing site to provide increased student accommodation for St Edmund Hall to meet their needs. The development would contribute significantly to the Council's aim of providing more purpose built student accommodation and releasing housing to the general market. The proposal is exempt from an affordable housing contribution because it is sited in an existing college campus.
- 2.3. The proposed development is of high quality architectural design that would also achieve the highest standards of sustainable design and construction credentials including energy efficiency (passivhaus and enerphit) as well as sustainable drainage design. The development makes a sensitive architectural response to its surrounding context. The need for the college accommodation has been robustly demonstrated and together with the constraints of the site means that the location, height and massing of the development is justified. There would be a low level of less than substantial harm caused to the significance of heritage assets through the additional buildings within the site. It is considered that the level of harm would be outweighed by public benefits arising from the development. In coming to this view great weight has been given to the preservation of the significance of heritage assets and the higher duty placed on decision makers under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.4. European Protected Species (bats) exist on site. The potential presence of protected habitats and species has been given due regard and mitigation measures are proposed. A Natural England Licence would be required, confirmation of which would be secured by condition. A high quality landscape design including tree and shrub planting with integrated sustainable drainage design would be provided. There would be no net loss in tree canopy or adverse impact on existing retained trees. Significant biodiversity net gain would be achieved. Subject to conditions the development would accord with policies G2, G7 and G8 of the OLP and the NPPF. Due regard has been given to the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended).
- 2.5. There would be no significant adverse impact on neighbouring residential amenities as a result of overlooking, loss of privacy, overbearing, visual intrusion, noise or overshadowing. Subject to relevant conditions, the development would not have an adverse impact in relation to land quality, air quality, archaeology, drainage and transport.

2.6. In conclusion, subject to conditions set out at Section 12 of this report, the development would accord with the relevant policies of the Oxford Local Plan 2036, the policy framework set out in the NPPF and complies with the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Conservation of Habitats and Species Regulations 2017 (as amended).

### **3. LEGAL AGREEMENT**

3.1. This application is not subject to any legal agreement.

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

4.1. The proposal is liable for CIL amounting to £75,964.32.

### **5. SITE AND SURROUNDINGS**

5.1. The site lies within the North Oxford Victorian Suburb Conservation Area (NOVSCA) to the north of the City Centre. Norham Gardens was one of the first parts of the conservation area to be built out in the mid to late C19, comprising a number of very large detached and semi-detached villas set in generous gardens, designed to replicate the country house ethos on a smaller scale. The site comprises properties Nos.17 and 19 Norham Gardens and the 20<sup>th</sup> Century Brockhues Building which sits within the rear garden of No.17 adjacent to the southern boundary with University Parks. No.17 is a large detached and extended villa, typical of the NOVSCA, which has a single storey gym to the southwest and a single storey detached garage to the northeast, fronting Norham Gardens. No.19 Norham Gardens sits to the north-east of No.17. It is an interesting grade II listed Arts and Crafts style villa of 1877 designed by Frederick Codd whose work can be seen throughout the NOVSCA. This building is also part of the college and provides accommodation for Fellows. There is no physical boundary separating No.17 from No.19 and they are connected below ground. No.17 was extended at the front and side in the 1970's and it has a total of 47 student bedrooms. Brockhues Building provides an additional 9 student bedrooms. There are a total of 56 student rooms on the site.

5.2. Adjacent to the northeast boundary of site (and No.19) is a footpath connecting Norham Gardens, and North Oxford to University Parks, Thorn Walk, which itself is bounded on the other side by Lady Margaret Hall. To the southeast of the site is University Parks and trees within the park bound and overhang the boundaries of both Nos.17 & 19. A number of these trees are substantial mature trees that form a distinctive belt of tree trunks and canopies informing views into and out of the University Parks. The rear gardens of Nos.17-19 are mainly set to lawn with a few trees and shrub borders. Three car parking spaces are located at the front of No.19. Figure 1 below shows the existing block plan.



Fig1: Existing Block Plan

## 6. PROPOSAL

- 6.1. The application proposes to demolish the existing C20 front extension to No.17, its rear façade and Brockhues Building, together with the rear C20 addition to the original chapel (now gym and workshop) which sits alongside the southwest façade of No.17. A new L-shaped detached villa is proposed adjacent to No.17 to the northeast next No.19. A new replacement block is proposed in the same location as Brockhues. Alterations are proposed to the front boundary walls of 17 and 19 Norham Gardens, including new railings. Provision of cycle parking and bin storage is proposed to the front and within the site, together with retention of the existing 3 car parking spaces for staff and servicing purposes.
- 6.2. An associated listed building consent application in respect of works to No.19 Norham Gardens has also been submitted and comprises the demolition of the garage and store, alterations to the front boundary wall, including new railings; internal and external alterations to the former chapel, now the MCR including lowering of floor, refurbishment works and insertion of a door in the west facade of the building; installation of CCTV unit and surface-mounted bat boxes to external facades of 19 Norham Gardens. Works in association with 22/01842/FUL (22/01843/LBC refers).
- 6.3. During the application process, a proposed new outbuilding to be built in the garden of No. 19 was removed from the application and the description of the development was amended following concerns raised by officers regarding design and the potential impact on the setting of the listed building and to address concerns raised by neighbours. It was not considered necessary to re

advertise in this case on the basis that it removed the building and addressed concerns.

6.4. The block plan at Figure 2 shows the proposed layout.

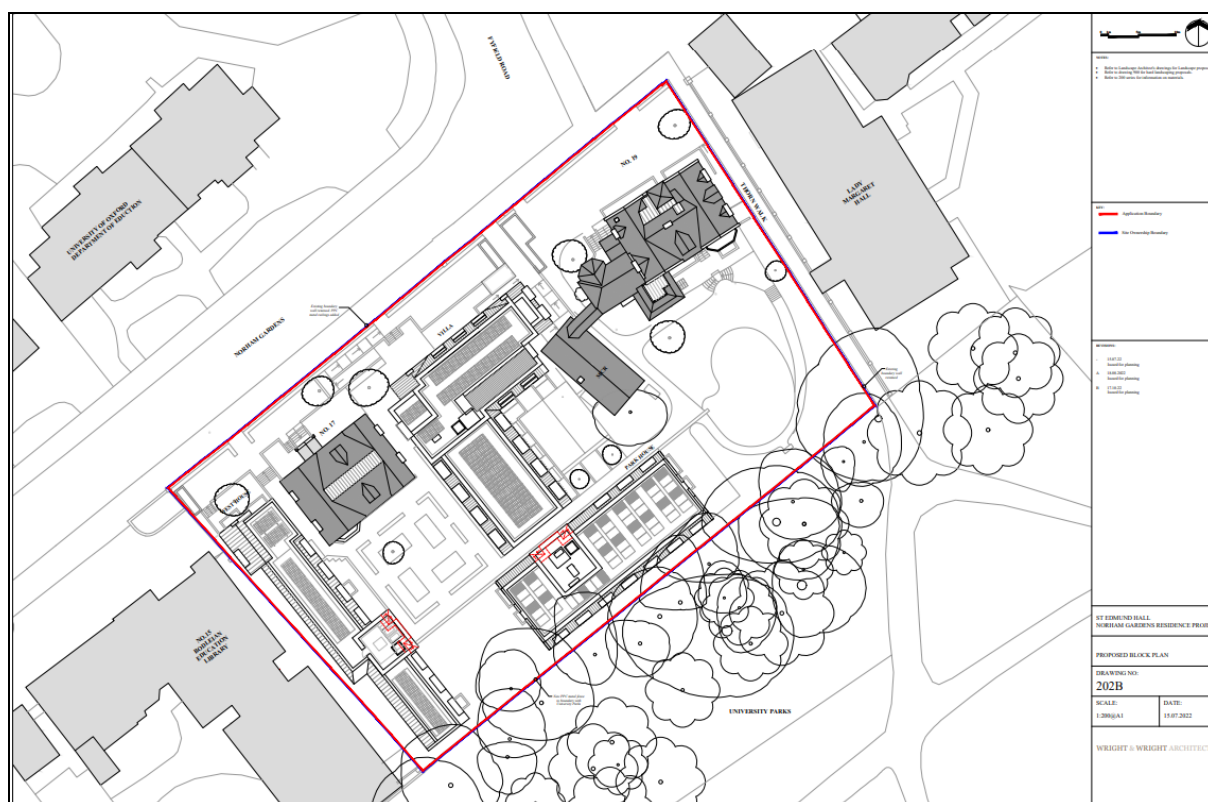


Fig.2 – Proposed block plan

## 7. RELEVANT PLANNING HISTORY

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

53/02943/A\_H - Private garage and cycle shed. Approved 26th May 1953.

61/10513/A\_H - Extension to existing chapel. Approved 28th March 1961.

62/11748/A\_H - Four storey extension for lecture room shed and sitting rooms and extensions to dining rooms. Approved 27th February 1962.

63/11748/A\_H - 4 storey extension for lecture room, bedsitting rooms and extension (revised). Approved 25th June 1963.

64/15180/A\_H - Extension to chapel. Approved 14th July 1964.

02/01404/FUL - Demolition of existing flat roof lower ground floor link building and erection of extension with accommodation over three floors, comprising five student study bedrooms and hall area. Approved 14th October 2002.

22/01843/LBC - Demolition of garage and store. Alterations to front boundary wall, including new railings. Internal and external alterations to MCR including lowering of floor, refurbishment works and installation of door to west elevation; installation of CCTV unit and surface-mounted bat boxes to external elevations of 19 Norham Gardens. Works in association with 22/01842/FUL. Pending consideration

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents
Design	119-136	DH1 - High quality design and placemaking DH2 - Views and building heights DH7 - External servicing features and stores RE1 - Sustainable design and construction RE2 - Efficient use of Land	
Conservation/Heritage	189-208	DH3 - Designated heritage assets DH4 - Archaeological remains	
Housing	60-77	H2 - Delivering affordable homes H8 - Provision of new student accommodation	
Commercial	81-91		
Natural environment	91-101, 174-182	RE3 - Flood risk management G1 - Protection of Green/Blue Infrastructure G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	
Social and community	92-103	V7 - Infrastructure, cultural and community	
Transport	104-113	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development	Car & Bicycle Parking TAN

		M3 - Motor vehicle parking M4 - Provision of electric charging points M5 - Bicycle Parking	
<b>Environmental</b>	152, 169, 183-184	RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE5 - Health, wellbeing, and Health Impact Assessment RE6 - Air Quality G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	Sustainable Design & Construction TAN Health Impact Assessment TAN Biodiversity TAN
<b>Miscellaneous</b>	7-12	S1 - Sustainable development S2 - Developer contributions RE7 - Managing the impact of development	

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 8th September 2022 and an advertisement was published in The Oxford Times newspaper on 8th September 2022. The application was re-advertised as a major development and published in The Oxford Times newspaper on 22nd September 2022. Amended plans and information were received in response to consultees and re-consultations sent to them on 12<sup>th</sup> October 2022.

### **Statutory consultees**

#### Oxfordshire County Council (Highways Authority)

9.2. No objection subject to conditions to secure cycle parking details and a Construction Traffic Management Plan.

9.3. The proposals will increase the total accommodation for students by 72 bedrooms. As there will be no on-site vehicle parking (other than two disabled spaces), and as it will not be feasible for a private car to be retained near the site due to the Controlled Parking Zone (CPZ) and double yellow lines, there will be a negligible impact on the local highway network. Students will not be allowed to apply for CPZ parking permits.

9.4. Cycle parking facilities will be provided at the rate of one space per student. The majority of the spaces will be at the front of the site and therefore convenient for Norham Gardens. However, 30 of the spaces are shown at the rear, adjacent to Park House, and it is not clear if they may easily be taken out to the highway. Any doors or gates that cycles must be pushed through must be designed appropriately for ease of passage. Cycle parking should be covered and meet Policy M5.

#### Oxfordshire County Council (Lead Local Flood Authority (LLFA))

9.5. Following amended information the LLFA still raised an objection on the basis that the information did not show rainwater harvesting features on the drainage plan. The drainage strategy did not show the green roofs connection into the surface water network or its extent. They also request construction details of the green roofs and calculations for 1:100year storm event plus 40% climate change.

#### Thames Water Utilities Limited

9.6. No objection: comments can be summarised as:

- Foul Water: sewerage network infrastructure capacity – no objection;
- Surface Water: network infrastructure capacity – no objection;
- Water: some capacity exists within the water network to serve 49 dwellings but beyond that upgrades to the water network will be required and can be secured by condition.
- Waste: This site is affected by wayleaves and easements within the boundary of or close to the application site. Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection.
- There are public sewers crossing or close to the development.

#### Historic England

9.7. *Significance of the North Oxford Victorian Suburb Conservation Area and 19 Norham Gardens* - The site of the proposed development is within North Oxford Victorian Suburb; a well-conserved, leafy Victorian conservation area. Despite being built in phases and for a range of incomes the area has a very coherent character as it was owned by St John's College, who exercised a high degree of control over its development. Houses are spacious, with generous front and rear gardens. The large plot sizes and extensive use of the neo-gothic style gives the area its coherence while the fact that houses were designed and built individually or in small groups, all to differing designs, adds interest and charm. When built it was the ideal place for families of Oxford academics, professionals and businessmen to live and tells an important story about how the expansion and reform of the University in the later 19th century, particularly permitting dons to marry, dramatically changed the City as a whole. Today, the conservation area retains a remarkable homogeneity.

9.8. The current institutional use of many larger buildings has sustained them but resulted in some modifications that have diminished the character of the area.

9.9. The villa at 19 Norham Gardens a particularly good example of a Victorian Gothic villa by the prolific Oxford architect and builder Frederick Codd. It illustrates numerous features of the domesticated Gothic style used within the new Victorian Estate of north Oxford by Codd and others (asymmetric window positions, turreted towers, stone window surrounds, polychromatic brick



detailing), and is understood to retain some interesting interior architectural detailing.

- 9.10. *Impact of the proposals on heritage assets* - Historic England has been engaged in pre-application advice giving on the evolving scheme up to the most recent revisions, now submitted as a planning application (and listed building consent). Our comments here reflect our position as set out during those discussions.
- 9.11. The proposals are for the demolition of extensions to No. 17 Norham Gardens, the demolition of the former Methodist Chapel at the same site, the demolition of student accommodation rear (south) of 17 Norham Gardens, and minor demolition of additions to No. 19 Norham Gardens. Three replacement buildings are proposed (Villa building, West House and Park House) together with landscaping, and internal upgrades to the unlisted No. 17.
- 9.12. *Impact on the North Oxford Victorian Suburb Conservation Area* - The proposed demolition of extensions to No. 17 Norham Gardens would remove a quite unsympathetic 20th century extension and release the villa to sit as a detached building as it was originally designed. The late 19th century extension to provide space for the women's college has some, limited significance but the quality of the extension was not high and subsequent modifications have marred it further still. Overall, this demolition element of the scheme would have a broadly positive impact on the character and appearance of the conservation area.
- 9.13. The 1926 former Methodist Chapel has a degree of historical interest for its role in the expansion of the site and its time a theological college. The building itself has some, limited architectural merit but later extensions and alterations have not been sympathetic. Overall, it has some, limited significance as an historical building within the conservation area. However, its loss would, in our view, cause a modest and low-level degree of harm to the character and appearance of the conservation area.
- 9.14. Moving on to the designs for the visible new buildings within the site, in particular the Villa and West House buildings.
- 9.15. Firstly, the modest scale and form of the West House building would not appear incongruous due to the blend of sensitive gable end shape, traditional materials and contemporary window style. We think it would sit comfortably within the streetscene.
- 9.16. The much larger Villa building has been considerably refined throughout the development of the scheme as a result of a careful analysis of the conservation area and streetscene. Despite its large scale it successfully and sensitively achieves a blend of contemporary forms with sensitive referencing of Victorian Gothic architectural features (including chimney-style flues, slate roof, polychromatic brickwork, terracotta ridge finials and stone window surrounds). The streetscene views provided along Norham gardens and Fyfield Road indicate the Villa building would sit comfortably between its neighbours and more widely the conservation area owing to its carefully considered massing and form

and contemporary yet historically sensitive design. In our view this new building would cause a degree of harm to the conservation area due to its large size (at the low end of less than substantial) but has successfully managed to avoid the harms of earlier iterations and minimised any residual because of the high quality of the proposed architecture.

9.17. Overall, we consider that the proposals would result a degree of harm to the character and appearance of the conservation area, at the low end of less than substantial.

9.18. *Impact on No.19 Norham Gardens* - The redevelopment of the gardens of No 17 Norham Gardens would be seen from the rear of No. 19 (Grade II listed) and within its gardens. It is our view that this would cause a small degree of harm to the significance of this listed building through the development of the gardens of the adjacent villa (and modification to setting and experience of the building, designed to look south and take in views across to the park). However, we accept that the designs of the Villa and Park House buildings have sought to minimise harm through sensitive architectural form, building size and position. In addition, the proposed landscaping scheme would appear to improve the gardens of No. 19 thus enhancing its immediate setting as well as providing a degree of filtering in views toward the new buildings rear of No.17.

9.19. *Views from University Parks* - The submitted images and wirelines indicate the proposals would not be visible from the cricket field and pathways that run north towards the site within University parks. We are content with this assessment and conclude the proposals would be unlikely to harm the significance of the park.

9.20. *Benefits to heritage* - The proposals put forward some benefits to the character and appearance of the conservation area through the recreation of the detached villa and repairs to the exterior of No. 17, and sensitive landscaping along the Norham Gardens frontage, and these are welcomed.

9.21. *Conclusion* - The proposals would result in some limited and low-level harm to heritage assets and some modest heritage benefits. Any residual harm needs to be considered under paragraphs 200 and 202 of the NPPF, considering whether the harm is clearly and convincingly justified and weighing it against public benefits. We recommend that the Council be clear in its assessment that the public benefits put forward with this scheme outweigh the harm that has been identified, and to which they must give great weight (paragraph 199).

9.22. Please note, our review of the proposals focuses on the main and larger heritage matters of the site and there may be detailed matters as well as other non-heritage matters that the Council will need to consider. Our advice, where silent on a particular element of the scheme, should not be taken to mean there are no heritage concerns, but simply that those are for the Council to consider and make assessment of.

9.23. We recommend the Council consider whether the harm identified is justified and, in weighing up the heritage harm of the scheme against public benefits, give great weight to that harm, as set out in paragraph 199 (of the NPPF).

## Public representations

9.24. Comments were received from No.15 Fyfield Road, No.6 Benson place (also on behalf of two other neighbours), Oxford Preservation Trust and The Victorian Group of the Oxfordshire Architectural and Historical Society. Their comments can be summarised as:

- Overdevelopment of this small site
- Buildings too large, possible overheating to nos. 17 and 19
- Excessive height that does not related to existing buildings
- Out of keeping,
- Rectangular brick chimneys with flat tops are wholly out of place, not elegant
- Building unpleasantly reminiscent of the public view of the new Lambeth Palace library by the same architects.
- Buildings within the site will obstruct sight lines of the University Parks except from a single location on Norham Gardens
- New Villa Building would dominate the street scene of Norham Gardens
- Stone lintels should be used
- Overbearing n neighbours
- Adverse impact on neighbours from lighting
- Impact on the sewage treatment and wastewater capacity from the intensive development
- Concerned that the stated noise from ASHPs on the roofs will be above recommended levels of 30 dB at night.
- The large increase in student activity will generate significant disturbance, will stress local amenities e.g. health, dentistry, rubbish collection, neighbourhood cleanliness, taxi traffic, coach traffic, vehicles delivering parcels and food etc.
- Students and summer schools students will not use public transport, private vehicles will be used, Norham Gardens is becoming a coach park
- Concerned about the loss of garden space and reduction in soft landscaping.
- Tree canopy lost cannot be replaced by the green roof and object to loos of all but one tree
- New trees smaller and do not replace biodiversity lost
- Concerns about the removal of the chapel, which adds diversity to the site
- Questioned whether the cycle storage was sufficient.
- Bin storage insufficient capacity

- No student management plan for start and end of term
- A new building proposed along Thorn Walk would reduce soft landscape area and could obstruct views of number 19 from the University Parks.

9.25. The Victorian Group of the Oxfordshire Architectural and Historical Society commented

- Object. The development represent most damaging changes to the conservation area.
- The changes affect the listed building (No.19) in the most regrettable manner
- No.17 is not of same quality as No,19 but the extension in 1894 should be retained. The 1970's addition is obviously inappropriate and its loss would be beneficial but at least it reads as an extension
- The new block reads separately and would unbalance the street and is too large for the site. It extend to the Parks and is remarkably ugly, entirely failing to be in keeping with Fredrick Codd's work. Roofs and detailing is unsympathetic
- Deplore the proposal to demolish the chapel erected by St Stephen's House in 1926 designed by architect Samuel Rogers. The chapel formerly had a large mural of the martyrdom of St Stephen behind the altar Harold Samuel Rogers (1877-1953). It is unclear whether this has been destroyed or covered up.
- Replacement 'West House' would result in no gap between the main new building and No.15. These gaps are important;
- The development produce a great wall of building between the Music Room (MCR) of 19 Norham Gardens and No. 15;
- The stunted proportions of the West House would make it look like the immature offspring of its neighbours
- Norham Gardens has been incrementally degraded, by inappropriate alterations and infill
- Proposed tree planting species are non-native and will adversely affect the biodiversity of the area.
- The replacement garden building is too close to the University Parks and there is a strong likelihood that the nearby trees in the Parks will be damaged over the next few years as a result
- Very little is said about the nature of the proposed pond, and as this is a new feature the application should indicate how it is to be fed, what planting is proposed, and what actions will be taken to ensure the long-term sustainability of the ecology.

9.26. Oxford Preservation Trust (OPT) commented

- They are happy to support the principle of this application and were pleased to see that the new buildings on the site make reference to the original building plots and that the 'gaps' will allow views through to the rear gardens and trees and the Park beyond, a key characteristic of the area.
- The express regret at the loss of the small former chapel which provides a point of interest
- The finished development could read more like a single large collection of buildings rather than a series of individual buildings. OPT therefore suggests at the west end the choice of red brick might be changed to yellow brick to prevent it feeling as if the red brick are full stops at either end of the overall whole.

**Officer response**

9.27. In response to Victorian Group of the Oxfordshire Architectural and Historical Society's last bullet point, detailed information has been provided in the application regarding the nature of the proposed pond and how it is to be fed and proposed planting and actions for the long-term sustainability of the ecology.

9.28. In response to concern regarding loss of the mural. The building has not been used as a chapel since 1980 and its original form has been changed. The mural referred to has long been removed. A letter received from The Principal of St Stephen's House confirms that the College [St Stephen's House] makes no objection to the proposed demolition of this unconsecrated building.

9.29. The latter is normally dealt with by condition in any event. In relation to the LLFA comments these are technical in nature as set out below, could be resolved by condition.

9.30. Officer's comments and response to other points raised above are dealt with in the report

**10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- a) Principle of development
- b) Affordable Housing
- c) Heritage and Design
- d) Trees and Landscaping
- e) Biodiversity
- f) Neighbouring amenity
- g) Transport
- h) Land Quality

- i) Archaeology
- j) Air Quality

**a. Principle of development**

- 10.2. At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development, which should be approved without delay unless material considerations dictate otherwise. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions (para.117). The framework encourages mixed use development schemes in urban areas, particularly where there is a net environmental gain.
- 10.3. Policy S1 (sustainable development) of the OLP states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development that secures economic, social and environmental improvements contained in the NPPF. Planning applications that accord with Oxford's Local Plan (and, where relevant, with neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise. Development should make efficient use of land making best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford in accordance with RE2 of the OLP.
- 10.4. Policy SR2 sets out that where appropriate the Council will seek to secure physical, social and green infrastructure measures to support new development by means of planning obligations, conditions, funding through the Council's Community Infrastructure Levy (CIL) or other mechanisms.
- 10.5. The large number of students residing in Oxford has an impact on the availability of general market housing. Provision of purpose built student accommodation in suitable locations can help to reduce the demand from students on the general housing stock. Policy H8 of the OLP sets out the criteria for locating student accommodation and permission will only be granted for student accommodation which is on or adjacent to an existing university or college campus or academic site, hospital or research site, city or district centres, or an allocated site. The policy also sets out other criteria for new student accommodation development including restricted occupation to full-time students enrolled in courses of one academic year or more; agreed term time and out of term time management regimes; out of term time use by non-students; indoor communal amenity space for larger schemes; operational and disabled parking only. Any loss of student accommodation is resisted unless new student accommodation is re-provided.
- 10.6. The overarching objective of St Edmund Hall is to ensure that all undergraduate students who wish to be able to be housed in College-owned accommodation. At present, all second-year undergraduates are asked to rent privately, which has a range of negative implications. The redevelopment of the existing Norham Gardens site provides the opportunity to address the College's

current accommodation shortfall, whilst providing an exemplar student accommodation scheme in terms of social and environmental sustainability. Currently there are 56 student rooms on site and the development proposes a net gain of 72 student bedrooms to contribute towards the College's accommodation shortfall.

10.7. St Edmund Hall's principle campus on the High Street includes one of the last surviving medieval Hall buildings in Oxford, dating back to at least the thirteenth century. Located in the heart of Oxford, the college is one of the largest in Oxford with approximately 400 undergraduates and 300 postgraduates supported by a community of almost 200 academic and non-academic staff.

10.8. Due in part to the constrained nature of the College's existing sites, it faces a significant challenge in housing undergraduate students in College-owned halls or houses. There are therefore limited opportunities for the College to be able to increase its accommodation offer. The strategy for the development of this site at Norham Gardens has been to provide the desired accommodation on an existing, occupied site by densifying the built form in a completely sustainable manner. Currently very few undergraduates have the option to live in College accommodation for the entirety of their course. Students are therefore required to rent on the private market. This is expensive and deters lower income students. It puts additional pressure on the City's already-strained housing market. Renting reduces students' sense of community and limits social interaction within their cohorts.

10.9. The table below shows the current accommodation demand for St Edmund Hall:

	Undergraduates	Postgraduate
Total number of students	396	296
Existing bed spaces	274	95
Percentage currently housed	69%	32%
Bedspaces needed	388 (demand = 98% of undergraduates)	178 (demand = 60% of postgraduates)
Proportion of demand met prior to Norham Gardens development	70%	53%
Shortfall in Bedspaces	114	83
Net Gain in bedspaces provided at Norham Gardens	72	0
Total bedspaces after Norham Gardens development	346	95

Proportion of demand met after Norham Gardens Development	89%	53%
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*Table 1: Summary of St Edmund Halls' Accommodation Demand*

10.10. The need for the provision of on-site student accommodation for St Edmund Hall is understood. The College has various properties across the City in addition to their main campus and Norham Gardens presents the best site available to accommodate a sufficient number of students to enable a community with the necessary support facilities. This is an existing collegiate site and as such additional accommodation in this residential suburb of Oxford is considered an acceptable use in principle in accordance with H8 of the OLP. The proposal would make best and most efficient use of land owned by St Edmund Hall to provide student accommodation for the College's existing student cohort thereby allowing the release of family housing stock back on to the open market and contributing towards the University of Oxford target of a maximum 1,500 students living outside purpose built student accommodation in line with H9 of the OLP.

10.11. The National Planning Practice Guidance (NPPG) (Paragraph 021,) requires that student accommodation should now be considered as contributing towards the supply of housing, based on the amount of accommodation it releases onto the housing market. A total of 110 rooms would be provided by the development and based on the ratio of one house released on the open market per 2.5 student rooms provided by a new development (based on the nationally used Housing Delivery Test standard) the equivalent of 44 houses would be released back onto the general housing market as a result of the student accommodation. Based on net increased in student bedrooms this would be a net gain of 30 houses.

10.12. The development would provide both adequate indoor communal amenity space and outdoor space. Policy H8 requires that students must be on full time courses of a year or more and should not bring cars into Oxford. Subject to conditions imposed to secure the use as student accommodation and occupation by those on full time courses together with out of term time use, a management plan and a mechanism for preventing students bringing cars to Oxford (normally a clause within any tenancy or similar agreement between College and student), the development accords with SR1 and H8 of the OLP.

#### **b. Affordable Housing:**

10.13. Policy H2 of the OLP36 sets out the necessary affordable housing provision to be achieved from new developments. In relation to student accommodation it states that developments of over 25 student units (or 10 or more self-contained student units) would trigger a financial contribution towards affordable housing, unless it meets the exemption tests:

- i) The proposal is within an existing or proposed student campus site (campus meaning a site with teaching or other facilities and residential); or



ii) The proposal is for redevelopment of an existing purpose-built student accommodation site which at the date of adoption of the Plan is owned by a university and which will continue to be owned by a university to meet the accommodation needs of its students.

10.14. The development lies within an existing purpose-built student accommodation site which at the date of adoption of the Plan is owned by St Edmund Hall. The development therefore meets the tests for exemption and there would be no requirement to contribute towards affordable housing in accordance with H2 of the OLP.

### **c. Heritage and Design**

10.15. With regard to matters of design the NPPF emphasises that high quality buildings are fundamental to achieving sustainable development and good design creates better places in which to live and work and helps make development acceptable to communities (para 124). New development should function well, be visually attractive, sympathetic to local character and history, establish or maintain a strong sense of place, optimise the potential of the site and create places that are safe, inclusive and accessible and which promote health and well-being (para 127).

10.16. In 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 (para 199). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (para 200).

10.17. Development proposals that would lead to substantial harm or result in total loss of the significance of a designated heritage asset should be refused unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm (para 201).

10.18. Where development would lead to less than substantial harm to the significance of a designated heritage asset that harm should be weighed against any public benefits the proposed development may offer, including securing its optimum viable use (para 202).

10.19. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require local planning authorities to have special regard to the desirability of preserving a listed building, or its setting, or any features of special architectural or historic interest which it possesses, and the desirability of preserving or enhancing the character or appearance of any conservation area respectively. Case law has made clear that considerable importance and weight must be given to these considerations when carrying out the balancing exercise (of weighing harm against other planning considerations). A finding of harm gives rise to a strong presumption against planning permission being granted,

however, it can be outweighed by material considerations powerful enough to do so.

- 10.20. Policy DH1 of the OLP requires new development to be of high quality that creates or enhances local distinctiveness and that meets the key design objectives and principles set out in Appendix 6.1 of the OLP for delivering high quality development in a logical way that follows morphological layers and is inspired and informed by the unique opportunities and constraints of the site and its setting.
- 10.21. Policy DH3 of the OLP is consistent with the NPPF as it refers to the balance of harm against public benefits as set out in paragraphs 201-203 of the NPPF. DH3 states that planning permission or listed building consent will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset and locality. For all decisions for planning permission or listed building consent affecting the significance of designated heritage assets, great weight will be given to the conservation of that asset and to the setting of the asset where it impacts on that significance or appreciation of that significance. Development that would or may affect the significance of a heritage asset either directly or by being within its setting must be accompanied by a Heritage Assessment. Substantial harm to or loss of Grade II listed buildings, or Grade II registered parks or gardens, should be exceptional. Substantial harm to or loss of assets of the highest significance, notably scheduled monuments, Grade I and II\* listed buildings, Grade I and II\* registered parks and gardens, should be wholly exceptional. Development that will lead to substantial harm to or loss of the significance of a designated heritage asset, planning permission or listed building consent will only be granted if it meets the tests set out in the policy. Where a development proposal will lead to less than substantial harm to a designated heritage asset, this harm must be weighed against the public benefits of the proposal.
- 10.22. Policy RE5 states that the Council seeks to promote strong, vibrant and healthy communities and reduce health inequalities. Proposals that help to deliver these aims through the development of environments which encourage healthier day-to-day behaviours and are supported by local services and community networks to sustain health, social and cultural wellbeing will be supported. Developments must incorporate measures that will contribute to healthier communities and reduce health inequalities. All major developments will require a Health Impact Assessment to be submitted, which should include details of implementation and monitoring. This must provide the information outlined in the template provided at Appendix 4 of the OLP.
- 10.23. Policy RE2 seeks to ensure development proposals make efficient use of land making best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford. Development should be of an appropriate density for the use, scale (including heights and massing), built form and layout, and should explore opportunities for maximising density.

- 10.24. Standards of amenity (the attractiveness of a place) are major factors in the health and quality of life of all those who live, work and visit Oxford. Policy RE7 is an all-encompassing policy covering different aspects to ensure a standard of amenity. Development should protect amenity, not result in unacceptable transport impacts affecting communities, occupiers and neighbours, and provide mitigation measures where necessary. Policy H8 states that for developments of 20 or more student bedrooms, the design must include indoor communal amenity space for students to gather and socialize.

### *Heritage Significance*

- 10.25. The site lies in the North Oxford Victorian Suburb Conservation Area (NOVSCA) and adjacent to No.19 Norham Gardens 'Gunfield' which is grade II listed. To the north lies Lady Margaret Hall which has several listed buildings including Old Hall grade II and the various building ranges that form Wolfson Quad which are all listed grade II. There are a significant number of listed buildings within Norham Gardens. The site also backs onto University Park which is also listed grade II, and glimpsed views through from Norham Gardens to this green backdrop is a key feature and significance of this part of the NOVSCA.
- 10.26. The NOVSCA is a very particular place. Unique and nationally important it was one of the first conservation areas to be designated, in 1968 following the 1967 Civic Amenities Act which introduced the concept of conservation areas. The conservation area has been divided for the purpose of characterisation (in the conservation area appraisal adopted in 2018) into a number of distinct areas each with clearly distinct character and appearance fundamentally arising from their architecture and layout which has arisen from the period in which they were developed. Norham Manor, the area in which No.17 Norham Gardens and its neighbouring properties sit, was one of the first areas to be developed with the south side of Norham Gardens being the developed earliest. The plots were generous and the buildings large, with grand designs by a number of nationally recognised Victorian architects. A significant number of the villas on the south side of Norham Gardens are listed, which is a rare status in the NOVSCA where it is considered that the collective rather than the individual contributes most to the particular character and appearance and thus significance of the place. The south side villas were designed to face onto the Parks with private access directly into the open space encouraging their occupants to take recreation, daily walks. This connection to the Parks is an extremely important characteristic of the place if now only visual rather than physical and predominantly occurring as a glimpsed view between the houses from the street.
- 10.27. The large villas in their generous gardens are set back from the road with attractive front gardens of mature planting enclosed by low boundary walls, on which were historically set decorative iron railings, many of which were removed during WWII. A number, but not all of the plots have subsequently been opened up on their frontages to allow for cars to be parked. Some of the larger detached villas were designed with coach houses, a sign of wealth and status, later to be adapted to garages and then subsequently converted to other uses such as the

gym at No.17. A number of the plots had garages added in the early to mid C20 as the motor car became more popular. These outbuildings as others with ancillary domestic uses are important in that they evidence both historical and social change as well as a clear hierarchy of dwellings throughout the conservation area. These houses, although large, were designed as domestic dwellings. However the increase in institutional occupation, with removal of boundary walls and increased on plot parking that has appeared as a consequence and evidence of this changing use, has begun to erode that domestic appearance. It is therefore considered to be a significant element of the fundamental character and appearance of the place and something important to preserve.

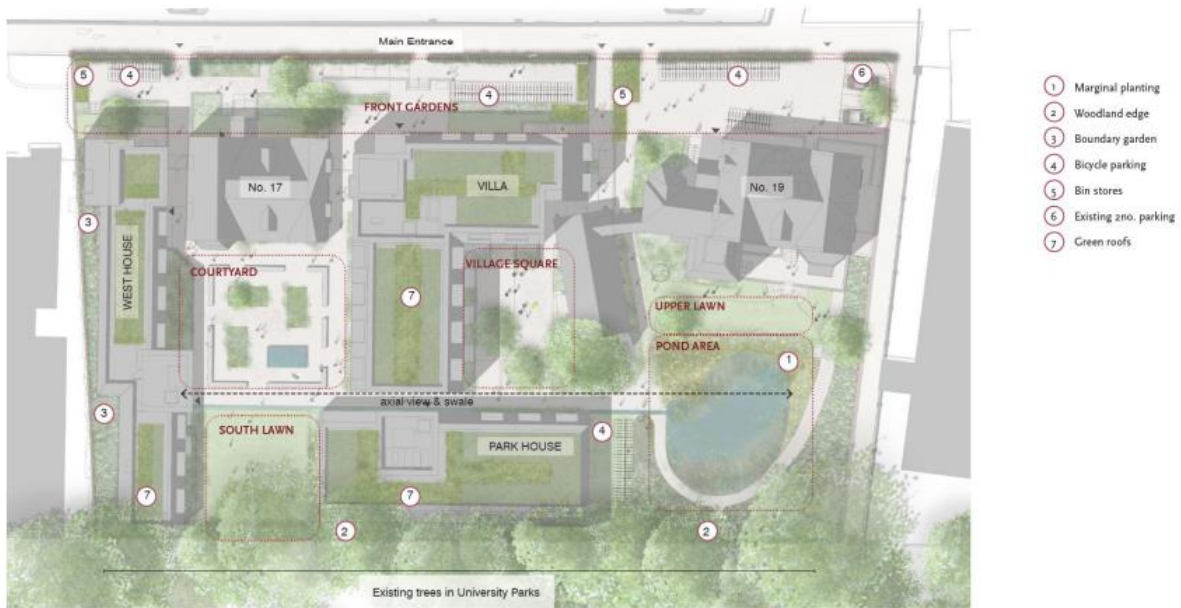
10.28. No.19 (grade II listed) is a large detached villa built in 1877 and designed by Frederick Codd whose work can be seen throughout the NOVSCA. The villa is an expression of Victorian Gothic architecture style with a distinctive brick and timber on its south, garden façade. Later additions include a chapel, added in 1909 when the villa was occupied by St Hugh's Hall (a precursor to the later St Hugh's College) and now used as a Middle Common Room, as well as a subsequent porch and loggia, added in 1915 to provide a covered connection between the two buildings and fronting onto the street. Attached to the front of the chapel building is a small single storey garage and storeroom, constructed in the 1930s. This ancillary building is not mentioned in the list description for No.19 but due to its age it falls within the statutory protection that listing affords as it is considered to be a curtilage listed building.

### *Design*

10.29. The proposed development can be broken down into various elements:

- A new detached L-shaped villa fronting Norham Gardens, called the 'Villa Building', measuring approximately 25m wide by 27m long overall and approximately 15.2m to maximum ridge height;
- A new replacement infill building to the south west of No.17 Norham Gardens, called 'West House', measuring approximately 8.6m wide by 40m long and approximately 12.5m to the ridge on the front gable and 10.6m high to the flat roof element;
- A new replacement building in the garden, called 'Park House,' measuring approximately 11.5m wide by 28m long and 10.2m high to the top of the mansard flat roof.

10.30. The principal materials to be used for the new buildings are a red brick and hanging tiles, with detailing in both brick and stone, similar to that of the original villas in this part of the NOVSCA. Figure 1 below shows the block plan of proposed new buildings and the landscaped garden areas:



*Fig 1: Layout of building and landscaping*

10.31. The design has evolved through careful study, observation and analysis of both buildings and spaces between buildings that make an important contribution to both character and appearance of this part of the conservation area (set out in the supporting DAS). This considered study has resulted in new buildings with predominantly pitched roofs, expressed gables, tall expressed elements that punctuate the building facades and represent the repeated pattern of tall chimney stacks that characterise the villas in this area together with patterned details in brick stone and hanging tiles. All of this is expressed in a contemporary, highly sustainable, energy efficient architecture that makes strong connection to the surrounding, outdoor spaces, restoring important features such as front gardens with appropriate planting and creating a delightful, more private rear garden space that offers a highly biodiverse landscape that is both interesting and functional for the occupants. For comparison No.17 measures approximately 15.5m to the highest ridge and 16.89m to the top of the central spire. The new Villa would reach approximately 15.6m high and approximately 0.5m higher than No.19's nearest gable ridge. It should be noted that the site lies approximately 1.1m lower than Norham Gardens' footpath and road so the building would be 16.4m high from experienced ground level. No.17's main ridge is approximately 1.9m lower than the new Villa's height of 12.2m high.

10.32. Whilst the main ridge height of the new Villa would be higher than both No.17 and No.19 it is not higher than the central bay spire and chimney stacks of No.19. It is therefore considered to sit comfortably between No.17 and No.19. The bulk and massing of the building has been carefully considered. The use of gables, eaves heights, varying window types and façades detailing help to break the massing down and it is considered to appropriately respond to its context and not overly bulky or out of keeping. Whilst it would sit forward of No.17's front building line, it would not be forward of No.19's again and given the broken down massing and façade detailing, it is considered that it would not to be overly dominant or overbearing in the street scene.

- 10.33. West House (replacing the gym, former coach house to No.17) sits comfortably between Nos.17 and 15 Norham Gardens (occupied by Oxford University Education department with a large, relatively recent addition in the back garden), acting as a transition between the heights of these buildings. The gable frontage again reflects that of surrounding buildings and the pitched and flat roofs (max. 10.9m high as seen from the road) keep the massing to a minimum maintaining the important glimpsed views through to the green back drop of tree canopies beyond. As such it is considered to appropriately respond to its context.
- 10.34. Park House, replacing Brockhues, would not be visible from Norham Gardens. It would be higher than Brockhues but the mansard roof would keep the massing to a minimum with the third floor in the roof with dormer windows. Again the architectural style and materials reflects that of the other proposed buildings.
- 10.35. The buildings have been designed to passivhaus standards incorporating energy efficiency measures from the outset. Plant would be located in the basement level of the new Villa and further detailing could be secured by condition. The materials proposed are appropriate, sitting comfortably alongside the original villas in this part of the NOVSCA. The refurbishment of No.17, using the principles of passivhaus for existing buildings (enerphit), would enable it to be much more energy efficient upgrading the existing fabric with no loss of important architectural character. Sustainable drainage has been designed into the development feeding into a new attenuation pond sited in the back garden of No.19. All flat roofs would be green roofs and include photovoltaic solar panels where these can be sited without causing harm to the significance of heritage assets (listed buildings, the setting of listed buildings, the registered park and garden and the NOVSCA).
- 10.36. A Health Impact Assessment (HIA) has been submitted with the application and satisfactorily demonstrates, together with other relevant submitted documents, that the development has been positively designed throughout for health and well-being and would create a strong, vibrant and healthy community in accordance with RE5 of the OLP.
- 10.37. The comments of OPT in relation to different brick colours along Norham Gardens are noted. Officers consider that to have the new Villa in yellow brick as opposed to red as proposed would not be appropriate in this case. It is considered that all the buildings should read as a unified collection and the use of a red brick would achieve this. However, Officers are prepared to explore with the Applicant and their architect how it may be possible to incorporate some yellow brick into the buildings' facades to provide an architectural richness typical of the conservation area. Final agreement on materials and detailing could be secured by condition.
- 10.38. In response to consultee and public comments, CCTV, lighting and new boundary enclosures would be provided in order to provide a safe and secure environment for students and staff, whilst also taking into account the character and appearance of the NOVSCA, impact on neighbours, and impact on bats (particular attention would be given to flight path heights). Details of these could be secured by condition.

- 10.39. The proposed works to No.19 are small amounts of demolition (creating/restoring former openings in walls of the former chapel) and repair works to the buildings which by virtue of alteration require listed building consent. There is no significant or substantial alteration proposed to the principal villa No.19 Norham Gardens as part of this development. The front wall, bounding Norham Gardens is proposed to be altered and a metal railing, restoring the originally designed arrangement added, and two bat boxes are proposed to be installed on the rear south façade of the building. These elements of the proposal are included as part of the Listed Building application 18/001843/LBC refers.
- 10.40. The proposed development would provide high quality internal and external spaces and significantly improve the health and wellbeing of the students. It is considered that it accords with Policies DH1 and RE5 of the OLP.

#### *Impact on Significance*

- 10.41. The applicant and their architect have undertaken a careful and thorough analysis of the conservation area and this has clearly informed the design of the development which is set out in the supporting design and access statement and evidenced in the designs shown in the latest revised plans. The specific integration of ecology, biodiversity (net gain) and sustainability (design, construction and drainage) from the beginning of and as a fundamental element of the design process is highly commended. It is considered that the design changes made in response to officers' earlier concerns regarding the massing and scale of the development have been addressed in the latest plans. The overall contemporary architectural approach and interpretation of the existing vernacular of the conservation area and in particular the immediate surroundings of the site is considered by officers to be an appropriate response to the context of the site, and the plans and information provided so far demonstrate a high quality design with high sustainability credentials. The proposed materials and detailing of the facades including polychromatic brickwork, tiling and stone window surrounds will also aid the development to sit comfortably in its surroundings. The reinstatement of the front gardens, which are identified in the conservation area appraisal as a feature that is particularly at risk from loss and inappropriate replacement would enhance the appearance of the conservation area and provide a significant public benefit, this element is wholly supported.
- 10.42. The demolition of the existing front/ side 1970's and early 20th century extensions to No.17 facing Norham Gardens and reinstatement of No.17 to its original villa form is a bold move. The 1970's extension, whilst of its time and an indication of the history and expansion of the site, has little architectural value within the street scene and does not make a positive contribution to the special appearance of the NOVSCA. Furthermore internal alterations and adaptation of the building have resulted in unsatisfactory and poor quality internal spaces. Officers have therefore concluded that there would be little or no harm resulting from its demolition. The more recent extension to the original villa maybe regarded as having a greater architectural value although this too has been altered over time. Overall the removal of the later additions and the reinstatement of the villa to its original form is considered to be justified and is supported.

- 10.43. The new L-shaped Villa Building designed to sit alongside No.17 (in place of the demolished extensions) sits more comfortably in the plot pattern and rhythm of the south side of Norham Gardens as well as in the overall streetscape. In views looking south from Fyfield Road the introduction of the expressed chimney on the gable end of the building and refined design of the roof profile together with the proposed materials successfully breaks down the overall massing of this part of the building allowing it to respond comfortably to the scale and massing of surrounding buildings as well as to the scale of open space in the streets.
- 10.44. The alignment of the new building would result in an overall smaller gap between No.17 and No.19 which combined with its deeper projection back into the plot than that of the present building would reduce or limit the visibility of the green backdrop seen in the gap or glimpsed view. This reduction in openness, restriction of the view through to the Park at this point and closing of the gap would result in some harm to the character and appearance of the conservation area where the importance of such gaps and the consequent glimpsed views of the green, canopied spaces behind and beyond buildings has been identified as making a significant contribution to the character and appearance of the place. Officers consider this harm would be less than substantial harm to the significance of the heritage asset, the NOVSCA. The weight of less than substantial harm would be low given that glimpsed views would be retained albeit reduced in some instances.
- 10.45. It is considered that the proposed Villa Building would have a more comfortable relationship with the listed building, No.19 Norham Gardens, than the present extended No.17 does. However it is considered that the additional building depth created by the deep return of the new building into the site would have an impact on the setting of the listed building. It is clear that this impact has been carefully considered by the architect in the evolution of the design of the new building and that the harmful impact has been reduced to a low level through the thoughtful design revisions and carefully detailed design of the new building. Overall, officers consider that the harm to the setting of the listed building (No. 19) and its curtilage buildings and structures would be less than substantial and of a low level.
- 10.46. The loss of the gym, is regrettable however the new building along the west boundary of the site would maintain the important views through to the rear gardens and the mature tree canopies of the Parks trees to the south of the site and therefore it is considered that although there would be some less than substantial harm to the character and appearance of the conservation area from the changes to the glimpsed view that this harm would be of a low level as much of the glimpsed view would be preserved.
- 10.47. To the rear of the site lies Brockhues, a relatively recent addition to the campus, built in the 80's/ 90's and providing 9 student rooms. Whilst not very old its accommodation is substandard and the build quality is poor. Demolition of Brockhues and the building of the replacement Park House in the rear gardens of the original villas in the NOVSCA is considered acceptable because the size, siting and design of the new building would maintain the sense of open back garden and green space with tree canopies which an important element of the character and appearance of the conservation area. Brockhues presently



causes some harm to the significance of the conservation area and the setting of the listed buildings from its size, height and massing. It is considered the height, bulk and massing of Park House, combined with the creation of valuable and significant new garden spaces and proposed tree planting, would ensure that this new building would sit comfortably alongside existing and other new buildings as well as the new landscape spaces around the buildings. Officers consider that this new building appropriately responds to its context and there would be no additional harm to the significance of heritage assets resulting from the replacement of the existing building with the new building proposed.

- 10.48. From within University Parks, Brockhues is more visible in close range views but its visibility is reduced further within the Park due to the existing large mature trees and shrubs. The wire line images included in support of the application indicate that Park House would not be highly visible, even during winter months when tree canopies are thinner. It is considered therefore that there would be no harm to the significance of the registered park and garden from the changed architecture to the north. The raising of the tree canopies along the joint boundary within the University Parks (by the University Estates team) would address the concerns over anti-social behaviour and would also improve natural light to the rooms in Park House. The boundary treatment at this point needs careful consideration to preserve the important visual connection between the site and University Parks which was an important feature of the original villas on the south side of Norham Gardens, as set out earlier in this report, but also to provide security and deter anti-social behaviour. This could be dealt with via the suggested condition.

#### *Public benefits*

- 10.49. In accordance with the statutory test, the NPPF and Policies DH1, DH2 and DH3 of the OLP, as less-than-substantial harm to the significance of a number of heritage assets has been identified, the presumption against planning permission can only be outweighed by material considerations powerful enough to do so, and therefore it falls to consider any public benefits that may outweigh that identified harm. In carrying out a balancing exercise, great weight should be given to the conservation of these designated heritage assets. Public benefits may follow from developments could be anything that delivers economic, social or environmental objectives (NPPF para 8) and do not always have to be visible or accessible to the public in order to be genuine public benefits. The following public benefits have been identified as arising from the proposed development:

- In redeveloping the site the proposal would make a positive contribution to Oxford's significant housing need by effectively releasing existing housing stock back into circulation for the general population. This would amount to the equivalent of 44 houses. This would constitute a public benefit and given the need for housing in Oxford this is afforded a high level of weight in this case;
- Provision of purpose built student accommodation for St Edmund Hall and wider University of Oxford to capitalise on its reputation as a centre for excellence in a collegiate-based education to the benefit of the City, regional and UK economy. This is afforded a moderate level of weight in this case;

- Substantial increased biodiversity through new planting and is afforded a moderate level of weight in this case;
- Re-instatement of the front gardens which is given a high level of weight in this case.

10.50. Officers conclude that less than substantial harm would be caused to the significance of heritage assets. There is considered to be a clear and convincing justification of need for and amount of development in this location, which has been suitably mitigated through the design. Overall it is considered that the level of public benefits derived from the proposed development would outweigh the level of less the substantial harm that officers consider would be caused to the significance of heritage assets. As such the proposal would accord with the NPPF and Policies DH1 DH3 and DH4 of the OLP36.

### *Summary*

10.51. As such it is considered overall that the proposed development would respond well to its surrounding context (siting, massing, appearance, and materiality) making a positive addition to this part of the NOVSCA and together with new landscapes, tree planting and boundary treatment would preserve and enhance the character and appearance of Norham Gardens, the Norham Manor Character Area and this part of the NOVSCA. However, it is considered that various aspects of the development by virtue of changes to important features of the conservation area would cause less than substantial harm to the character and appearance of the NOVSCA, the significance of this heritage asset and also cause less than substantial harm to the setting of the listed buildings (No 19 Norham Gardens and its curtilage listed buildings) and thereby to the significance of those heritage assets. In accordance with Policy DH3 and the NPPF, the harm caused has been clearly and convincingly justified and mitigated through careful and considered design of the proposed interventions, new buildings, landscape and structures, and officers consider that the public benefits of the development clearly set out in this report outweigh the harm in this case.

### **d. Trees and Landscape**

OLP Policy G7 states that permission will not be granted for development that results in the loss of green infrastructure features such as hedgerows, trees or woodland where this would have a significant adverse impact upon public amenity or ecological interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated. Planning permission will not be granted for development resulting in the loss of other trees, except where it can be demonstrated that retention of the trees is not feasible and any loss of tree canopy cover should be mitigated by the planting of new trees or introduction of additional tree cover (with consideration to the predicted future tree canopy on the site following development. Where loss of trees cannot be mitigated by tree planting on site then it should be demonstrated that alternative proposals for new Green Infrastructure will mitigate the loss of trees, such as green roofs or walls.

10.52. Policy G8 states that development proposals affecting existing Green Infrastructure features should demonstrate how these have been incorporated within the design of the new development where appropriate.

- 10.53. The development shows the removal of some of the trees within the rear garden and the replacement Parks House in close proximity to the trees within University Parks. However, the proposed landscape strategy and detailed planting schedule, which encompasses planting for biodiversity and native species, meadow, formal grassed areas, wildlife ponds, rills, green roofs and reinstatement of the front garden with railings, hedging and new beds, is acceptable and would achieve high quality. This thoughtfully considered landscape would help the new development to sit within its garden setting and link it to University Parks beyond, and enhance Norham Gardens itself. Whilst building close to the trees in University Parks, Officers are satisfied that there would be no adverse impact or long term harm subject to appropriate conditions requiring tree protection measures and details of hard services within tree root areas.
- 10.54. A Tree Canopy Cover Assessment (TCCA) and a Tree Planting Strategy plan have been submitted. The TCCA states that the current percentage tree canopy coverage is 10% and that after 20 years it is projected to be 11.5% under the proposed development, and a similar value of 12.6% without development. The TCCA therefore considers that there would be in the range of a 1-11% net reduction in canopy cover after 25 years. This is largely down to the forecasted short continuing contribution/lifespan of certain existing trees on site, which gives the lower value. Officers are content to accept this.
- 10.55. The TCCA indicates there would be a 1% loss of canopy cover from the projected 'no development' scenario. However, the more recently submitted Tree Planting Strategy Plan, which shows a Black Pine instead of a Turkish Hazel to the front of the No.19 as requested by Officers, changes this net loss. The planting of a Black Pine would mean that the predicted net canopy cover would be pushed up to 0% and as such the proposal would not result in a net reduction. Only trees that could not feasibly be retained would be removed. Given this small and constrained site, the provision of high quality planting and green roofs that would also help mitigate tree removals, the development is considered acceptable in accordance with Policy G7.
- 10.56. It is noted that the University Parks department propose to lift the crown of the trees along the Park boundary and have already cleared scrub and small shrubs to deter anti-social behaviour in this part of the Park. This work is outside the planning application.
- 10.57. Subject to conditions securing the Arboricultural Method Statement and tree protection, requiring details of hard surfaces, no dig techniques within tree Root Protection Zones, a finalised landscape plan and planting schedule, landscape implementation, and Arboricultural watching brief, the development accords with Policies G7 and G8 of the OLP.

#### **e. Biodiversity**

- 10.58. OLP policy G2 states that development that results in a net loss of sites and species of ecological value will not be permitted. Compensation and mitigation measures must offset the loss and achieve an overall net gain of 5% for biodiversity and for major development this should be demonstrated in a

biodiversity calculator. Policy G8 requires new development that affects green infrastructure to demonstrate how these have been incorporated within the design, including health and wellbeing and biodiversity enhancement.

10.59. The Local Planning Authority (LPA) has a duty to, in exercising its functions, to conserve, restore and enhance biodiversity (section 40 Natural Environment and Rural Communities Act 2006). It must consider whether there is a reasonable likelihood of protected species being present and affected by development at the application site. The presence of a protected species that may be affected by the development is a material consideration for the LPA in its determination of a planning application (paragraphs' 98, 99 ODPM and Defra Circular 06/2005: Biodiversity and geological conservation). The LPA has a duty as a competent authority, in the exercise of its functions, to secure compliance with the Habitats Directive (Regulation 9(1) The Conservation of Habitats and Species Regulations 2017 '2017 Regulations'). The Habitats Directive is construed from 31 December 2020 to transfer responsibilities to UK authorities to enable it to function as retained EU law. This applies to European sites (SACs and SPAs) and European Protected Species, both in and out of European sites.

10.60. The 2017 Regulations provide a licensing regime to deal with derogations. It is a criminal offence to do the following without the benefit of a licence from Natural England:

1. Deliberate capture or killing or injuring of a European Protected Species (EPS)
2. Deliberate taking or destroying of EPS eggs
3. Deliberate disturbance of an EPS including in particular any disturbance which is likely
  - a) to impair their ability –
    - i) to survive, to breed or reproduce, or to rear or nurture their young, or
    - ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
  - b) to affect significantly the local distribution or abundance of the species to which they belong.
4. Damage or destruction of an EPS breeding site or resting place.

10.61. A Biodiversity Statement, Biodiversity Statement Addendum, Biodiversity Metric 3.1 (amended), Ecology Comment Response (October 2022), Ecology Comment Response, Supplementary Note on Bat Roosts and External Lighting Assessment were submitted in support of the planning application. These identify, quantify and evaluate the potential effects of the proposed development on habitats, species and ecosystems, and specifies measures taken to avoid and mitigate negative impacts arising from the proposed development.

#### *Protected species*

10.62. No. 17 supports a common pipistrelle roost comprising approximately 70 bats, which the project ecologist classified as a large transitional roost / likely maternity roost. This roost would be retained under the proposals but would also be disturbed by the works to the building.

10.63. Several small roosts were also recorded. No. 17 supports four common pipistrelle day roosts (all individual bats) and five soprano pipistrelle day roosts (one to two bats each). All but one of these will be lost under the proposals. No.19 supports five common pipistrelle day roosts and one soprano pipistrelle day roost (all individual bats) but these do not appear to be impacted by the proposed works. In terms of survey effort, three surveys were undertaken of No. 17 in 2021 with a single update survey of the likely maternity roost completed in 2022. Only two surveys of No. 19 were undertaken and this is considered to be proportionate in this case as they would be unaffected. Officers are therefore satisfied that robust survey effort has been undertaken.

10.64. Given the presence of protected species, the proposed development would only be able to proceed under licence from Natural England.

10.65. All species of bat and their roosts are protected under the Wildlife and Countryside Act 1981 and the 2017 Regulations. In considering whether permission should be granted the Local Planning Authority must be satisfied that the three tests stated in the 2017 Regulations listed below can be met:

- a. Preserve public health or public safety or other imperative reasons of overriding public interest ;
- b. There must be no satisfactory alternative, and
- c. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status of the species in their natural range.

10.66. As set out elsewhere in the report the proposed development would result in the optimum use of the site and preservation of the NOVSCA in to the future. The provision of this number of student rooms for St Edmund Hall, which is one of the largest Colleges with the smallest City Centre campus and on site student accommodation, would go towards meeting the City's housing needs by releasing family housing currently used by their students (who are no in purposed built accommodation) back to the general housing market. The development would also enhance and safeguard the mental wellbeing of students. Together these reasons would be an overriding public benefit and meet the test (a) above. The College has explored other alternative locations for their students but the provision of this larger facility could not happen elsewhere within their own land ownership. Another satisfactory alternative for this size and nature of student accommodation and facilities could not be provided elsewhere in the City within the Colleges ownership. As such the development meets test (b) above.

10.67. With regard to the third test (c), key elements of the mitigation during the construction period include work restrictions during maternity and hibernation roosting periods, in addition to the provision of replacement and additional roosting features. During the operational period, there would be a risk of impacts on roosting, commuting and foraging bats if there is an increase in lighting levels behind No. 17 or at the boundary of the site. The Biodiversity Statement details a range of potential mitigation measures, which the Supplementary Note on Bat Roosts and Lighting indicates would ensure a small increase in lighting levels

over the baseline (approximately 1 lux at flight height). Officers are satisfied that impacts can largely be avoided and otherwise acceptably minimised.

10.68. Officers are satisfied the proposed mitigation would ensure the favourable conservation status of the bat species present. The development therefore meets test (c) and it is considered likely that Natural England would grant the licence. An informative will provide that the developer needs to obtain this licence, and a condition will require the development be implemented strictly in accordance with the biodiversity statements and Ecology Comment Response. The proposed compensatory integrated bat roost features into the new buildings where appropriate and other ecological enhancements could be secured by condition. Finally a condition requiring a lighting strategy for biodiversity would ensure the proposed external lighting levels would have minimal impact on Bats as set out above.

10.69. The bat surveys are valid until May 2023 and therefore should the development not commence by this date or, having commenced, is suspended for more than 12 months, further surveys would be required prior to commencement of development. This could be secured by condition.

#### *Nesting birds*

10.70. The Wildlife and Countryside Act 1981 protects birds, their nests and eggs. Nesting birds have been recorded in vegetation in the gardens and potentially in No.19. Works should not commence between March and August unless pre-commencement checks are completed and nesting birds are absent or will be undisturbed. This can be secured by condition.

#### *Biodiversity Net Gain*

10.71. The submitted amended biodiversity metric indicates that the proposals would deliver increases of 0.77 habitat units (+86.88%) and 0.45 hedgerow units (+781.66%). This is a total of 858.54% net gain which is well in excess of the requirements of Policy G2 of the OLP. Officers acknowledge the quality of the proposed habitats (in particular the biodiverse roof) and the extent of additional enhancements for protected species. Given the nature of the site and the proposed enhancements, Officers are satisfied that these can be secured via a Landscape Ecological Management Plan (LEMP) condition rather than via a S106 agreement in this case.

10.72. In response to comments of Victorian Group of the OHAS, the biodiverse pond would have natural margins with a profile at multiple levels to support wetland fauna. The pond would be planted entirely with native aquatic, emergent and bankside higher plant species, and would be fed from the groundwater at depths further than about 1 m below ground level. Above this level, the pond would be lined and filled with clean runoff water backed by a complex rockery and extensive emergent fringe. The pond water would be artificially aerated to maintain high ecological quality. Again the long term management of the pond would be secured via the LEMP.

10.73. In summary, Officers are satisfied that the potential presence of protected habitats and species has been given due regard, a net gain in biodiversity would be achieved and subject to conditions listed, the development would accord with G2 of the OLP. Due regard has been given to the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended).

**f. Impact on neighbouring amenity**

10.74. Policy RE7, as set out above, seeks to ensure a standard of amenity and make sure that development protects amenity and would not result in unacceptable impact on neighbours. The main neighbours affected by the development would be the Department of Education at No.15 Norham Gardens that adjoins the site to the southwest. To the rear of No.15 is a large 3 storey extension that runs parallel to the joint boundary with No.17 and provides office accommodation. It has windows at first and second floor that directly overlook into No.17's rear garden.

10.75. It is considered that the proposed design shows appropriate consideration towards the impact on the amenity of the Department of Education offices adjacent. The degree of separation and the height and massing would not be overbearing in effect and would still allow light to the offices. As such the development would accord with RE7 of the OLP.

10.76. In relation to lighting the external lighting would be minimal to provide safety and security for students and staff, whilst being mindful of the NOVSCA, neighbours and also Bats. Lighting would be timeclock and photocell controlled and appropriately located on buildings, Internal lighting would be sensor controlled to avoid light spill in the evenings. Details of external lighting could be secured by condition.

**g. Transport**

10.77. Policy M1 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport. In accordance with policy M2, a Transport Assessment for major developments should assess the impact of the proposed development and include mitigation measures to ensure no unacceptable impact on highway safety and the road network and sustainable transport modes are prioritised and encouraged. A Travel Plan, Delivery and Service Management Plan and Construction Traffic and Environmental Plan Management Plan are required for major development.

10.78. Policy M3 sets out the Council's policy for motor vehicle parking. In Controlled Parking Zones (CPZs) or employer-linked housing areas (where occupants do not have an operational need for a car) where development is located within a 400m walk to frequent (15minute) public transport services and within an 800m walk to a local supermarket or equivalent facilities (measured from the mid-point of the proposed development) planning permission will only be granted for residential development that is car-free. In the case of the redevelopment of an existing or previously cleared site, there should be no net increase in parking as

existing on site and a reduction will be sought where there is good accessibility to a range of facilities.

10.79. Furthermore as set out above, Policy H8 makes clear that all student accommodation development must comply with parking standards under Policy M3. This states that only operational and disabled parking is allowed and the developer must undertake and provide a mechanism to prevent students from parking their cars anywhere on the site, (unless a disabled vehicle is required), which the developer shall thereafter monitor and enforce. This is usually done through the tenancy agreement (as stated above).

10.80. Policy M5 and Appendix 7 sets out minimum cycle parking standards for student accommodation of at least 4 spaces for every 4 study bedrooms, unless site specific evidence indicates otherwise in accordance with Policy M5. Policy DH7 of the OLP sets out design requirements for bike & bin stores and external servicing features. These should be considered from the start of the design process.

10.81. The site is considered to be in a sustainable location with good access to public transport in and out of the City along the Banbury Road. No new car parking is proposed as a result of the development; three existing car parking spaces at No.19 would be retained for disabled and operational uses in accordance with Policy M3. The County Highways Authority comments that in view of this, and the controlled parking zone in place, there would be no adverse impact on the highway.

10.82. The site currently has 75 cycle parking and there will be an increase in cycle spaces of 61 to provide a total of 136 spaces. This meets the minimum number of cycle parking spaces required (136) in accordance with Policy M5. The cycle parking within the re-instated front garden area would be discrete and integrated into the landscaping. It would be secure and some should be sheltered also to encourage use, in accordance with DH7 of the OLP, whilst also having regard to the character and appearance of the NOVSCA. Officers consider that whilst covered cycle parking is preferable, in accordance with Policy M5, in this case the impact on the character and appearance of the NOVSCA and street scene has been given more weight. A large number of covered cycle parking to the front of the site would be visually intrusive and harm the appearance of Norham Gardens. Therefore it is considered acceptable that not all the cycle parking should be covered.

10.83. Provision for electric charging of cars and cycles should also be provided in accordance with Policies M4 and M5.

10.84. Subject to conditions securing the cycle parking, electric charging facilities, students no cars to Oxford, and Student Management Plan (drop off/pick up) the development accords with M1, M3 and M5 of the OLP.

#### **h. Sustainable Design & Construction**

10.85. Policy RE1 states that planning permission will only be granted where it can be demonstrated that sustainable design and construction principles have been



incorporated. In respect of carbon emissions the policy requires for major developments at least a 40% reduction carbon emissions from a 2022 Building Regulations compliant base case. This reduction could be secured through on-site renewable energy and other low carbon technologies and/ or energy efficiency measures.

10.86. A Sustainability Statement was submitted with the application. In addition to the local Plan requirements, St Edmund Hall also has its own high aspirations for meeting climate change and carbon emissions. The proposed development seeks to achieve this by delivering a highly sustainable, low energy, biodiverse project that aims to be exemplary in environmental, social and governance terms.

10.87. A fabric first approach to the new buildings has been taken using Passivhaus construction certification methods to reduce operation energy and reflecting the Colleges aspiration to be close to net zero in operation by 2030. For No.17 Norham Gardens retrofit low energy building standard is being used to improve energy performance through air tightness, upgrading windows, insulation and efficient plant using the principles of passivhaus for existing buildings (enerphit).

10.88. A whole life, whole site holistic approach to sustainability is proposed through good materials choices (Cross-Laminated Timber (CLT)), renewable energy heat and hot water via roof mounted Air Source Heat Pumps (ASHPs), roof mounted photovoltaic panels (estimated to generate approximately 25% of the energy demand), embodied carbon during construction, re-use of materials on site where possible such as brick, stone and timber from the existing buildings, water saving measures and rain water harvesting. The scheme has been designed with the next 50 – 100 years and changing climate in mind. Rigorous overheating analysis has been undertaken and the provision for future cooling in student rooms has been allowed for. As set out above, net biodiversity gain would be achieved. Overall the new buildings would achieve an average of 79.5% (ranging between 76.9% and 83.1%) reduction in carbon emissions compared to a Building Regulations compliant base case which exceeds the 40% policy requirement.

10.89. As such it is considered that the development meets the requirements of Policy RE1 of the OLP and suitably worded conditions would secure this, together with details of the Photovoltaics.

#### **i. Archaeology**

10.90. Policy DH4 states that within the City Centre Archaeological Area, on allocated sites where identified, or elsewhere where archaeological deposits and features are suspected to be present (including upstanding remains), applications should include sufficient information to define the character, significance and extent of such deposits so far as reasonably practical within a Heritage Assessment and, if applicable, a full archaeological desk-based assessment and the results of evaluation by fieldwork.

10.91. Development proposals that affect archaeological features and deposits will be supported where they are designed to enhance or to better reveal the

significance of the asset and will help secure a sustainable future for it. Proposals which would or may affect archaeological remains or features which are designated as heritage assets will be considered against the policy approach in policy DH3.

- 10.92. Archaeological remains or features which are equivalent in terms of their significance to a scheduled monument are given the same policy protection as designated heritage assets and considered against policy DH3. Proposals that will lead to harm to the significance of non-designed archaeological remains or features will be resisted unless a clear and convincing justification through public benefit can be demonstrated to outweigh that harm, having regard to the significance of the remains or feature and the extent of harm. Where harm to an archaeological asset has been convincingly justified and is unavoidable, mitigation should be agreed with Oxford City Council and should be proportionate to the significance of the asset and impact.
- 10.93. An Archaeological Evaluation Report was submitted with the application. The site is of interest because of its proximity to multi-period archaeological sites to the north and south and the results of the pre-application evaluation trenching set out in the Evaluation Report. The evaluation recovered residual artefacts, identified as Neolithic to Bronze Age in date and recorded several ditches apparently forming part of a rectilinear enclosure system of likely early to mid-Roman date relating to rural settlement and farming activity. Undated pits and two large undated ditches of interest were also recorded.
- 10.94. The results of the archaeological evaluation were small and it is therefore considered that, should planning permission be granted, conditions should be imposed to secure controlled demolition below ground level and further archaeological excavation. As such the development would accord with DH4 of the OLP.

#### **j. Air Quality**

- 10.95. Policy RE6 of the OLP ensures that the impact of new development on air quality is mitigated and exposure to poor air quality is minimised or reduced. Existing and new occupants will be accounted for and any additional negative air quality impacts identified from new development will require mitigation measures to ameliorate these impacts during operational and construction phases. Sensitive uses, such as residential, should be located away from poor air quality areas, be designed to reduce impact and mitigated through air quality measures where necessary. Major developments that carry a risk of exposing individuals to unacceptable levels of air pollution must be accompanied by an Air Quality Assessment (AQA). Where an AQA demonstrates harm to air quality, permission will not be granted unless specific measures are proposed and secured to mitigate those impacts.
- 10.96. An AQA was submitted with the application. The baseline assessment shows that the application site is located within the Oxford citywide Air Quality Management Area (AQMA), declared by Oxford City Council (OCC) for exceedances of the annual mean NO<sub>2</sub> air quality objective (AQO). Analysis of the surrounding area of the application Site, show current air pollutant

concentrations to be below their relevant air quality objectives. The impacts of existing pollution sources on the future residents at the proposed development are therefore considered to be not significant and current air quality levels at the application site are acceptable.

10.97. According to the site's energy statement, heat for the development will be generated from air source heat pumps and Photovoltaic panels. There would be no combustion type generating units on site and the impact of emissions from energy generation can therefore be screened out from requiring further assessment.

10.98. Car parking for the development would be limited to only three existing spaces and there would be no increase in parking. Therefore, additional traffic generated by the development would be limited to service vehicles and vehicles dropping off or collecting students. There is no provision for additional car parking at the development. It is considered that vehicle movements associated with construction and occupation of the development would be below those requiring a detailed assessment as provided by the IAQM. Therefore, the impact of additional transport emissions on existing receptors has been screened out.

10.99. The construction of the development would have the potential to generate dust from construction activities and the generation of combustion-type pollutants (e.g. oxides of nitrogen and fine particles) from construction traffic accessing the site and from on-site construction plant. There is at least one high sensitivity receptor located within 20m and around ten within 50m of the site. Therefore, the sensitivity of the area to dust soiling for demolition, earthworks and construction has been assessed as Medium. The overall sensitivity of the area to human health impacts has been assessed as Low. These risk levels are used to identify appropriate site specific dust mitigation measures. Provided these measures are implemented the residual impacts are considered to be not significant. This could be secured by condition.

10.100. In summary, the air quality levels at this site would be below current limit values for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> and the proposed development would cause a negligible increase in pollutant concentrations at all human and ecological assessment receptors. As such it is considered that the development accords with Policy RE6 of the OLP subject to condition.

#### **k. Flood Risk & Drainage**

10.101. The site lies within flood Zone 1. Policy RE3 relates to flood risk management and directs new developments to flood Zone 1 and developments over 1ha in these areas should be accompanied by a Site Specific Flood Risk Assessment (FRA). Policy RE4 requires developments to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. Details of this may form part of the FRA or a drainage strategy. In relation to surface and groundwater flow and groundwater recharge any development that would have an adverse impact on groundwater flow will not be permitted in accordance with policy RE4. The City Council will, where necessary, require effective preventative measures to be taken to ensure that the flow of groundwater will not be

obstructed. Developers are encouraged to separate foul and surface water sewers on all brownfield sites delivering new development. A Foul and Surface Water Drainage Strategy must be provided for all new build residential development of student accommodation of 250 study bedrooms or more. This development falls below this threshold.

10.102. A Flood Risk and SuDS Assessment, together with further supporting information, has been submitted. The site is in flood zone 1 and is at low risk of flooding from surface water flooding, watercourses flooding, groundwater flooding and reservoir flooding. The development would reduce the impermeable areas on site, and the introduction of an attenuation tank, green roofs, permeable paving and pump would limit discharge to a maximum of 4l/s for all storm events. Infiltration as a method of surface water discharge was not feasible as testing results showed the ground is not suitable for infiltration. A new pond would be provided to the rear of No.19 which would be fed by rills and other connections within the gardens. It should be noted that it is not an attenuation pond due to the possibility of flows and volumes compromising wildlife biodiversity functions. Water flows would be regulated to avoid harm to aquatic habitats and encourage wildlife. Furthermore a foul sewer crossing the site also hinders the use of the pond. Instead tanked permeable pavements would be provided on all new hard landscaping to provide the wider benefits of SuDS (biodiversity, amenity, and water quality). Designing the surface water network for storms up to the 1:100 year + 40% climate change requires storage volumes that are greater than possible in the permeable pavements. Therefore attenuation would be provided underground in the form of geocellular attenuation crates. With pumps the requirement to limit the 1 in 1 year storm event to the corresponding greenfield rate is not met due to the impracticality of restricting pump rates to such low flows. Overall the surface water management strategy would provide a betterment of more than 96% for the critical 1 in 100-year storm event. This includes an allowance of 40% climate change and 10% urban creep.

10.103. Further to submission of amended information, the LLFA raised an objection due to the fact that the information submitted does not show rainwater harvesting features on the drainage plan; the drainage strategy does not show the green roofs connection into the surface water network or its extent; and the LLFA request construction details of the green roofs and calculations for 1:100 year storm event plus 40% climate change. Thames Water has confirmed sufficient capacity for the development in terms of foul and waste water.

10.104. The Applicant subsequently confirmed that overflow water from the green roofs would connect into rainwater butts. Whilst the green roofs could theoretically provide some attenuation in shorter storm events they would not provide any attenuation for critical storm events (1 in 100 year+ 40% climate change) and have not been designed to do so,. As they would already be saturated from a previous storm in a worst case scenario event, any overflow water from the butts would go into the attenuation tanks via the below ground drainage. These attenuation tanks have been specifically designed for this scenario i.e. the 1 in 100 year + 40% climate change.

10.105. The rainwater harvesting tanks or a series of water butts are also proposed to provide irrigation which is similar to the College's existing set up.

The exact location of these would be determined during Stage 4 (post decision stage). Any rainwater harvesting tanks (or water butts) have not been considered in the storage volumes for storm water attenuation to ensure the full capacity of the system is available during all storms. Overflow connections from the rainwater harvesting tanks will be provided and will be coordinated once positions are confirmed.

- 10.106. It is considered that the use of attenuation tanks and permeable paving is justified in this case. In relation to the green roofs, further to the additional supporting information as set out above, Officers consider that not including the green roofs as part of the storm attenuation strategy is justified and that the run off in critical storm events 1 in 100 year + 40% climate change) has been appropriately considered as part of the attenuation tank design and overall drainage strategy. The confirmation of the calculations for the 1 in 100 year + 40% climate change for the attenuation tanks could be satisfactorily dealt with by condition requiring an updated Drainage Strategy. Officers also concur that the detailed construction design of the green roofs is a detailed Stage 4 of the architectural design matter that could be adequately secured by condition, as could the design and location of the water butts. As such the proposed drainage strategy is acceptable in principle in accordance with RE3 and RE4 of the OLP, subject to a condition requiring details of the green roof construction, water butts/rainwater harvesting tanks locations and connections within a finalised Drainage Strategy.

## **11. CONCLUSION**

- 11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the consideration of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.
- 11.3. Therefore it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.
- 11.4. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the NPPF, and relevant policies of the Oxford Local Plan 2016-2036, when

considered as a whole, and that there are no material considerations that would outweigh these policies.

11.5. This is a high quality development that would provide increased student accommodation on land owned by the College, thereby releasing housing back on to the general housing market which would help meet the high demand for housing in the City. It would make best and most efficient use of the land, providing net biodiversity gain, ecological benefit, sustainable drainage and high levels of sustainable design and construction. Any harm to heritage assets identified would be outweighed by the public benefits derived from the development. Protected Species have been given due regard, harm minimised and mitigation measures proposed. Subject to conditions, it is concluded that the development would accord with the relevant Policies of the Oxford Local Plan 2036 and the NPPF, and complies with the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Conservation of Habitats and Species Regulations 2017 (as amended).

11.6. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to conditions set out at Section 12 and 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*

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.

### *Plans*

2. Subject to conditions requiring updated or revised documents submitted with the application, the development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy SR1 of the Oxford Local Plan 2036.

### *Materials*

3. Prior to the commencement of development, excluding demolition and enabling works, a schedule of materials together with samples shall be submitted to and approved in writing by the Local Planning Authority. The following sample panels shall be provided on site:

a) Large scale sample panels of all new brickwork and stonework demonstrating the colour, texture, face bond, mortar and pointing for the new development shall be erected on site.

b) Large scale sample panels of all new ceramic cladding, metal claddings and screens, and roof materials demonstrating the colour, texture, reflectivity shall be erected on site.

The development shall be completed in accordance with the approved materials schedule and sample panels unless otherwise first agreed in writing which where feasible shall remain on site for the duration of the development works.

Reason: To ensure high quality development and in the interests of the visual appearance of the North Oxford Victorian Suburb Conservation Area in which it stands in accordance with policies DH1 and DH3 of the Oxford Local Plan 2036.

#### *Drainage*

4. There shall be no occupation beyond the 49th dwelling until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or- a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to low / no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development in accordance with RE4 of the Oxford Local Plan 2036.

5. Notwithstanding the submitted Drainage Strategy, prior to commencement of development, excluding demolition and enabling works, an updated Drainage Strategy to include the details listed below shall be submitted to and approved in writing by the Local Planning Authority:
  - Details of the green roof construction
  - Details of rain water harvesting tanks and or rain water butts including size, location and connections to the surface water drainage.
  - Confirmation of calculations for 1 in 100 year + 40% climate change storm events for the attenuation.

The development shall be constructed in accordance with the approved details.

Reason: To ensure suitable drainage for the development in accordance with RE4 of the Oxford Local Plan 2036.

*Design/appearance*

6. Notwithstanding the approved plans, prior to occupation of the development hereby approved, details shall be submitted to and be approved in writing by the Local Planning Authority to demonstrate that the proposed development would comply with Secured by Design principles. The development shall be carried out in accordance with the approved details.

Reason: To ensure that appropriate physical security is provided, especially to the communal dwellings, where detail is missing from this application relating to access controls, visitor entry, postal services. To safeguard future residents and the buildings themselves from crime and antisocial behaviour. To ensure the development accords with Secure by Design principles and Policy DH1 of the Oxford Local Plan 2036.

7. Prior to first occupation an internal and external lighting and CCTV strategy (which takes into account potential lighting impact on biodiversity as required under Condition 13) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed and retained thereafter.

Reason: In the interests of Secure by Design, Biodiversity, neighbouring amenity and the Character and appearance of the Conservation Area in which the site lies in accordance with Policies DH1, DH3 and G2 of the Oxford Local Plan 2036.

8. Prior to first occupation, details of the means of enclosure of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation and retained thereafter.

Reason: In the interests of design and appearance within the Conservation area and Secure by Design in accordance with Policies DH1 and DH3 of the Oxford Local Plan 2036.

9. No demolition of the gym (former chapel) shall take place until an appropriate programme of architectural recording of the buildings to be demolished by measurement, drawing and photography to Historic England Level 2 Historic Building Survey has been secured and implemented in accordance with a Written Scheme of Investigation, which has been submitted to and approved in writing by the Local Planning Authority. One copy of the final report shall be deposited in the College's archives and one copy shall be deposited in the County Records Office.

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: To preserve by record the buildings and North Oxford Victorian Suburb Conservation Area that will be affected by the works hereby granted permission in accordance with policies DH3 & DH4 of the Oxford Local Plan 2036.

### *Biodiversity*

10. Prior to the commencement of any works affecting bats or their roosts, evidence of a European protected species licence from Natural England, specific to this development, shall be submitted to the Local Planning Authority.

Reason: To protect bats in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended) and The Wildlife and Countryside Act 1981 (as amended).

11. The development hereby approved shall be implemented strictly in accordance with the mitigation measures stated in Section 7.3 of the 'Biodiversity Statement' revision 5, as modified by the 'Ecology Comment Response' and by any relevant European Protected Species Licence. All bat roosting devices shall be installed by the completion of the development and retained as such thereafter.

Reason: To comply with The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats Regulations 2017 (as amended) and enhance biodiversity in Oxford City in accordance with the National Planning Policy Framework.

12. The submitted bat survey results are considered valid until May 2023. If the development hereby approved does not commence by this date or, having commenced, is suspended for more than 12 months, then the works relating to the development shall not recommence otherwise than in accordance with the provisions of this condition: Further surveys shall be commissioned to: i) Establish if there have been any changes in the presence and/or abundance of roosting bats. ii) Identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement or recommencement of the development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To comply with The Conservation of Habitats Regulations 2017 (as amended) and The Wildlife and Countryside Act 1981 (as amended)

13. Prior to any lighting installation, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The

strategy shall:

a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To comply with The Conservation of Habitats Regulations 2017 (as amended) and The Wildlife and Countryside Act 1981 (as amended).

14. No works to or demolition of buildings or structures that may be used by breeding birds shall take place between March and August inclusive unless a competent ecologist has undertaken a detailed check for active birds' nests immediately before the works begin and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority.

Reason: To comply with The Wildlife and Countryside Act 1981 (as amended).

15. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the occupation of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

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

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

Reason: To ensure the enhancement of biodiversity in accordance with Policy G2 of the Oxford Local Plan 2036.

#### *Archaeology*

- 16.No demolition excluding demolition and enabling works above existing ground level shall take place until a Demolition Methodology Statement has been submitted to and agreed in writing by the Local Planning Authority. The demolition shall be undertaken in such a manner as to avoid unnecessary disturbance to archaeological remains. All works shall be carried out and completed in accordance with the approved Demolition Methodology Statement unless otherwise agreed in writing by the Local Planning Authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including prehistoric and Roman remains in accordance with Policy DH4 of the Oxford Local Plan 2036.

- 17.No development excluding demolition and enabling works above existing ground level 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 significance and research objectives, and:
- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
  - The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material including the processing and publication of the archaeological evaluation results already completed. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the 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 prehistoric and Roman remains in accordance with Policy DH4 of the Oxford Local Plan 2036.

#### *Student Accommodation*

- 18.Prior to first occupation, a Student Accommodation Management Plan (SAMP) shall be submitted to and approved in writing by the Local Planning Authority. The SAMP shall set out control measures for ensuring that the

movement of vehicles associated with the transport of student belongings at the start and end of term are appropriately staggered to prevent any adverse impacts on the operation of the highway. The approved SAMP shall be implemented upon first occupation of the development and remain in place at all times thereafter unless otherwise first agreed in writing beforehand by the Local Planning Authority.

Reason: In order to control the impact of students in the interests of amenity, in accordance with policies S1, H8 and RE7 of the Oxford Local Plan 2036.

19. The development shall be solely used for student accommodation and for no other purpose (including any other purpose in Class C2 Part C of Schedule 1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification and also including any other purpose as may be permitted under the relevant provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order revoking and re-enacting that Order with or without modification)

Reason: To ensure the adequate provision of student accommodation and allow the Local Planning Authority to give further consideration to other uses in accordance with policies S1 and H8 of the Oxford Local Plan 2036.

20. During term time the development hereby permitted shall be used for student accommodation in accordance with the specifications and requirements of conditions 19 and 23, and for no other purpose unless otherwise agreed in writing beforehand by the Local Planning Authority. 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 not be used for any other purpose other than that permitted by this condition.

To avoid doubt and to allow the Local Planning Authority to give further consideration to other forms of occupation which may result in the loss of student accommodation in accordance with policies S1 and H8 of the Oxford Local Plan 2036.

### *Energy*

21. The development shall be implemented in strict accordance with the approved Energy Statement. Prior to the full occupation of the development evidence (including where relevant Energy Performance Certificate(s) (EPC), Standard Assessment Procedure (SAP) and Building Regulations UK, Part L (BRUKL) documents) shall be submitted to the Local Planning Authority to confirm that the energy systems have been implemented according to details laid out in the approved Energy Statement and achieve the target performance as approved.

Reason: To ensure compliance with policies S1 and RE1 of the Oxford Local Plan 2036.

22. Notwithstanding condition 21 above, prior to construction of the development about slab level further details of the photovoltaics including location, number and technical specifications shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be installed prior to first occupation.

Reason: To ensure compliance with policies S1 and RE1 of the Oxford Local Plan 2036.

#### *Transport*

23. Prior to occupation, details of a tenancy agreement that includes a clause under which the study bedrooms shall be occupied restricting students resident at the premises (other than those registered disabled) from bringing or keeping a motor vehicle in the city shall be submitted to and approved in writing by the Local Planning Authority. The study bedrooms shall only be let in accordance with the approved tenancy agreement.

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 RE7, M2 and H8 of the Oxford Local Plan 2036.

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

Reason: To encourage the use of sustainable modes of transport in line with policy M5 of the Oxford Local Plan 2016-2036.

25. Prior to the commencement of development, details of the Electric Vehicle charging infrastructure that is expected to be installed on-site shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle infrastructure shall be formed, and laid out before the development is first in operation, as approved, and shall remain in place thereafter.

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

26. The car parking spaces shall be laid out and constructed in accordance with the submitted plans and retained as such at all times thereafter.

Reason: To ensure an acceptable level of car parking in accordance with policy M5 of the Oxford Local Plan 2016-2036.

27. Notwithstanding the submitted Construction Traffic and Environmental Management Plan (CTEMP), no development shall take place until a revised CTEMP is submitted to and approved in writing by the Local Planning Authority.

The plan shall include details of the following matters:-

- the routing of construction and demolition 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 and demolition vehicles (to minimise the impact on the surrounding highway network),
- times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours of 07:30-09:30 or 16:00-18:00;
- hours of working;
- travel initiatives for site related worker vehicles;
- signage for construction traffic, pedestrians and other users of the site;
- piling methods (if employed) and controls on vibration;
- earthworks;
- hoardings and security fencing to the site;
- noise limits;
- control of emissions;
- Dust mitigation measures including the complete list of site specific dust mitigation measures and recommendations that are identified in Chapters 3 and 4 (Pages 25-27) of the Air Quality Assessment that was submitted with the application;
- waste management and disposal, and material re use;
- wheel cleaning / wash facilities to prevent prevention of mud / debris being deposited on public highway;
- contact details of the Project Manager and / or Site Supervisor;
- layout plan of the site;
- materials storage including any hazardous material storage and removal.
- Engagement with local residents and neighbours

The CTEMP shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, air quality\*, vibration, dust\*\* and waste disposal resulting from the site preparation, groundwork and construction phases of the development and manage Heavy Goods Vehicle (HGV) access to the site. Measures to minimise the impact on air quality should include HGV routes avoiding Air Quality Management Areas and avoid vehicle idling.

\* The Institute of Air Quality Management <http://iaqm.co.uk/guidance/>

\*\* The applicant should have regard to BRE guide 'Control of Dust from Construction and Demolition, February 2003

The approved Construction Traffic and Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: In the interests of the highway network, the amenities of neighbouring occupiers and 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 policies RE1, RE6, RE8, M1 and M2 of the Oxford Local Plan 2036.

#### *Trees/Landscape*

28. The tree planting for the development shall be implemented in accordance with the submitted Tree Planting Strategy Plan SEH-BHSL-SW-ZZ-DR-L-0102 REV.H only unless otherwise first 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 2036.

29. Notwithstanding the submitted soft landscape plans (ground and roof), prior to first occupation updated soft and hard landscaping plans which shall include the tree species and planting locations on the Tree Planting Plan approved under condition 24 above and shall also include a detailed planting schedule (including species for biodiversity interest and native species, size and number) shall be submitted to and approved 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 2036.

30. The tree planting and soft landscaping proposals as approved by the Local Planning Authority under conditions 24 and 25 above shall be carried out no later than the first planting season after first occupation or first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

31. 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 2036.

32. No development, excluding demolition and enabling works, shall take place until details of the design of all new hard surfaces and a method statement for their construction shall first have been submitted to and approved in writing by the Local Planning Authority and the hard surfaces shall be constructed in

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

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

33. The development shall be carried out in strict accordance with the approved methods of working and tree protection measures contained within the planning application details shown on approved drawings, unless otherwise agreed in writing beforehand by the Local Planning Authority. The Local Planning Authority shall be informed in writing when physical measures are in place, in order to allow Officers to make an inspection prior to the commencement of development.

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

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

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

### **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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