

Oxford City Planning Committee

24th January 2023

Application number: 22/00841/FUL

Decision due by 1st June 2022

Extension of time None

Proposal Demolition of existing rear sheds and external rear fire escape. Erection of two storey rear extension with glazed link to provide 8no. additional student rooms and refurbishment of existing property to provide 11no. additional student rooms. Replacement of 1no. window with 1no. door to side elevation. Replacement of 1no. window with 1no. vent to side elevation. Replacement of 1no. window and fire escape door with 1no. window to rear elevation. Replacement windows. Formation of bin and cycle stores to rear. New accessible landscaping to front and new side access gate. Provision of accessible car parking to front. Hard and soft landscaping.

Site address Cotswold House , 110C Banbury Road, Oxford, Oxfordshire – see **Appendix 1** for site plan

Ward Summertown

Case officer Tobias Fett

Agent: Miss Emma Wagland **Applicant:** Regents Park College

Reason at Committee This application is called in by Councillors Miles, Fouweather, Sandelson, Goddard, Roz Smith and Smowton for reasons including the following material planning considerations, related to policies within the local plan, the neighbourhood plan and the NOVSCA appraisal: overdevelopment, impact on the Conservation Area and loss of rear garden land

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;

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

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

2. EXECUTIVE SUMMARY

- 2.1. This report considers an application for planning permission for the removal of sheds to the rear of 110C Banbury Road and the erection of a two storey extension with a green roof to provide 8 additional post-graduate study rooms to create a total of 19 rooms at the redeveloped site.
- 2.2. The proposals include alterations to the existing building, including changes to the fenestration as well as the removal of trees to the rear, new landscaping, two car parking spaces and provision of storage for thirty bicycles.
- 2.3. The application includes a set of revised plans which was followed by an additional period of public consultation.
- 2.4. The development would accord with the aims and objectives of the National Planning Policy Framework (NPPF) and to promote an efficient use of land to meet the need for additional post graduate accommodation. Officers recommend that the development is acceptable in principle and would be acceptable in design and heritage terms (with public benefits outweighing the identified low level of less than substantial harm to designated heritage assets). The proposal would also have an acceptable impact on neighbouring amenity, the surrounding transport network, trees and landscaping, biodiversity, drainage, and land quality.
- 2.5. On the basis of the above, the development would constitute sustainable development that is acceptable in the context of national and local planning policy subject to conditions as set out in Section 12 of the report.

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for the CIL amount of £5,052.40.

5. SITE AND SURROUNDINGS

- 5.1. The application site is situated in North Oxford, on the eastern side of Banbury Road, between Belbroughton Road and Linton Road within a row of detached properties.
- 5.2. The majority of properties along the eastern side of Banbury Road have rear extensions, which extend the building line eastwards into their gardens. 110C Banbury Road is one of the few properties within this part of Banbury Road that has not been previously extended at the rear.

5.3. See location plan below:



5.4. The site is located within the North Oxford Victorian Suburb Conservation Area. The proposal does not affect the setting of any listed building. The nearest listed buildings to the application site include 121 Banbury Road (Grade II) which is opposite the site, 1 Belbroughton Road (Grade II) to the north, 20 Northmoor Road (Grade II) to the rear and east and 7 Linton Road to the south east (Grade II). None of these designated heritage assets lie within the immediate vicinity of the site.

5.5. The immediate area is comprised primarily of residential properties with some institutional and educational uses. The neighbouring properties, 110 Banbury Road to the south and 112 Banbury Road to the north are both three storey residential properties, with similar sized gardens to 110c Banbury Road.

5.6. The existing property on the site is a three storey, detached building, originally built as a dwellinghouse but has been used for student accommodation since 1992. Whilst the property has been used as student accommodation it is

understood that for some periods of time the individual flats have been let to post-graduates and their families and this is noted in some of the public consultation responses. The property is set back from the road, as is characteristic in this part of North Oxford, with a hard surfaced and landscaped front garden that is bounded by a low brick wall at the front and dominated by a large oak tree.

- 5.7. The property is significantly smaller than many of the properties along this side of Banbury Road and it was built later than many surrounding properties (likely between 1928-1937). The property would now be described as an infill development in the garden of 110 Banbury Road, a private dwelling house designed by the distinguished Oxford architect H W Moore, at a date between the O.S. map of 1921 and the O.S. map of 1957-1958.
- 5.8. The property is built with red brick walls and a clay tiled roof. The front elevation contains bay windows on both sides of the front door and either side of the central window on the first floor with stone lintels and sills. On the second floor there are three sets of windows. The side elevations are largely blank, with a window on each floor centrally in the south elevation.
- 5.9. The rear elevation incorporates some modern alterations to the building including an external metal fire escape staircase and access ramp. There are four sets of windows across each storey on the rear elevation with doors providing emergency access out to the aforementioned fire escape staircase.
- 5.10. The property is currently subdivided into three separate flats used by students associated with the University of Oxford. The interior has been adapted over the years and has a utilitarian appearance; the proposed development seeks to modernise the building internally as well as increasing the overall amount of student accommodation. The existing internal layout means that the property is currently under-utilised.
- 5.11. The rear of the property comprises a large garden containing a large area of hardstanding near to the property and a row of three sheds used for storage. To the rear of the sheds is an overgrown grassed area which contains a number of trees and a large shed towards the rear boundary.
- 5.12. A continuous brick wall provides the boundary treatment to the neighbouring properties on both sides of the application site. There is a large gap around the side of 110c Banbury Road and the boundary to 110 Banbury Road which is gated, through which the site can be seen from Banbury Road. A smaller gap exists on the northern side adjacent to 112 Banbury Road.
- 5.13. Due to the site's central location between Linton and Belbroughton Road, it is not highly visible in wider views in the public realm. Views across the rear of Banbury Road are characterised by the extensive rear gardens but also the visibility of the upper parts of the properties with their tall chimneys, projecting rear gables and extensions which creates a dynamic and varied roofscape.
- 5.14. To the south, the three storey 110 Banbury Road extends beyond the rear elevation of 110c Banbury Road. The first part of this elevation which extends

beyond the rear of 110C Banbury Road has two ground floor windows, two first floor windows and three second floor windows, the central part has three ground floor windows and a first-floor window and the easternmost part is blank with a lean to adjacent to it.

- 5.15. To the north, 112 Banbury Road has a recently constructed single storey orangery extension which adjoins an earlier single storey extension. Views between these extensions and 110C Banbury Road are limited due to the boundary wall and an existing plum tree. 112 Banbury Road also has a lean to single storey extension which sits between the two properties. The original part of that property does not extend beyond the rear of 110C Banbury Road, there is one set of windows on the second floor which face the side elevation of 110C Banbury Road.

6. PROPOSAL

- 6.1. The planning application has been the subject of revisions since it was submitted, the description of the proposed development set out below reflects the amended submission.
- 6.2. The application proposes the erection of a two storey rear extension to the existing property. The extension would be sited on a large area of hard standing and facilitated in part by the demolition of a collection of derelict sheds which have previously been used for storage.
- 6.3. The proposed extension would be constructed of traditional bricks to match the existing property with a shallow green flat roof. Architectural detailing around the windows and string courses are proposed to emulate, albeit in a contemporary manner some of the decorative features of the host property and surrounding Conservation Area. The overall height of the proposed development would be 6 metres at the garden elevation and approximately 5.6m when measured at the proposed side entrance that would become the entrance to the building.
- 6.4. The proposal includes the removal of one plum tree to the frontage as well as an increase in landscaping and a reduction in car parking spaces to the front.
- 6.5. It is also proposed to remove five trees from the rear garden and provide a new landscaped area and shared garden with an overall reduction in hardstanding.
- 6.6. The proposals include a refuse and recycling store to be provided at the front of the property, screened in part by the existing large (retained) oak tree. The proposals also include two covered and secure cycle stores in the rear garden and close to the southern boundary of the site; these would have a capacity of ten pedal cycles each. A further area of outdoor cycle storage (uncovered Sheffield stands) is also proposed adjacent to the new side entrance to the building that would provide further cycle storage for ten pedal cycles.

- 6.7. The existing UPVC front façade fenestration would be replaced with new and more sympathetic timber windows.
- 6.8. The purpose of the extension would be to provide 8 new student rooms, other changes in the building would facilitate the refurbishment of existing accommodation to provide a total of 19 rooms on the site.
- 6.9. The extension would be 12.5 metres deep at its longest point from the existing rear wall of the building and would be 11 metres at its widest, across the width of the building. However the extension would be set in at two points, creating a glazed link which would create a visual break between the existing wall and the new extension along both side elevations.
- 6.10. The side passage between the application site and No. 112 Banbury Road would be retained with a width of approximately 1m, but would have a gap between the new and old extension. The gap between the southern elevation of the extension and the boundary with No. 110a/b fence would be approximately 2.7 metres and this would retain a gap of circa 5.5m between the two buildings.
- 6.11. A previous application with the reference 20/00758/FUL was withdrawn on the recommendation of officers following concerns about the impact of the development in design, conservation and amenity terms.

7. RELEVANT PLANNING HISTORY

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

01/00408/NFH - Demolition of outbuildings. Construction of 2 new buildings, one on 3 and 4 floors (including semi-basement), and one at semi-basement only to provide 19 student study rooms.. REF 15th May 2001.

19/02529/CEU - Application to certify that the existing use of the building as student accommodation is lawful development.. PER 9th December 2019.

20/00758/FUL - Demolition of 5no. sheds. Refurbishment of existing property and erection of part 3, part 2 storey rear extension to provide a total of 24 student rooms and shared ancillary accommodation. Provision of bin and bicycle stores. (amended description) WDN 1st June 2020.

22/00841/FUL - Demolition of existing rear sheds and external rear fire escape. Erection of two storey rear extension to provide 8no. additional student rooms and refurbishment of existing property to provide 11no. additional student rooms. Replacement of 1no. window with 1no. door to side elevation. Replacement of 1no. window with 1no. vent to side elevation. Replacement of 1no. window and fire escape door with 1no. window to rear elevation. Replacement windows. Formation of bin and cycle stores to rear. New accessible landscaping to front and new side access gate. Provision of accessible car parking to front. Hard and soft landscaping.. PDE .



8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:
Design	126-136	DH1 - High quality design and placemaking DH7 - External servicing features and stores RE1 - Sustainable design and construction RE2 - Efficient use of Land		HOS2 - Local Character and Distinctiveness HOS3 - Density, Building Design Standards and Energy Efficiency HOS4 - Backland Development
Conservation/ Heritage	189-208	DH3 - Designated heritage assets		
Housing	119-125	H8 - Provision of new student accommodation H14 - Privacy, daylight and sunlight H15 - Internal space standards H16 - Outdoor amenity space standards		
Commercial	81-83			
Natural environment	152-188	G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure		

Transport	104-113	M3 - Motor vehicle parking M5 - Bicycle Parking	Parking Standards SPD	TRS1 Sustainable Transport Design TRS2 Sustainable Transport
Environmental	7-14, 119-125, 183-186	RE7 - Managing the impact of development RE8 - Noise and vibration	Energy Statement TAN	
Miscellaneous	7-12	S1 - Sustainable development	External Wall Insulation TAN,	

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 22nd April 2022 and an advertisement was published in The Oxford Times newspaper on 28th April 2022.
- 9.2. A second period of public consultation was carried out after revised plans had been received, with pink site notices displayed 6th December 2022 and an advertisement was published in The Oxford Times newspaper on 8th December 2022.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

- 9.3. The highway authority has no objection but requested a condition to be included to monitor and manage car ownership and car parking. This has been included.

Oxford Preservation Trust (OPT)

- 9.4. OPT raised concerns of massing, scale and design of proposed extension and their impact on the conservation area and views from public domain.
- 9.5. The above comments, reflecting the concerns about the design and impact in heritage terms was retained following the consultation on the revised scheme.

The Victorian Group of the OAHS (VG/OAHS)

- 9.6. Objection; due to mass, scale and size and impact on the conservation area and neighbours as well as lack of tree cover in winter for screening and institutionalisation.

Linton Road Neighbourhood Association (LRNA)

- 9.7. Objection; due to design and impact on conservation area and increase in density and garden use and their impact on the area

Public representations

- 9.8. Comments were received from addresses in Banbury Road (96, 110 and 112, 118); Bardwell Road (7, 8); Belbroughton Road (4, 9 and 10); Charlbury Road (6, 11A and 26); Linton Road (6, 18), Northmoor Road (8, 9A, 13, 15, 21, 23, 26, 29, 31) and Staverton Road (14, 28)
- 9.9. Only one neighbour comment has been received from the revised scheme consultation from 112 Banbury Road. The objections are maintained with concerns about the design, impact on amenity and impact on trees (specifically the plum tree near to the boundary of the application site but within the grounds of 112 Banbury Road).
- 9.10. In summary, the main points of objection were:
- Access
 - Amount of development on site
 - Effect on adjoining properties
 - Effect on character of area
 - General dislike or support for proposal
 - Local ecology, biodiversity
 - Effect on traffic
 - Height of proposal
 - Light - daylight/sunlight
 - Local plan policies
 - Effect on privacy
 - Effect on existing community facilities
 - Noise and disturbance
 - Open space provision
 - Impact on trees

Officer response

- 9.11. The material planning considerations raised will be addressed in the relevant sections of the report below.
- 9.12. For clarity, the existing use of the application site is for student accommodation, which has been arranged in cluster flats. There is a lawful development certificate relating to that existing use (19/02529/CEU).
- 9.13. Amended plans were sought by officers in part as a result of some of the objections and concerns raised through public consultation.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- I. Principle of development
- II. Design and Heritage
- III. Residential amenity
- IV. Impact on Neighbouring Amenity
- V. Transport
- VI. Trees
- VII. Biodiversity
- VIII. Drainage
- IX. Energy Efficiency
- X. Other matters

I. Principle of development

- 10.2. Policy S1 of the Oxford Local Plan 2036 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. This applies to paragraphs 10 and 11 of the NPPF which state that a presumption in favour of sustainable development is at the heart of national planning policy. The Council will work proactively with applicants to find solutions jointly which mean that applications for sustainable development can be approved where possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with Oxford's Local Plan and national policy will be approved without delay, unless material considerations indicate otherwise.
- 10.3. Policy RE2 of the Oxford Local Plan 2036 states that planning permission will only be granted where development proposals make efficient use of land. Development proposals must make best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford, as well as considering the criteria set out in the policy.
- 10.4. The application site is composed partially of previously developed land (the existing building, hardstanding and sheds) and partially of existing garden land. The proposals would make a more efficient use of land and expand an existing use in a sustainable location in a manner that is consistent with the requirements of Policy RE2 of the Oxford Local Plan (2036).
- 10.5. Policy H8 of the Oxford Local Plan 2036 requires specific consideration for the location and management of any new student accommodation. The proposal

is for the extension and modernisation of an existing student accommodation site, and the development is therefore acceptable in the context of Policy H8.

- 10.6. Policy H8 also requires that that planning permission would only be granted for student accommodation that is restricted in occupation to full-time students enrolled in courses of one academic year or more. It is understood that the prospective post-graduate students would fulfil this criteria. Conditions are recommended to ensure that this requirement is met in perpetuity.
- 10.7. In accordance with Policy H8, a management regime would need to be agreed with the City Council that would be implemented on first occupation of the development and the developer undertakes to prevent residents from parking their cars on site.
- 10.8. Policy H2 relates to affordable housing and states that for student accommodation of 25 or more student units, a financial contribution should be secured towards delivering affordable housing elsewhere in Oxford. The proposed development would fall below this threshold and therefore would not trigger the requirement to provide an affordable housing contribution.
- 10.9. The proposal would create additional student accommodation in a sustainable location by increasing the density and making a more efficient use of the existing building and site. The proposal would therefore be acceptable in principle as it would comply with policies S1, H8 and RE2.

II. Design and Impact on Designated Heritage Assets

Design policy context

- 10.10. Policy DH1 of the Oxford Local Plan 2036 states that planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness, and where proposals are designed to meet the key design objectives and principles for delivering high quality development.
- 10.11. Policy DH3 of the Oxford Local Plan 2016 states that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset, in this case a conservation area, and locality. For all planning decisions, great weight will be given to the conservation of that asset and to the setting of the asset, where it contributes to that significance or appreciation of that significance. 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, which should be identified by the applicant.
- 10.12. Paragraph 199 of the NPPF requires great weight to be given to the conservation of designated heritage assets. Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed

against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

- 10.13. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to have special regard to the desirability of preserving or enhancing the character and appearance of the Conservation Area to which great weight is attached and it is accepted is a higher duty. 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.
- 10.14. The application site is located within the character area “L St Margaret’s Ward and the North Oxford Victorian Suburb Conservation Area (NOVSCA)” as described in the Summertown and St Margaret’s Neighbourhood Plan (SSMNP) and this is mostly characterised and assessed as part of the NOVSCA and referencing the background papers and the Conservation Area Appraisal in terms of threats and opportunities.
- 10.15. The SSMNP and Conservation Area Appraisal do make reference to the growth of institutional uses, gaps between buildings being lost and issues around inappropriate or inadequate landscaping as threats, which are of particular relevance considering this application. These concerns are dealt with in particular by the policies of HOS2, HOS3 and HOS4 of the Summertown and St Margaret’s Neighbourhood Plan.

Scale, form, height and massing

- 10.16. The proposed two storey extension would have a radically different form to the host property on the application site as a result of having a flat roof; which is proposed to be a green roof. Whilst this would clearly be a departure from the existing design of the property (which whilst being a later addition does clearly attempt to form a visually harmonious addition to the established pattern of Victorian housing that predominates in the area) the proposals attempt to make a contemporary and subordinate addition to the application site. Notwithstanding the fact that the proposals sought to make a contemporary addition to rear aspect of the site, officers recommended that the design needed to be modified from its original submission by setting the extension away from the building. Revised plans were sought and received which achieved this; a link between the rear façade of 110C Banbury Road and the proposed extension allows the contemporary extension to be viewed more legibly as a later and subordinate addition to the rear of the site which is beneficial in design terms.
- 10.17. Clearly, the contemporary approach in this case is identifiable through the use of a contemporary roof form, which is also proposed to ensure that the development causes the least impact in terms of loss of light to neighbouring occupiers but also through the use of larger windows, metal cladding (to the south elevation) and a restrained pattern of architectural detailing (including a discrete string course and brick detailing). The design of the proposed extension would also be subordinate in terms of its design as a result of its lower overall height and relatively restrained design in terms of architectural

detailing. The resultant design, whilst unashamedly different from much of the surrounding built environment would achieve an acceptable visual relationship with the host property and reflect an innovative way of providing a larger extension at the rear of a residential building in a sensitive context.

- 10.18. The proposed development, rather than being a single two storey extension of continuous width is instead proposed to be broken into a full-width element and an element that projects further into the rear garden. This overall approach is beneficial in design terms as it breaks up the overall massing and reduces the impact on the light conditions for neighbouring occupiers (particularly at No. 112 Banbury Road).

Summertown and St Margaret's Neighbourhood Plan

- 10.19. There are specific design considerations relating to the proposals that arise from it being located within the Summertown and St Margaret's Neighbourhood Plan (the SSMNP) area. These requirements are set out in policies contained within that plan and specifically Policies HOS2, HOS3 and HOS4.

- 10.20. Policy HOS2 of the SSMNP deals with specific character areas within the Neighbourhood Plan area and requires new developments to respond to local character and distinctiveness. The character areas are defined within the SSMNP and with respect to the application site it is considered to fall within the Margaret's Ward and the North Oxford Victorian Suburb Conservation Area (NOVSCA). The SSMNP identifies a number of important characteristics of this area including its leafiness and the potential for institutional uses along arterial roads (including Banbury Road) to erode the character of the area through the loss of front gardens to parking. With respect to the identified characteristics of the area, officers consider that the proposals would positively respond in the context of Policy HOS2 by creating improved landscaping and reduced car parking on the frontage and enhancing landscaping at the rear.

- 10.21. Policy HOS3 of the SSMNP requires that new developments are only supported where they respect the local heritage and character of the neighbourhood; this includes innovative design where it responds to the aforementioned character area above. Importantly, Policy HOS3 is supportive in principle of developments that bring about the restoration of front gardens, such as in these proposals where an enhanced front garden would be created at the expense of the existing larger car parking area. Policy HOS3 also requires that developments are acceptable in terms of their energy efficiency and waste impacts; these matters will be considered later in this report.

- 10.22. Policy HOS4 requires that backland developments are only supported where they are acceptable in design and amenity terms. The proposed development would extend into the former garden of No. 110C Banbury Road and whilst this area is largely previously developed land and hard paved it would have originally formed the garden of the application site and should arguably be considered in the context of backland development. The policy requires that new developments do not create new inappropriate accesses to backland sites and the prevailing character of the area is retained. Officers consider that the

existing access around the site would be unchanged and would not provide vehicular access. It is also considered that the prevailing character of the area would be maintained as the proposed extension would be a proportional addition to the rear of a large property and would not be visible in the public realm so would not alter the prevailing characteristics of the area. Policy HOS4 requires that new developments should not harm the privacy or outlook from neighbouring dwellings (and their gardens); this is considered in detail later in this report.

- 10.23. On the basis of the above, the development would be acceptable in design terms having had regard to the requirements of Policy DH1 of the Oxford Local Plan (2036) and Policies HOS2 and HOS3 of the Summertown and St Margaret's Neighbourhood Plan.

Materials

- 10.24. The main external materials would be local red multi brick to reflect the existing building and surroundings.
- 10.25. The main windows of the extension would be recessed with timber panels and fenestration to match the timber aesthetic of the college and surrounding area.
- 10.26. It is also proposed to install metal coping and window sills to match the windows.
- 10.27. A design detail proposed includes a horizontal soldier course brickwork to act as window penetration lintels to match the existing building and expresses the floor slab of the structure. This adds visual interest but also reflects the wider NOVSCA which includes brick detailing and a high quality of design and architectural detailing.

Impact on the setting of Listed Buildings

- 10.28. The proposed development would not be immediately situated near any Listed Buildings. The nearest grade-II listed Building is 121 Banbury Road on the west side of the road. Other listed Buildings are 1 Belbroughton Road (Grade - II) and 129 Banbury Road (locally listed) to the north of the site and 7 Linton Road (Grade-II) and 20 Northmoor Road (Grade-II) to the east of the site. However, as the development would be sited entirely at the rear of the application site (with the exception of improvements to the landscaping and fenestration at the front aspect of the site) the development would not impact on the setting of any of the listed buildings noted above.

Impact on the North Oxford Victorian Suburb Conservation Area (NOVSCA)

- 10.29. The site is unusual in this part of the Conservation Area because the building itself was an infill development, being built in a large vacant plot and lacks some of the more commonly found detailing that predominates in other parts of the Conservation Area. Nevertheless, its overall size, shape and form reflects the wider pattern of development. Regrettably, the windows of the existing building have all been replaced with UPVC windows which are an unsympathetic modification to the building. Whilst gardens in the Conservation

Area are traditionally planted with trees, hedges and shrubs, the front garden of the application site has been re-landscaped with hard standing; the main positive feature of the front garden is an existing oak tree. The rear aspect of the building has a more bland appearance unlike many other rear elevations in the Conservation Area which incorporate a rich pallet of architectural features that contribute positively to character of the area.

- 10.30. Having had regard to the size of the application site and presence of larger rear extensions at nearby properties (notably to the south at 110 Banbury Road) as well as the limited visibility of the rear aspect of the site it is arguably acceptable to consider that 110C Banbury Road would be capable of some remodelling and extension. The proposed extension whilst large would occupy an existing partially developed part of the site and would be proportional to the size of surrounding properties which have already been extended. The proposed extension would be read clearly as a modern one but would have a respectful relationship with the host building and surroundings through the use of a fairly restrained form and design.
- 10.31. A negative feature identified in the Conservation Area Appraisal is that the institutional use of large houses has led to an erosion of domestic character; in this case the application site has been in institutional use for some years. The proposals would be beneficial in terms of improving the appearance of the building so that its institutional use was less evident (including the removal of hardstanding, parking areas and sheds which were brought about to facilitate the existing use).
- 10.32. The proposals have been revised to include alterations to the fenestration at the frontage as well as landscaping and hardstanding on the site, especially to the front. The loss of front gardens to car parking is identified in the Conservation Area Appraisal as a threat and the proposed restoration of the garden in this case should therefore be viewed as a benefit of the proposed development.
- 10.33. The development would be visible in some views locally as demonstrated in the heritage statement, from Northmoor, Belbroughton and Linton Roads and from Thackley End, however these would be mostly screened (depending on season) by existing vegetation and the overall size and scale of the proposed development means that it would not become dominant in any of these views.
- 10.34. The development may be visible from Banbury Road however it would form a small element in the view, glimpsed between buildings. The setting of the listed building at 121 Banbury Road would not be affected due to its distance from the application site.
- 10.35. The proposals would cause a low level of less than substantial harm to the significance of the Conservation Area. The harm in this case would be brought about by the design and massing; these have been improved and evidently justified through the pre-application discussion process and the amendments made to the proposals. There is some mitigation that has been proposed and detailed above that includes the benefit of new trees, more sensitive

landscaping, new fenestration and improvements to the existing building that would reduce the perception of it being an institutional building.

- 10.36. Regard would be given to paragraph 197 of the NPPF in reaching a decision. The NPPF sets out in para 197 that planning decisions should take account of developments sustaining or enhancing heritage assets and putting them to viable uses as well as the contribution a development makes to local character as well as sustainable communities in a broader sense.
- 10.37. When applying the test outlined in the NPPF, paragraph 202, it should be considered that the proposal would cause a low level of less than substantial harm to the significance of the Conservation Area. The proposed development would be large compared with out smaller domestic extensions and so would have a visibility when viewed from the surrounding gardens but would have a reduced or negligible presence in the public realm. In weighing that harm against the public benefits of the proposal, including its optimum viable use, the proposals would give rise to some public benefits in the context of the provision of student accommodation and make more efficient use of an existing student accommodation site. The proposals would also include landscaping and other improvements including replacement windows that would be beneficial in terms of the appearance of the NOVSCA. A condition is recommended to ensure that the windows are installed prior to the first occupation of the extension, thereby requiring that these public benefits realised by the proposed development would be provided as part of the implementation of the development. Having had regard to the test set out in Paragraph 202 of the NPPF and Policy DH3 of the Oxford Local Plan officers recommend that the public benefits outweigh the identified harm and the development is therefore acceptable in terms of its impact on heritage assets.
- 10.38. Officers have considered the statutory test of preserving or enhancing the character and appearance of the conservation area under Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty.
- 10.39. The proposal has also been considered against the objectives and requirements of HOS2, HOS3 and HOS4 of the local neighbourhood plan and the proposal would be acceptable.
- 10.40. The proposal is considered in accordance with OLP 2036 policies DH1, DH3 and DH7 and therefore the proposal would be acceptable.

III. Residential amenity

- 10.41. Whilst there are no prescribed internal space standards for student accommodation, it is considered that each of the new rooms with en-suite shower rooms, storage and study space would provide an acceptable level of accommodation and natural daylight.
- 10.42. Policy H8 of the Oxford Local Plan 2036 requires developments of 20 or more bedrooms to provide indoor communal amenity space for students to gather

and socialise. Due to site constraints the overall provision of study bedrooms is 19, and therefore below this threshold. However the proposed floorplans indicate communal kitchen/ dining/ living areas as well as a communal laundry room. It is considered that this level of communal space is acceptable and compliant with policy H8 of the OLP 2036.

10.43. Policy H16 of the Oxford Local Plan 2036 states that planning permission will only be granted for dwellings that have direct and convenient access to an area of private open space. Policy H16 sets out the expectations for the size and quality of indoor space across various types of dwellings. This in conjunction with the above policy H8 provisions is considered would provide an acceptable living accommodation for students in en-suite rooms, communal facilities as well as provide a large outdoor amenity space in the form of a shared rear garden. The proposal would therefore offer sufficient amenity to future occupants and would accord with policies H8 and H16 of the local plan.

IV. Impact on Neighbouring Amenity

10.44. Policy H14 of the Oxford Local Plan 2036 states that planning permission will only be granted for new development that does not have an overbearing effect on existing homes or their privacy. Policy RE7 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that ensures that the amenity of communities, occupiers and neighbours is protected.

10.45. The development would accord with the 25/45 degree access to light test, outlined in policy H14 with regard to the immediate built form on the boundary due to the development being set away from the boundary. Having taken into account this, the layout of the site and the existing arrangement on site, officers consider that the proposal would not give rise to an unacceptable loss of direct light to neighbours' dwellings.

10.46. In terms of overbearing and privacy impacts, the development has been amended significantly compared with previously submitted schemes in order to ensure that the outlook from the neighbouring property is not materially harmful and to ensure the development would not appear unacceptably overbearing. Whilst the overall massing would be more prominent than the existing arrangement, given that the site is quite large and open to the rear and given the built forms of surrounding extensions, the scheme is considered to be acceptable and would not materially harm the amenity of neighbouring occupiers. The proposals are for an extension to an existing student accommodation site and would therefore be acceptable in the context of noise having had regard to the established use of the site.

Neighbour 110A/B Banbury Road

10.47. No. 110A/B Banbury Road is a divided into a number of flats. The situation of the property, being to the south of the application site means that the northern elevation of 110A/B Banbury Road receives little direct sunlight from across the application site.

- 10.48. The submitted design access statement includes a diagram showing that the ground floor room of 110A/B facing towards the application site (serving a study) would still receive light over the roof of the proposed development and would comply with the requirements of the 45 degree rule as set out in Policy H14 of the Oxford Local Plan (2036). Other rooms on the northern elevation of No. 110A/B Banbury Road serve corridor spaces or are not habitable rooms.
- 10.49. The development has been shaped to provide the most acceptable form, size and scale to address this neighbour along the southern boundary and southern elevation in an acceptable manner with the buildings still around 5 metres away from each other. There would be no windows leading to unacceptable loss of privacy of the neighbouring occupiers. As a result, the development would be acceptable in the context of Policy H14 and RE7 of the Oxford Local Plan (2036).

Neighbour 112 Banbury Road

- 10.50. The submitted design and access statement provides a diagram and further information about the light impacts of the proposed development on No. 112 Banbury Road. No. 112 Banbury Road lies to the north of the applications site and therefore currently there is direct light across the applications site into habitable rooms at 112 Banbury Road. To the rear of No. 112 Banbury Road there is a conservatory that would be located close to the side of the proposed extension; when applying the 45/25 degree code to this window there would not be an unacceptable loss of light and the development is therefore acceptable with respect of Policy H14 of the Oxford Local Plan (2036). To the southern side of No. 112 Banbury Road there is a storage space that does not constitute a habitable room and therefore whilst there would be a loss of light to this part of No. 112 Banbury Road the impact would be acceptable with respect to Policy H14 of the Oxford Local Plan (2036).
- 10.51. There would be no habitable windows facing towards the dwelling at 112. Any views from the proposed extension would be directed principally across the application site with only oblique views provided into neighbouring gardens, which is not uncharacteristic in an urban context and is acceptable in planning terms. There is a side window facing the side wall of No. 112 Banbury Road that serves the corridor/link part of the proposed development; views from this window would face towards the side of 112 Banbury Road and the surrounding extension would limit views as this part of the development. A high level window is proposed on the side window that would also face towards the side wall but would not impact on privacy, there is also an existing window in this location.
- 10.52. There is a change in ground level between the front part of No. 112 Banbury Road and the rear of the garden of that property. However, existing vegetation along the boundary means that there would not be an unacceptable loss of privacy for neighbouring occupiers caused by the oblique views from the proposed extension into the garden of No. 112 Banbury Road.

- 10.53. Concerns have been raised by the neighbouring occupiers about the impact of the proposed development on a plum tree within the grounds of No 112 Banbury Road, this is expanded upon below (in Paragraph 10.66).
- 10.54. The revised scheme has further sought to mitigate the impact of the proposal of its northern elevation by creating a more distinct glazed link and faced treatment to ensure a less visually obtrusive and a more domestic appearance of the structure.
- 10.55. The extension has been shaped and partly stepped away from the boundary to ensure the harm caused is of an acceptable level and would therefore meet Policies RE7 and H14 of the OLP 2036.

V. Transport

- 10.56. Policy M5 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that complies with or exceeds the minimum bicycle parking provision as set out in Appendix 7.3. Bicycle parking should be well designed and well-located, convenient, secure, covered (where possible enclosed) and provide level, unobstructed external access to the street.
- 10.57. The application site is situated within a Controlled Parking Zone and seeks permission for student accommodation. The proposed development would be car free for the purposes of Policy H8 and M3 of the Oxford Local Plan. The application site is in a highly sustainable location being located approximately 700m south of Summertown District Centre and next to a major arterial road that is served by a frequent bus service (to the City Centre, Summertown and Oxford Parkway railway station).
- 10.58. The proposals include a disabled car parking space and a single space for operational requirements that would be used for the servicing and maintenance of the building. Officers recommend that the aforementioned car free requirements of the development can be secured by condition 14 which would ensure that future occupiers are not entitled to car parking permits and that a clause is included in the tenancy agreements of future occupiers to ensure that they do not bring a car to Oxford, by virtue of a management and monitoring plan.
- 10.59. The proposals do not alter the access to the site from Banbury Road which would remain unchanged. The development would not have a detrimental impact on highway safety.
- 10.60. The proposals include covered secure cycle storage for twenty pedal cycles that would be provided adjacent to the southern boundary of the application site in two stores. The proposed cycle stores would be conveniently located close to the main entrance to the building. The south side of the proposed building would contain a wide access that would be highly suitable for allowing occupiers of the student accommodation access to Banbury Road by bike. A secure side gate is proposed between the front garden and the entrance area that would further enhance the security for the rear cycle stores. Additionally there are five Sheffield stands proposed adjacent to the main entrance to the

building that would provide additional cycle parking. The total number of bicycle parking spaces provided exceeds the minimum amount required by the bicycle parking standards in policy M5.

10.61. The proposal would therefore not have a detrimental or unacceptable impact on the highway network in terms of safety and traffic terms. Oxfordshire County Council as the Local Highway Authority have not objected and the proposal would therefore be acceptable in the context of Policies M1, M3 and M5 of the OLP 2036 subject to the conditions recommended in Section 12 of this report.

VI. Trees

10.62. Policy G7 of the Oxford Local Plan 2036 states that planning permission will not be granted where development would result 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.

10.63. Policy G8 of the Oxford Local Plan 2036 requires proposals to demonstrate how new or improved green or blue infrastructure features would be incorporated in a scheme.

10.64. The importance of trees on the application site and in the surrounding Conservation Area has already been noted as an important characteristic. There is a large oak tree (identified as T1 on the submitted tree survey) that is situated in the front garden of the application site and contributes positively to the Conservation Area and amenity of the area; this tree is proposed to be retained.

10.65. The proposed development would involve the loss of six trees; these are identified in the submitted tree survey plans contained within the application as 'C' grade (low) value trees and include: T2 (a plum tree), T4 (a yew tree), T5 (a goat willow), T6 (a sycamore), T9 and T10 (both apple tree). There is no objection to the loss these trees which do not have a benefit in amenity terms. Replacement tree planting along with other suitable landscaping is proposed which would ameliorate for the loss of these trees and provide an enhancement to the appearance of the site; contributing to the verdant appearance of the Conservation Area.

10.66. Importantly, the canopy of trees identified in the submitted tree survey sets out that on the trees, identified as T3, a plum tree lies within the ownership and garden of No. 112 Banbury Road to the north of the application site and will likely be affected to some degree by the proposed construction, although a reduced depth and/ or cantilevered foundation is proposed in the vicinity of this tree to mitigate any damage to the roots. To enable space for the new building this tree is proposed to be tip pruned by removing overhanging branches by approximately 1m whilst leaving sufficient live growth on the application site side of the boundary to maintain crown form. The proposed pruning is minor having had regard to the overall size of the tree. The tree is not visually

significant to the wider public amenity, and therefore given that the proposal is not going to destabilise the tree, officers recommend that the impact on this tree would be acceptable in planning terms.

10.67. When revised plans were requested by officers the impact of the proposed development on the neighbouring plum tree within the grounds of No. 112 Banbury Road was investigated further. Alternative options were considered to limit the impact on the tree which included setting the development further down in terms of ground level; this was found to be unacceptable in the context of the tree and would have been more harmful. Further work has also found that the proposed development would only impact upon a limited amount of the root area of the retained plum tree on the boundary with No. 112 Banbury Road and the development would therefore be acceptable in terms of its impact on this tree.

10.68. The proposal is therefore considered to be able to be mitigated by the proposed conditions and would therefore comply with policies S1, G7 and G8 of the OLP 2036 and would therefore be acceptable.

VII. Biodiversity

10.69. Policy G2 of the OLP 2036 sets out how development should provide enhancements for biodiversity. The development is a minor development and as such there is no requirement for a 5% net gain in biodiversity and it is sufficient to provide information on any net gain and enhancement measurements possible, proportionate to the development proposal.

10.70. The proposal focuses mainly on erecting the extension on existing hard standing which is devoid of any valuable habitats, alongside the rest of the garden, where there is limited ecological value. There are no protected species on site. However the proposal provides an opportunity for net gain in biodiversity, as set out in G2 of the OLP 2036.

10.71. The submitted Ecological Enhancement Method Statement (EEMS) includes several enhancements for protected species, including bat and bird boxes, reptile refugia and insect hotels. The proposed ecological enhancements would exceed what would ordinarily be expected from a development this size.

10.72. In addition, a green roof and enhanced landscaping are proposed. These features would give rise to further biodiversity enhancements, especially in the context of the relatively sparse landscaping that currently exists on the site. A detailed landscape plan is recommended by condition to ensure that the development is acceptable and provides further ecological enhancement,

10.73. The proposal would therefore be acceptable as a net gain in biodiversity would be provided as well as compliance with Policies S1, DH1 and G2 of the OLP 2036.

VIII. Drainage

- 10.74. The application site does not lie in an area of high flood risk.
- 10.75. Policy RE4 of the Oxford Local Plan 2036 states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. Surface water runoff should be managed as close to its source as possible, in line with the drainage hierarchy outlined in the policy. Applicants must demonstrate that they have had regard to the SuDS Design and Evaluation Guide SPD/ TAN for minor development and Oxfordshire County Council guidance for major development.
- 10.76. The application site currently contains sizeable area of hardstanding. The proposed development would be located mostly on impermeable ground and as a result would not increase surface water runoff. Further to this, the proposed development would be required to provide adequate drainage in accordance with building regulations.
- 10.77. There would be no net increase in surface water drainage. Any further surface water drainage would be accommodated on-site through soakaway and rainwater harvesting from the green roof.
- 10.78. On the basis of the above, the development would be acceptable in terms of its impact on flooding and surface water drainage and meet the requirements of Policy RE4 of the Oxford Local Plan (2036).

IX. Energy Efficiency

- 10.79. The proposal would adopt a fabric first approach to enable both the existing host building and the new extension to be as energy efficient as possible.
- 10.80. Policy RE1 requires that all new build residential development (including student accommodation) includes measures to maximise energy efficiency and resources. The development proposals fall short of the threshold of 1000m² where there are specific requirements for the reduction in carbon emissions from on-site generation.
- 10.81. High levels of insulation, good air tightness and carefully considered use of glazing would ensure a passive means to keeping the interior warm in winter and cool in summer. A new efficient heating system is proposed as well as low energy light fittings throughout. Mechanical ventilation is restricted to en-suite shower rooms.
- 10.82. On the basis of the above the development would be acceptable in the context of Policy RE1 of the Oxford Local Plan (2036).

X. Other matters

- 10.83. The application documents have been reviewed and it is considered that the risk of significant contamination being present on the site would be low. There are no significant historical contaminative uses of the site. Officers recommend

an informative that deals with unexpected contamination if that is found.

11. CONCLUSION

- 11.1. On the basis of the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes it clear that proposals should be assessed in accordance with the development plan unless material consideration indicate otherwise.
- 11.2. In the context of all proposals paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development. This means approving development that accords with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides clear reasons for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 11.3. 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.

Compliance with development plan policies

- 11.4. In summary the proposals would make a more efficient use of an existing site for student housing and provide additional accommodation. The existing facilities would be modernized whilst also providing improved fenestration and landscaping that would be more in keeping with the Conservation Area. The development would not have a materially harmful impact on neighbouring amenity and meets the requirements of Policy H14 of the Oxford Local Plan. Whilst the proposed development would give rise to a low level of less than substantial harm to the Conservation Area it is considered that the identified public benefits would outweigh the identified harm in this case and the development would comply with the requirements of Policy DH3 of the Oxford Local Plan (2036) and Paragraph 202 of the NPPF. The proposed development would have an acceptable impact on trees and any impacts relating to trees and landscaping can be adequately addressed by condition.
- 11.5. Therefore officers consider that the proposal would accord with the development plan as a whole.

Material considerations

- 11.6. The principal material considerations which arise are addressed above, and follow the analysis set out in earlier sections of this report.
- 11.7. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out in the report. Therefore in such circumstances, paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 11.8. Officers would advise members that, having considered the application carefully, including all representations made with respect to the application, the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Local Plan 2036, and that there are no material considerations that would outweigh these policies.
- 11.9. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 of this report.

12. CONDITIONS

Time Limit

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

Build in Accordance with Approved Plans

- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the Local Planning Authority.

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

Materials

- 3 Details of the exterior materials to be used shall be submitted to, and approved in writing by the Local Planning Authority; including a sample panel shall be erected and made available for inspection by the Local Planning Authority on site, before the commencement of above ground works and only the approved materials shall be used.

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

Installation of Windows

- 4 The proposed timber windows on the front elevation shall be of a traditional design in elevation and in plan, similar to relevant building designs of the Victorian period in the North Oxford Victorian Suburb Conservation Area and details of the proposed windows for all elevations shall be submitted at a scale of 1:20 and larger to the Local Planning Authority and agreed in writing. The approved timber windows on the front elevation shall be installed prior to the first occupation of the approved extension.

Reason: To ensure that the development is visually satisfactory as required by Policies S1, DH1 and DH3 of the Oxford Local Plan 2036.

Further Details

- 5 Large scale details of 1:20 of the seams and connections of the new extension with the host building, including the green roof treatment as the edges between new and old elements of the proposal, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is visually satisfactory as required by Policies S1, DH1 and DH3 of the Oxford Local Plan 2036.

Ecology Enhancements

- 6 The development hereby permitted shall be implemented strictly in accordance with the details shown in the Ecological Enhancement Method Statement produced by Ecology by Design and dated 28th February 2022 as already submitted in full with the application and agreed with the Local Planning Authority

Reason: To enhance biodiversity in Oxford City in accordance with the National Planning Policy Framework.

Drainage Plans

- 7 A drainage plan and strategy shall be submitted and approved in writing by the Local Planning Authority. The submitted and agreed strategy shall be implemented and any changes shall first be agreed in writing by the Local Planning Authority.

Reason: To ensure there is no increase in surface water flooding and drainage issues in accordance with RE4 of the OLP 2036.

Landscaping Plans

- 8 A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority prior to first occupation or first use of the development hereby approved. The plan shall show details of treatment of paved areas, and

areas to be grassed or finished in a similar manner, green roofs, existing retained trees and proposed new tree, shrub and native hedge planting in the front garden. The plan shall correspond to a schedule detailing plant numbers, sizes and nursery stock types.

Reason: To enhance biodiversity in Oxford City in accordance with the National Planning Policy Framework.

Landscaping Implementation

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

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

Retained Trees

- 10 Any existing retained trees, or new trees or plants planted in accordance with the details of the approved landscape plan that fail to establish, are removed, die or become seriously damaged or defective within a period of five years after first occupation or first use of the development hereby approved shall be replaced. They shall be replaced with others of a species, size and number as originally approved during the first available planting season unless otherwise agreed in writing by the Local Planning Authority.

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

Tree Protection Measures

- 11 The development shall be carried out in strict accordance with the tree protection measures contained within the Tree Survey Report by Venners Arboriculture from March 2022, especially appendices 4, 5 and 6, planning application details shown on approved documents unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

Arboricultural Monitoring

- 12 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 Survey Report by Venners Arboriculture from March 2022, especially appendices 4, 5

and 6. 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.

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

Bin and Cycle Stores

- 13 The bin and cycle storage areas shall be laid out and constructed as hereby approved. The structures and areas shall be retained and maintained for use of their respective uses in perpetuity, or otherwise agreed in writing with the Local Planning Authority

Reason: To ensure adequate storage for waste and recycling as well as encouraging sustainable travel in line with policies DH1, DH7 and M5 of the OLP 2036.

Car Parking and Management

- 14 Prior to the commencement of the approved development a scheme in the form of a management and monitoring plan shall be submitted to and approved in writing by the Local Planning Authority to ensure that apart from disabled persons no occupiers of the approved development shall bring or keep motor vehicles in Oxford City. The scheme shall specify the arrangements which shall be put in place to prevent students bringing or keeping motor vehicles in Oxford City and how those arrangements shall be monitored and enforced. The approved measures shall be brought into effect prior to the first use of the approved development and retained thereafter

Reason: To prevent students bringing and keeping cars within Oxford that would add to the parking pressure locally in accordance with policy H8 of the 2036 Oxford local plan.

- 15 Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) or any order amending or re-enacting those provisions the approved development shall only be used for the provision of student accommodation (Use Class C2) and only occupied by students on full time courses at the University of Oxford or Oxford Brookes University.

Reason: To ensure that the approved development meets the housing requirements of the City in accordance with Policy H8 of the Oxford Local Plan (2036).

INFORMATIVES :-

- 1 In accordance with guidance set out in the National Planning Policy

Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.

2 The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Oxford City Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Oxford City Council prior to commencement of development. For more information see: www.oxford.gov.uk/CIL

3 If unexpected contamination is found to be present on the application site, an appropriate specialist company and Oxford City Council should be informed and an investigation undertaken to determine the nature and extent of the contamination and any need for remediation. If topsoil material is imported to the site the developer should obtain certification from the topsoil provider to ensure that the material is appropriate for the proposed end use.

Please note that the responsibility to properly address contaminated land issues, irrespective of any involvement by this Authority, lies with the owner/developer of the site.

4 All species of bats and their roosts are protected under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended). Please note that, among other activities, it is a criminal offence to deliberately kill, injure or capture a bat; to damage, destroy or obstruct access to a breeding or resting place; and to intentionally or recklessly disturb a bat while in a structure or place of shelter or protection. Occasionally bats can be found during the course of development even when the site appears unlikely to support them. In the event that this occurs, work should stop immediately and advice should be sought from a suitably qualified ecologist. A European Protected Species Mitigation Licence (EPSML) may be required before works can resume.

5 All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended). Occasionally nesting birds can be found during the course of development even when the site appears unlikely to support them. If any nesting birds are present then the buildings works should stop immediately and advice should be sought from a

suitably qualified ecologist.

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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