

West Area Planning Committee

9 November 2011

Application Number: 1. 11/01794/FUL
2. 11/01795/LBD

Decision Due by: 20 September 2011

Proposal:

1. 11/01774/FUL: Erection of freestanding building on 3 and 4 levels plus basement to accommodate Chinese Institute plus 63 student study rooms for St. Hugh's, together with College offices, music room, lecture theatre, seminar room and ancillary facilities. Access from Canterbury Road via new gate to 20 car parking spaces including 4 disabled and 140 cycle parking spaces. (Amended plans)
2. 11/01795/LBD: Demolition of rear single storey extension to 'The Lawn'

Site Address: St Hugh's College, St Margaret's Road, **Appendix 1.**

Ward: St Margaret's Ward

Agent: John Philips Planning
Consultancy

Applicant: St Hugh's College

Recommendation: Committee is recommended to support the proposals in principle but defer the applications in order to draw up an accompanying legal agreement, and defer to officers the issuing of the notices of planning permission and listed building consent on its completion.

Reasons for Approval.

11/01794/FUL

- 1 The proposal forms an appropriate visual relationship with the surrounding development and would preserve the special character and appearance of the North Oxford Victorian Suburb Conservation Area. Issues identified at the pre-application stage have largely been addressed and amended plans submitted that break down the scale and massing of the proposed new building. The Local Highway Authority are not raising any objections on highway safety ground and it is considered that the proposal complies with adopted policies contained in the Core Strategy 2026 and the Oxford Local Plan 2001 - 2016.
- 2 Objections to the proposal have been received from the North Parade Area Residents Association and the Victorian Group of the Oxfordshire Architectural and Historical Society on grounds relating primarily to the size,

bulk and detailing of the new building; traffic and highway safety issues and nuisance and loss of amenity to neighbours. The comments received have been carefully considered. However it is considered that the submission of amended plans has addressed some of the concerns and that the imposition of appropriate conditions will secure an acceptable development that will not conflict with the interests of highway safety or neighbour amenity.

- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

11/01795/LBD

1. The Council considers that the proposal, subject to the conditions imposed, would accord with the special character, setting and features of special architectural or historic interest of the listed building. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.

Conditions: 11/01794/FUL

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples in Conservation Area
- 4 Public Art - Scheme Details & timetable
- 5 Student Accommodation - Management Controls
- 6 Students - No cars
- 7 Student Accommodation - Out of Term Use
- 8 Archaeology
- 9 Landscape plan required
- 10 Landscape carry out by completion
- 11 Tree Protection Plan (TPP) 1
- 12 Arboricultural Method Statement (AMS) 1
- 13 Sustainable construction measures
- 14 Exclude details of gates
- 15 Biodiversity enhancements
- 16 Details of mechanical plant
- 17 Details of external lighting
- 18 Contaminated land study
- 19 Construction Traffic Management Plan
- 20 Travel Plan
- 21 Details of car parking spaces over the whole college site
- 22 Details of surfacing for car park
- 23 Provision of cycle parking

Conditions: 11/01795/LBD

1. Commencement of works – listed building consent
2. Listed Building Consent – works restricted to those approved only

- 3 7 days notice to LPA
- 4 Written Notice of the Intended Completion
- 5 Repair of damage after works
- 6 New features to match existing and displaced material re-used where possible

Planning Obligation

- £8694 towards improved pedestrian and cycle measures (County)
- £720 towards the costs of monitoring the Travel Plan (County)
- £3969 towards Library service (County)
- £3780 towards indoor sports facilities (City)

Principal Planning Policies

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP5 - Mixed-Use Developments
- CP8 - Design Development to Relate to its Context
- CP9 - Creating Successful New Places
- CP10 - Siting Development to Meet Functional Needs
- CP11 - Landscape Design
- CP14 – Public Art
- CP18 - Natural Resource Impact Analysis
- CP22 - Contaminated Land
- TR1 - Transport Assessment
- TR2 - Travel Plans
- TR3 - Car Parking Standards
- TR4 - Pedestrian & Cycle Facilities
- NE15 - Loss of Trees and Hedgerows
- NE16 - Protected Trees
- HE2 - Archaeology
- HE3 - Listed Buildings and their Setting
- HE7 - Conservation Areas
- HS19 - Privacy & Amenity
- HS20 - Local Residential Environment
- TA8 - The Arts

Oxford Core Strategy 2026

- CS2 - Previously developed and greenfield land
- CS9 - Energy and natural resources
- CS10 - Waste and recycling
- CS11 - Flooding
- CS12 - Supporting access to new development
- CS17 - Infrastructure and developer contributions
- CS18 - Urban design, town character, historic environment
- CS20 - Cultural and community development
- CS25 - Student accommodation
- CS29 - The universities

Other Policy Documents.

PPS1 – Delivering Sustainable Development
PPS5 – Planning for the Historic Environment
PPG13 - Transport

Relevant Site History:

In 1997 the College produced a Masterplan for its 14.5 acre site in North Oxford bounded by Woodstock, Banbury, St. Margaret's and Canterbury Roads. This resulted in planning permission in 1998 for two buildings located central to the campus, a north – south aligned building consisting mainly of student study rooms and now constructed as Maplethorpe House. A new access from Canterbury Road was created accordingly with ornamental gates to the street. A second phase of the same permission consisting of further student study rooms, plus teaching accommodation and ancillary facilities was not constructed however. This latest proposal relates to the same site as the unbuilt second phase plus two tennis courts to the east.

Representations Received:

English Heritage: No objection to demolition of the unsightly extension to listed building. English Heritage's main concern is the impact on the North Oxford Victorian Suburb Conservation Area which is characterised by large villas set within mature gardens. The College site includes the main building with its large, informal garden setting and numerous large villas with generous garden settings fronting onto the roads into the site. The Maplethorpe building is the only building in the centre of the site. Views into the site are restricted because of mature vegetation though the site is prominent when viewed from buses along Banbury Road and there is a gap along Canterbury Road which allows views directly into the site. The amendments made to the size and scale of the building are to be welcomed although the proposal could still have a negative impact on the conservation area when viewed from Banbury Road. However this would not be substantial and landscaping could be designed to mitigate this. English Heritage therefore concludes that the application should be determined in accordance with national and local policy guidance and on the basis of specialist in house conservation advice.

Highway Authority: Parking controlled by the new lodge which forms part of the proposed new building and also by the introduction of a permit parking scheme which the college intends to implement; would ensure that no unauthorised car parking takes place; LHA satisfied with this level of car parking provision; currently 492 cycle parking spaces - proposed to provide an additional 20 spaces with an overall provision of 512 spaces; acceptable to the LHA; Construction Traffic Management Plan required plus Travel Plan.

Environment Agency: No objection

Thames Water: No objection. The applicant should incorporate protection to the property by installing a non-return valve or other suitable device to avoid risk of backflow at a later date; also petrol/oil interceptors should be fitted in all car parking areas.

Natural England: No objection to the proposal on grounds that it would be unlikely to have a significant effect on the protected sites. Biodiversity enhancements are recommended with regard to bats and breeding birds.

Thames Valley Police: Pre-application recommendations have been considered and incorporated into the development. No further comments.

The Victorian Group of the Oxfordshire Architectural and Historical Society: Objection. The proposed building is well over twice the size of the building approved in 1998 as part of the College's Master Plan. It would be clearly visible within the conservation area and would seriously damage it. Its bulk and roof design would look out of place and the southern elevation towards the street would appear as a commercial structure. Not an appropriate site for the Chinese Institute when all the arts faculty buildings are to be put on the Radcliffe Infirmary site.

1 letter of objection submitted by the North Parade Residents Association on behalf of 38 local residents. The main points raised can be summarised as follows:

- Not opposed to the development in principle but have serious and specific concerns
- Highway concerns – Canterbury Road already has considerable through traffic and the existing Canterbury Gate is already highly dangerous. The proposal will make this situation even worse
- A travel plan should be requested to ensure that there is no illegal parking in the residents' spaces in the immediate area
- If more parking permits are to be issued, there should be a corresponding increase in the number of resident-only parking spaces
- A construction travel plan should be submitted and excessive use of the Canterbury Road gate should be avoided. Such a plan should address the issues of anti-social hours, noise, overspill parking and safe and considerate driving by contractors
- Since 1998 the Canterbury Road gate has become the most used entrance into the college with all the accompanying noise, litter and vandalism
- The proposed new gates onto Canterbury Road would appear inappropriate in the street scene
- The Canterbury Road gate should be used only for access to the China Centre with student and conference traffic re-routed via an improved access off the Woodstock Road

Officers Assessment:

Site Location and Description

1. The application site extends to some 0.98 hectares and lies central to the St. Hugh's campus with access off Canterbury Road. It extends to the rear of numbers 9 - 13 Canterbury Road and includes a grade II listed property called The Lawns together with two existing tennis courts. The wider College site is bounded by St. Margaret's Road on the north, Woodstock Road on the east, Banbury Road on the west and Canterbury Road on the south, **Appendix 1**.

2. The current College site has been assembled gradually since 1916 when the main building was built in the grounds of a large Victorian house called The Mount. Its garden was laid out in the style of Gertrude Jekyll and was until recently included at grade II in the English Heritage Provisional Register of Parks and Gardens. Since then, additional land and buildings have been acquired from time to time. The College now owns the whole block, housing its students and academics in a mixture of new buildings and Victorian houses. The original College buildings, including the main building, the library, Kenyon building, the lodge and gates have recently been listed grade II.
3. The site lies wholly within the North Oxford Victorian Suburb Conservation Area which is characterised in part by Victorian villas and academic buildings separated by gardens with mature trees and planting.

Proposals.

4. The proposals have been the subject of prolonged pre-application discussions dating from April 2008 and have evolved as a result of these discussions and a subsequent public consultation exercise.
5. The revised scheme, now named the Dickson Poon China Centre proposes new communal, academic and residential facilities for the college plus new accommodation for a Chinese studies centre for the Collegiate University. In more detail the proposals are for a substantial new building to house the University's China Centre with independent access; to provide 63 en suite student study bedrooms arranged in clusters with kitchen facilities; to provide shared facilities including a dining hall, common room, lecture theatres, teaching spaces and library space together with flexible research space for interdisciplinary initiatives. The additional accommodation is aimed particularly at graduate students of St. Hugh's and to facilitate subject clusters involving fellows, researchers, graduate and undergraduate students.
6. The new building would be arranged as a series of three linked pavilions which seek, architecturally, to break down its scale and relate it to the surrounding College and residential buildings. The new building form would relate to the existing north - south grain of the surrounding college buildings and would reflect the scale of the Canterbury Road houses. It would be erected partly on the site of the extant permission but it would be a larger building than previously approved which would extend onto the existing tennis courts. The new building would be laid out over 3 and 4 floors [including a basement area] and would use a palette of materials which includes terracotta cladding, timber ventilation panels, zinc, reconstituted stone, natural stone and concrete under a green roof. It would have a scale to the existing Maplethorpe building to the north and west of the application site.
7. The proposal also seeks planning permission for the provision of a formal

car park with 20 car parking spaces [including 4 disabled spaces] together with 20 additional cycle parking spaces. The college indicates this would replace an existing informal parking arrangement which involves casual parking on grassed and landscaped areas.

8. There is an accompanying application for listed building consent for the demolition of an existing undistinguished single storey rear extension to The Lawns. The application is recommended for approval subject to conditions.
9. Officers consider the principal determining issues in the case to be:
 - principle of development;
 - design and impact in the conservation area and the setting of listed buildings;
 - highways and parking;
 - impact on neighbouring properties;
 - trees and landscaping;
 - loss of the tennis courts;
 - energy efficiency and renewable energy; and
 - ecology

Principle of Development.

10. The 1997 Master Plan for the College placed two new buildings within the site and subsequently planning permission was granted in 1998 accordingly. The phase 1 building [Maplethorpe] was completed in 1999 but work on the phase 2 building, originally conceived to provide 24 study bedrooms, lecture theatre, squash court and ancillary facilities has not been commenced. The proposed Dickson Poon China Centre is now proposed on the same site instead, conceived as pivotal within the grounds in order to re-configure the College buildings and gardens into a coherent overall Master Plan. The new buildings are designed to maximise the potential for new communal, academic and residential facilities for the college with further accommodation to house the University's China Centre.
11. At present St. Hugh's can house all of their undergraduates and they aim to offer accommodation to all graduate students in their first year. However the total number of graduate students at St. Hugh's is 219 and the College only has 75 rooms available which means that only 37% of graduates can be offered accommodation. In addition opportunities for returning graduates to continue in College accommodation is very limited as are facilities for young research fellows.
12. The new residential accommodation would be fully occupied during term time and would be used to generate conference revenues in vacations. As a consequence of the proposal, the College would be able to offer 67% of graduates accommodation on site which, in turn, would reduce the number of general market houses occupied by these graduates. The proposal would result in more accommodation than the current extant scheme [24

rooms permitted, 63 rooms proposed].

13. An integral part of the new building is the China Centre. The University originally planned to house China Studies in a later phase of the development at the Radcliffe Infirmary site but that has been delayed owing to the capital moratorium imposed since April 2008. To accommodate current needs and anticipated growth, the college state that the China Centre needs purpose built accommodation, suitable to its purpose and importance. A share of the new building with independent access can provide a permanent home for the centre of a quality commensurate with its significance as an institution.
14. The China Centre space includes director's, professorial and administrative offices, collaborative study areas, a language laboratory and a library. The accommodation is organised on 4 levels with the reception area at the central point. The ground floor provides a mix of office/research space, a meeting room and a language laboratory and a library is planned for the lower ground level. Offices are located on level 1 and level 2 provides further flexible academic space.
15. It is envisaged that the China Centre will be occupied by a mix of permanent staff, temporary research and teaching staff, postgraduate students and visitors. Staff and students will already be members of the University and colleges and the Centre will essentially be a place of work with most people attending during working hours.
16. Policy CS25 of the Core Strategy 2026 generally supports the provision of new purpose built student accommodation in terms of its benefits to the wider housing market. However it makes clear that any increase in academic or administrative accommodation for the University of Oxford that results in an increase in student numbers should be matched by an increase in student accommodation.
17. In this case, the additional student accommodation is for use by graduates at St. Hugh's College and there is no proposal to increase such student numbers. The China Centre accommodation is intended to provide for an existing need in Oxford that is presently being met by a number of diverse facilities spread throughout the City.
18. The proposal seeks to make the best and most efficient use of land in accordance with adopted local plan policies and Government guidance. It is considered that the proposed student accommodation and ancillary facilities would benefit the Council's objectives to provide more student accommodation and facilities within College ownership, thus releasing currently rented and owned housing back into the general housing market.

Design and Impact on the Conservation Area & Setting of Listed Buildings

19. The site lies within the North Oxford Victorian Suburb Conservation Area and in considering development proposals, due regard must be had to the

desirability of preserving or enhancing the special character and appearance of the conservation area. This is reflected in policies CP1, CP8 and HE7 of the Oxford Local Plan and policy CS18 of the Core Strategy.

20. The guidance in PPS5 asks that applicants and the Local Planning Authority have sufficient information to understand the significance of a heritage asset and the impacts that any proposal would have. It advises that harmful impacts need to be justified and that the greater the harm, then the greater the justification needed. When making planning decisions, policy HE7.4 of PPS5 explains that Local Planning Authorities should take into account the desirability of sustaining and enhancing the significance of the heritage assets and the positive role that their conservation can make to the establishment and maintenance of sustainable communities and economic viability.
21. The application is accompanied by a Heritage Assessment that provides a general account and description of the College and its buildings together with an assessment of the significance of the principal buildings and their settings. It also goes on to focus on the conservation issues raised by the proposals, including the extant permission to erect a smaller building on part of the same site. The assessment concludes that, whilst the importance of the College site as a whole is beyond dispute, there are some parts of the site that have more 'heritage significance' than others and that the area of the application site is one of the least significant parts of the site in heritage terms where there is opportunity to improve its character and appearance.
22. The draft North Oxford Conservation Appraisal explains the key characteristics of this conservation area as follows:
 - detached and semi detached properties with substantial gaps between buildings, enabling glimpses through to hidden rear gardens;
 - predominant building materials of yellow and red brick with contrasting brick or stone detailing;
 - mature vegetation softening the hard architecture and creating a leafy image;
 - low boundary walls of red brick, a few of which still incorporate the original cast-iron railings;
 - open space is mainly privately owned in the form of gardens and college grounds but the visual permeability across the grounds adds to the spacious character of the conservation area
23. More specifically in relation to the central area between Banbury and Woodstock Road, the Appraisal suggests that the area does not have a single dominant use. There are houses, college campuses, churches, restaurants and shops which all combine to create a diverse, pleasant and landscaped area.
24. There are a number of colleges that have established themselves in the suburb from the late C19th onwards and they are now an intrinsic part of

the character of the area. More recently, the colleges have begun to consolidate their building stock, improve their on site facilities and accommodation and to reinforce their identity in line with local plan policies. Examples are St. Anne's College, Kellogg College and Lady Margaret Hall where planning permissions have been granted in recent years.

25. The proposed building would occupy a relatively flat footprint of 1570 square metres and would be sited adjacent to the Maplethorpe building and opposite the existing library. It would extend onto the space currently occupied by two tennis courts and college car parking. The new building has been designed to respond to the scale and articulated forms of the Canterbury Road properties by dividing the north and south façade into a series of linked pavilions. In this way the new building would be clearly visible from Canterbury Road through gaps in between the existing dwellings but the new building would appear well broken up and would be essentially glimpsed rather than seen as a whole. Existing, established trees would assist in softening the outline of the new building.
26. In terms of views from Banbury Road, the new building would reinforce the urban grain established by the Maplethorpe building to generate a continuous form running in a north - south direction with more articulation in building height and shape in an east west direction. Views are limited from Banbury Road as a result of existing buildings and established, mature vegetation.
27. Officers accept that the proposed new building is substantial and larger than that previously approved in 1998. However it has been demonstrated in the application documents that, whilst the proposal would be visible from various viewpoints into the site, it would not detrimentally affect the character or appearance of the conservation area. Furthermore the unusual roof to part of the scheme serves to break up what would otherwise be too large an expanse of flat roof. The proposed gates to Canterbury Road are considered to be excessive, of an inappropriate design with an industrial appearance. Officers consider that this part of the scheme is not acceptable and any planning permission granted should exclude the new gates which can then be negotiated and a further application submitted at a later date [condition 14 refers].
28. It is considered that the proposal would not cause harm to the setting of the nearby listed building at The Lawn.

Highways and Parking

29. Oxfordshire County Council as Local Highway Authority is not raising any objection to the application proposals subject to the imposition of conditions requiring the submission and approval of a Construction Traffic Management Plan and a Travel Plan Assessment.
30. The proposal seeks formal parking provision for 20 cars, including 4

disabled spaces. This is reduced from an original figure of 35 spaces proposed. The college claim these will replace the existing informal parking arrangement on the site which on occasions takes place on some the lawned areas near the Canterbury Road entrance in a rather unsatisfactory manner

31. Whilst the deletion of casual car parking on the lawned areas is welcomed, officers still have some concerns regarding the addition of 20 car parking spaces on this part of the College site as the car park falls within the Transport Central Area for planning purposes where only operational parking would normally be supported. The proposed building itself however lies outside the defined area and certainly 20 car parking spaces represents a reduced standard compared to full provision. Nevertheless officers would have welcomed an opportunity to look more comprehensively at car parking across the whole campus with a view to rationalising it accordingly.
32. Moreover some concerns have been raised by neighbouring occupiers that the proposal will worsen an existing dangerous highway safety situation at the Canterbury Road access. They state that there is considerable through traffic along Canterbury Road and that if the existing arrangements remain unchanged there will be an even greater risk of an accident involving some combination of pedestrians, cyclists and vehicles. The proposed new car park would provide 20 spaces and would be controlled by the new lodge facility within the new building. The Highway Authority have considered the Transport Assessment submitted with the application however and have raised no objection on grounds of any increased use of the existing access and number of car parking spaces provided.
33. There are currently 492 cycle parking spaces on the College site which represents a high level of provision. The application proposes the addition of a further 20 secure and sheltered spaces resulting in an overall provision of 512 cycle spaces. No objection is raised to this overall level of provision.

Impact on Neighbouring Properties.

34. Policy HS19 of the Oxford Local Plan states that planning permission will only be granted for development that adequately provides both for the protection and/or creation of the privacy or amenity of the occupants of the proposed and existing neighbouring residential properties.
35. The proposed new building would not overlook habitable rooms or gardens of houses other than those buildings in College use which includes numbers 9 – 13 Canterbury Road, 85 – 87 Banbury Road and The Lawn. In terms of other privately owned dwellings in Canterbury Road, Winchester Road and North Parade, the new building would be sufficiently far away from these dwellings not to cause noise and disturbance from within the building.

36. A concern raised by local residents is nuisance and loss of amenity. They maintain that since the Canterbury Road gate was opened there has been a significant increase in nuisance with this entrance becoming the most used access into the College and all the associated problems of vandalism and litter. They say that even when the gates are closed, their design makes it easy for returning students to climb over.
37. The thrust of the neighbour concern on nuisance grounds is that the Canterbury Road gate should be the access to the new China Centre only and that all other access to the college campus should be off the Woodstock Road. This is not, however, the basis of this current application as the gates to Canterbury Road no longer part of this application. Rather it is anticipated that this will form the basis of a separate planning application in the future following consultation and discussion with interested parties.
38. In summary therefore, it is considered that the proposals would not result in a level of harm to neighbour amenity sufficient to warrant a refusal of the application.

Trees and Landscaping.

39. The 1998 planning permission that authorised the construction of the Maplethorpe building also authorised the removal of a number of trees on the site and most of these have already been removed. The proposed new building and ancillary works will require further tree removals and most of these are of low quality and value and are not visible in public views. The visual impacts of removing these trees will be mitigated by the proposed new tree planting. However the development does require the removal of a mature lime tree which stands centrally within the application site and is a higher quality and value tree. Whilst its loss is regretted, the tree is not a prominent feature in public views, its removal will not be significantly harmful to amenity in the area, and this does not provide a reason to refuse planning permission. Retained trees, which will need to be adequately protected during the construction phase of the development, will help to ensure that the appearance and character of the conservation area is preserved and that the new tree planting will contribute towards the enhancement of the conservation area in the future.
40. A number of tree related conditions are recommended to include tree protection, new tree planting and details of underground services.

Loss of Tennis Courts.

41. The proposal will result in the loss of two hard surfaced tennis courts without replacement. Policy SR2 of the Oxford Local Plan seeks to retain open air sports facilities wherever possible as they represent an important recreational resource and are also often of special significance for their amenity value.

42. The two tennis courts in question are a modest facility that are privately used and are not visible in the street scene. The applicant has confirmed that alternative arrangements have been made by way of a formal agreement to enable students at St. Hugh's College to share the sports facilities, including two new tennis courts at Keble College Sports Ground off the Woodstock Road. Officers are prepared to accept this alternative provision in mitigation of the facility lost

Energy Efficiency and Renewable Energy.

43. A Natural Resource Impact Analysis [NRIA] has been submitted and the development scores highly, attaining 8 out of 11 on the checklist score [a minimum of 6/11 is required]. The NRIA states that the use of LZC technology has been considered – a solution of Combined Heat and Power [CHP] and roof mounted Photovoltaic panels is proposed as the most appropriate and cost effective solution, meeting a large proportion of the building's energy with large CO2 savings.

44. The NRIA goes on to state that the proposed mechanical services strategy consists mainly of demand-controlled mechanical ventilation with heat recovery with additional summer ventilation from opening windows. Service routes have been developed to maximise flexibility of each space and realise the thermal benefits of exposed soffits. Heating and hot water will be provided by a CHP unit with gas boiler top up. Heating and domestic water systems will be divided up to enable separate metering and monitoring of consumption for different parts of the building. A water recycling system [either rainwater or grey water] to provide water for toilet flushing is also being considered.

45. Officers consider that the proposals are in accordance with local plan policy to increase energy efficiency and the use of renewable energy sources and to reduce carbon emissions. Condition 13 is recommended to secure further details of these measures prior to construction.

Archaeology

46. The site lies in an area of interest because of the potential for late Neolithic-Bronze Age, Iron Age and Roman remains. The site has been partially evaluated by Oxford Archaeological Unit in 1998 [at the time of the previous application] and subject to a limited watching brief during the construction work in 1999. The remains of medieval ridge and furrow were identified during the 1998 evaluation and are of local interest.

47. PPS5, HE12 states that where the loss of the whole or a material part of a heritage asset's significance is justified, local planning authorities should require the developer to record and advance understanding of the significance of the heritage asset before it is lost, using planning conditions as appropriate. In this case, having regard to the scale and character of the proposed works and the scope of the archaeological

recording already undertaken, officers consider that a condition requiring a watching brief during the progress of work on site is appropriate.

Ecology

48. An Ecological Appraisal has been submitted with the application and its key findings can be summarised as follows:
- a further bat survey will need to be carried out to establish whether there are any confirmed roosts in the buildings or trees within the surrounds of the site
 - clearance or works affecting trees or scrub should be completed during September to February to avoid the period which birds and bats are most likely to nest
 - sensitive lighting strategy to be developed
 - opportunities for enhancement of terrestrial habitat should be considered; this could include new planting, green roof/walls and suitable bird and bat boxes.
49. In accordance with this information, conditions are recommended to require details of both external lighting and new bird and bat boxes to be agreed prior to the commencement of development.

Conclusion:

50. The proposal forms an appropriate visual relationship with the surrounding development and would preserve the special character and appearance of the North Oxford Victorian Suburb Conservation Area. Issues identified at the pre-application stage have largely been addressed and amended plans submitted that break down the scale and massing of the proposed new building. The Local Highway Authority are not raising any objection on highway safety grounds and it is considered that the proposal complies with adopted policies contained within the Core Strategy 2026 and the Oxford Local Plan 2001 -2016.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions and accompanying legal agreement. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance

with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

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 subject to conditions and an accompanying legal agreement, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 97/01863/NFH,11/01794/FUL,11/01795/LBD.

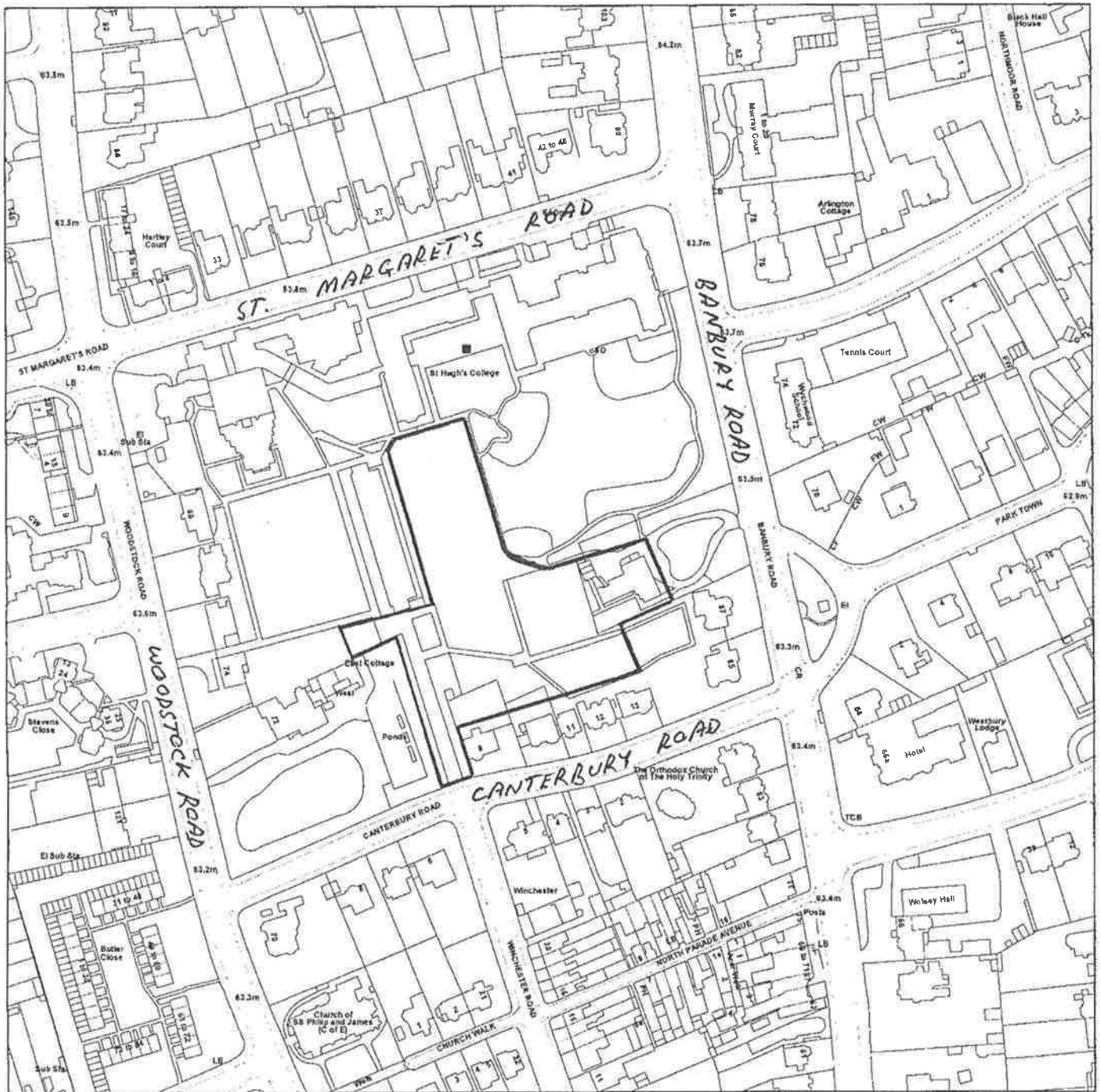
Contact Officer: Angela Fettiplace

Extension: 2445

Date: 28 October 2011

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APPENDIX 1



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