

**Oxford City Planning Committee**

23<sup>rd</sup> May 2023

**Application number:** 22/02849/FUL

**Decision due by** 1st March 2023

**Extension of time**

**Proposal**

The development of land at Winchester, Banbury and Bevington Road for the provision of student accommodation through the construction of accommodation buildings, a new villa on Bevington Road and the conversion of 43-45 Banbury Road together with a student pavilion building, an academic accommodation building, maintenance and repair works to the conservatory at 59 Banbury Road and associated landscaping works including walls and railings to roadside frontages, electrical substation, associated ancillary accommodation, access, cycle parking, accessible parking and refuse and recycling facilities.

**Site address**

Land At Winchester Road, Banbury Road and, Bevington Road (see **Appendix 1** for site plan)

**Ward**

Walton Manor Ward

**Case officer**

Sarah De La Coze

**Agent:**

Carter Jonas

**Applicant:**

The Chancellor,  
Masters And  
Scholars Of The  
University Of  
Oxford

**Reason at Committee**

Major Application

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## 1. RECOMMENDATION

1.1. The Oxford City Planning Committee is recommended to:

- 1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:
  - the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and

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

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary; and
- finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning Services considers reasonably necessary; and
- complete the section 106 legal agreement referred to above and issue the planning permission.

## **2. EXECUTIVE SUMMARY**

2.1. This report considers the redevelopment of the land to the rear of Winchester Road, Banbury Road and Bevington Road in the north of Oxford. The application seeks to provide a new academic community with the introduction of student accommodation and a new departmental building for Southeast Asian Studies Centre (SASC), bringing together Hertford College, Kellogg College, Reuben College and Oxford School of Global and Area Studies (OSGA).

2.2. The proposed development would provide 130 new graduate student rooms for Hertford College, Kellogg College and Reuben College across 6 new buildings together with the conversion and upgrade of the existing detached twin villa building at 43 - 45 Banbury Road, which is currently in academic use. The proposed accommodation comprises single occupancy study bedrooms, accessible en-suite study bedrooms and 6 self-contained duplex flats. In addition there would be ancillary student facilities including a pavilion which would accommodate a reading room, recreation room and common room. The ground floor of 11 Winchester Road would be partially refurbished to provide a Porter's Lodge, an accessible bedroom and staff facilities, replacing an existing bedroom and communal kitchen. A new academic building for SASC would provide approximately 1,153 m<sup>2</sup> of space comprising teaching spaces, academic office based research space, open plan study space, support meeting, administrative and break out spaces, and ancillary accommodation.

2.3. The site lies entirely within the boundary of the North Oxford Victorian Suburb Conservation Area (NOVSCA) a Conservation Area first designated in 1969 immediately following the confirmation of the Civic Amenities Act which brought into being such statutory designation and contains a Grade II listed building (59 Banbury Road) and is adjacent to the Grade II listed, Gee's Restaurant.

2.4. The site is an allocated site within the Oxford Local Plan. Policy SP31 'Banbury Road University sites'. Policy SP31 states that will be granted for academic institutional uses, student accommodation, and/or residential development, it also allows for academic institutional uses provided that the requirements of

policy H9, which links the delivery of new / redeveloped and refurbished academic facilities to the delivering of new residential accommodation are met. The allocation also requires a minimum of 60 homes which is the equivalent of 150 bedrooms to be delivered across the sites. The application seeks to provide 130 student rooms with the application stating that the remaining numbers in the allocation can be provided on the remaining plots within the allocation.

2.5. The application was subject to pre application discussions and was reviewed by the Oxford Design Review Panel in 2018.

2.6. Officers consider that the development would be acceptable with regard to principle, design, impact on the designated heritage assets, highways, environmental health and impact on neighbouring amenity.

2.7. The historic environment has been carefully considered and great weight has been given to preserving the significance of the designated heritage assets referred to in the report, and where harm would be caused to justify that harm and mitigate it through design choices. The benefits resulting from the development are considered to be of a weight that would outweigh the lower level of less than substantial harm to the significance of heritage assets that it is considered would be caused by the proposed development, officers therefore consider that the development would comply with the requirements of Paragraph 202 of the NPPF.

### **3. LEGAL AGREEMENT**

3.1. This application is subject to a legal agreement to cover highway works as set out in the highways section and biodiversity net gain offsetting.

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

4.1. The proposal is liable for CIL at an amount of £1,823,004.00.

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

5.1. The application site is located in the north of Oxford. The application site includes a number of existing University properties located on Winchester Road, Bevington Road and Banbury Road. The site comprises a roughly triangular area of land that lies between Banbury Road to the east and Winchester Road to the west. The land is bounded by Bevington Road to the south and the rear boundaries of properties lying on the south side of North Parade to the north. To the north of the site sits North Parade, a narrow street of small scale buildings in comparison to the much larger villas.

5.2. The existing buildings are substantial Victorian and Edwardian Villas which make up the frontage of the plots that make up the site. Those fronting onto Banbury Road are grander with more generous plots than those on Winchester and Bevington Roads. These buildings exhibit distinctive characteristics of the Victorian Gothic architectural language that makes a significant contribution to the special character and appearance of the Conservation Area as a whole

- 5.3. The site lies entirely within the boundary of the North Oxford Victorian Suburb Conservation Area (NOVSCA) a Conservation Area first designated in 1969 immediately following the confirmation of the Civic Amenities Act which brought into being such statutory designation and contains a Grade II listed building (59 Banbury Road) and is adjacent to the Grade II listed, Gee’s Restaurant
- 5.4. The site is located in a highly sustainable location with a number of bus stops in the vicinity as well as being located close to the City Centre and the Railway station
- 5.5. The site is an allocated site within the local plan which is permissive of its development for student accommodation.
- 5.6. See block plan below:



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 Ordnance Survey 100019348

**6. PROPOSAL**

6.1. The application seeks to provide a new academic community with the introduction of student accommodation and a new departmental building for Southeast Asian Studies Centre (SASC), bringing together Hertford College, Kellogg College, Reuben College and Oxford School of Global and Area Studies (OSGA). SASC is a new unit within OSGA and therefore does not yet have a dedicated academic building. The new SASC building would, for a range of existing departments, create a dedicated focus of research and teaching excellence in the academic study of the ASEAN countries within this established north Oxford location. The University state that the siting is critical to the organisational structure of the intended fields of study, locating teaching spaces adjacent to other University facilities to harness a strong synergy between

adjacent departments and groups, and to improve the academic setting for students and academics.

- 6.2. The proposed development would provide 130 new graduate bedrooms for Hertford College, Kellogg College and Reuben Colleges across 6 new buildings together with the conversion and upgrade of the existing detached twin villa building at 43 - 45 Banbury Road, which is currently in academic use. The proposed accommodation comprises single occupancy study bedrooms, accessible en-suite study bedrooms and 6 self-contained duplex flats. In addition there would be ancillary student facilities including a pavilion which would accommodate a reading room, recreation room and common room. The ground floor of 11 Winchester Road would be partially refurbished to provide a Porter's Lodge, an accessible bedroom and staff facilities, replacing an existing bedroom and communal kitchen. A new academic building for SASC would provide approximately 1,153m<sup>2</sup> of space comprising teaching spaces, academic office based research space, open plan study space, support meeting, administrative and break out spaces, and ancillary accommodation.
- 6.3. Each building benefit from a variety of architectural detailing, but are unified architecturally by the Victorian Gothic form. The individualised nature of the buildings is also reflected in their materials. There is a mix of red and yellow brick, usually with stone detailing. Sash windows predominate with occasional displays of Gothic tracery, particularly at the southern end of the road. Roofs are steeply pitched and clad in mixture of materials: clay tiles and slates. The existing villas are currently a mix of residential and institutional occupation by both Oxford University and Hertford College. The scheme is a landscaped led proposal with the scheme introducing varying pockets of landscaping in to both the main area of development as well as the frontages in order to preserve and enhance the Conservation Area.
- 6.4. The development would be car free and key entry points are identified towards the north-west between 10 and 11 Winchester Road, and the south-east between 45 and 47 Banbury Road. The main entrance to the new SASC building is located separately between 12 and 13 Bevington Road. Disabled car parking spaces are located around the site.
- 6.5. The proposals have been designed to support the University's desire to provide more purpose built graduate accommodation. Site ownership is split between Hertford College to the north and Oxford University to the south.

## **7. RELEVANT PLANNING HISTORY**

- 7.1. There is no relevant planning history for this area of the application site.

## **8. RELEVANT PLANNING POLICY**

- 8.1. The following policies are relevant to the application:

126-136	DH1 - High quality design and placemaking DH2 - Views and building heights DH7 - External servicing features and stores	
189-208	DH3 - Designated heritage assets DH4 - Archaeological remains	
60-77	H2 - Delivering affordable homes H8 - Provision of new student accommodation H10 - Accessible and adaptable homes H14 - Privacy, daylight and sunlight	
174, 179--188	G1 - Protection of Green/Blue Infrastructure G2 - Protection of biodiversity geodiversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	
104-109	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development M3 - Motor vehicle	Parking Standards SPD

	<p>parking  M4 - Provision of electric charging points  M5 - Bicycle Parking</p>	
183-188	<p>S1 - Sustainable development  RE1 - Sustainable design and construction  RE3 - Flood risk management  RE4 - Sustainable and foul drainage, surface  RE6 - Air Quality  RE8 - Noise and vibration  RE9 - Land Quality</p>	Energy Statement TAN
7-14, 38-50, 55-58, 110-111, 119-125,	<p>S2 - Developer contributions  E2 - Teaching and Research  H9 - Linking new/used/refurb University  RE2 - Efficient use of Land  RE5 - Health, wellbeing, and Health Impact Assessment  RE7 - Managing the impact of development  V8 - Utilities  V9 - Digital Infrastructure  SP31 - Banbury Road University Sites</p>	External Wall Insulation TAN,

**9. CONSULTATION RESPONSES**

9.1. Site notices were displayed around the application site on 21st December 2022 and an advertisement was published in The Oxford Times newspaper on 29th December 2022.

**Statutory and non-statutory consultees**

**Oxfordshire County Council Highways**

9.2. Recommendation

No objection subject to the following.

- Section 106 Contributions as summarised in the table below and justified in this Schedule.
- Planning Conditions as detailed below.
- Note should be taken of the informative stated below.

**S106 Contributions**

<b>Contribution</b>	<b>Amount £</b>	<b>Price base</b>	<b>Index</b>	<b>Towards (details)</b>
Highway works	<b>200,000</b>	<b>December 2022</b>	Baxter	Side road entry treatments at Bevington Road/Banbury Road junction and Norham Road/Banbury Road junction.
Highway works	<b>10,000</b>	<b>December 2022</b>	Baxter	Cycle priority measures on Bevington Road
<b>Total</b>	<b>210,000</b>			

9.3.

9.4. Comments

**Transport Development Control**

9.5. The planning application is accompanied by a Transport Assessment (TA). This is considered to be an appropriate level of submission given the nature quantum and location of the development proposals. The TA examines the development site in the context of the range of available transport modes and provisions surrounding it, and concludes that "...the site is well-positioned to capitalise upon a comprehensive availability of sustainable transport infrastructure. The central location of the site means that the car-free nature of the proposed development is appropriate." This conclusion is considered sound and is accepted by the County as local highway authority.

9.6. The TA presents a personal injury accident data analysis and concludes that "...it is clear there are no discernible highway issues which are causing



recurring PICs and therefore there are no causes for concern relating to highway safety for vulnerable road users looking to access the development proposals." It is difficult to support this conclusion on the basis of the TA alone since it does not supply the detailed PIC data or a plot showing the spatial distribution of PICs. The County has therefore referred to its own data source for the same period and notes a significant cluster of accidents at and near the junction of Banbury Road with Norham Road. This is the subject of a Section 106 request set out under the heading of Transport Strategy below.

- 9.7. The TA demonstrates that proposed cycle parking provision at the site comfortably exceeds the minimum requirements set out in standards. However, it is not clear from either the TA or from Plan No.1911-PL-095 what type of provision is being proposed. The plan suggests that different types of cycle parking are to be provided at different locations. The required details can be provided in discharge of a condition of planning permission.
- 9.8. The TA notes that there will be seven parking spaces for blue badge holders at the site and no other car parking. This is supported and will strongly contribute to the car free nature of the development.
- 9.9. Section 5 of the TA presents a trip generation analysis. Mode share is determined on the assumption that the site will be completely car free and only non car modes are carried into the analysis. This is a rather simplistic and unrealistic approach since the development will still attract some car trips in the form of pick-up / drop-off trips, parking on adjacent streets, taxi trips and deliveries, etc. However, given the sites car free credentials it is considered unlikely that such trips will have a significant adverse impact on the external road network.
- 9.10. Section 6 of the TA presents a comprehensive parking beat survey of the streets immediately surrounding the development site, and demonstrates that there is sufficient on-street parking capacity to accommodate student movements at term start and end dates. It then notes that "...in order to ensure car parking during the start/end dates for the university terms does not negatively impact onto the local highway network, the applicants are committed to provide a package of parking management measures..." Such measures should be presented in a Student Arrival / Departure Plan which specify the following.
- 9.11. The means by which students will apply for an arrival / departure slot.
  - How these will be allocated and over what time period.
  - Which streets will be included in the allocations process, and confirmation that site accesses will not be included.
  - Means of enforcement.
  - Any other relevant measures. The Student Arrival / Departure Plan can be submitted in discharge of a condition of planning permission.

- 9.12. The planning application is accompanied by a Construction Environmental and Traffic Management Plan (CETMP). The plan does not meet all of the requirements on the County's checklist for a Construction Traffic Management Plan and will require revision and resubmission. The County's checklist is set out below with items that need to be included or addressed highlighted in bold. A revised CETMP can be submitted in discharge of a condition of planning permission.
- The CTMP must be appropriately titled, include the site and planning permission number.
  - Routing of construction traffic and delivery vehicles including means of access into the site.
  - Details of and approval of any road closures needed during construction.
  - Details of and approval of any traffic management needed during construction.
  - Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
  - Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
  - The erection and maintenance of security hoarding / scaffolding if required.
  - A regime to inspect and maintain all signing, barriers etc.
  - Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
  - The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
  - No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
  - Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
  - A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted.
  - Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be

raised with in first instance to be provided and a record kept of these and subsequent resolution.

- Any temporary access arrangements to be agreed with and approved by Highways Depot.
  - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.
- 9.13. **Transport Strategy** The car-free nature of the development proposals supports the transport user hierarchy as set out within the Central Oxfordshire Travel Plan (COTP), with walking and wheeling, cycling and riding and public transport being the three top priorities.
- 9.14. Banbury Road, to the east of the site is classified as an Active Travel Primary Route within the COTP and is identified as prioritised route OXR4 within the Oxford Local Cycling and Walking Infrastructure Plan (LCWIP).
- 9.15. Due to the car-free nature of the development proposals and the significant uplift of cycle parking provision proposed, it is anticipated that the number of both pedestrians and cyclists crossing at and using the Bevington Road/Banbury Road junction will increase. This junction is also located along the route from the site into the city centre, as well as the route to the Bevington Road bus stops.
- 9.16. As the Bevington Road/Banbury Road junction will be used by future site users, funding is requested for side road entry treatment at this junction to prioritise the safe crossing of pedestrians and encourage vehicles to reduce their speed on their approach to the junction. The works for the Bevington Road/Banbury Road junction have been costed and would require £100,000 for delivery of this specific side road entry treatment.
- 9.17. The provision of side road entry treatment at this junction will support both the COTP and Oxford LCWIP. Also, it is noted within the Transport Assessment that a personal injury accident was recorded at this junction between a car pulling out of Bevington Road and a cyclist travelling along Banbury Road. The side road entry treatment would therefore support the County's Vision Zero objectives, improving the junction safety for both pedestrians and cyclists.
- 9.18. Similarly, the County's own personal injury accident data, referred to under Transport Development Control above notes a significant cluster of accidents at and near the junction of Banbury Road with Norham Road. Funding is therefore also requested for side road entry treatment at this junction to prioritise the safe crossing of pedestrians and encourage vehicles to reduce their speed on their approach to the junction. These works are also costed at £100,000.
- 9.19. It is also anticipated that the development proposals would result in additional cycle trips routing along the western extent of Bevington Road and via Woodstock Road towards Oxford Station, Jericho and other University

buildings. The western extent of Bevington Road currently restricts access to vehicles turning from Woodstock Road, providing a dedicated cycle only access. However, the remaining extent of Bevington Road is lined with on-street parking bays on both sides of the carriageway and does not prioritise cycling. Therefore due to an anticipated increase in cycle movement along Bevington Road, funding is requested to provide cycle priority measures along Bevington Road in the form of cycle symbols on the carriageway to indicate to drivers the presence of cyclists travelling in both directions. This item has been costed at £10,000.

#### 9.20. **Travel Plan**

- 9.21. Oxford University has an overarching Travel Plan. The aims, objectives and targets of that Travel Plan should therefore be referenced and included in the travel planning submission for this site.
- 9.22. A development comprising of 130 rooms requires a Travel Plan Statement to be produced. This should be produced prior to first occupation and meet the criteria contained within Appendix 4 of the County's guidance document Transport for New Developments: Transport Assessments and Travel Plans (March 2014). A Travel Plan has been submitted with this application, but a Travel Plan Statement is required. Further information is needed in order for it to meet the County's requirements.
- 9.23. A Residential Travel Information Pack is also required prior to occupation and then distributed to students at the point of occupation. This is to ensure all students are aware of the travel choices available to them from the outset. Further information regarding the required criteria can be found within the County's Travel Information Pack Guidance which can be obtained from the Travel Plans team.
- 9.24. Cycle parking, bicycle maintenance station and electric vehicle charging for bicycles should be provided within the site boundary.
- 9.25. For further information, advice, and assistance, please contact the Travel Plans Team at Oxfordshire County Council [travelplan@oxfordshire.gov.uk](mailto:travelplan@oxfordshire.gov.uk)
- 9.26. It is advised that the applicant consults the Travel Plan Statement criteria and template within Appendix 4 of the County's guidance document and the points below to ensure all criteria has been met before resubmitting.
- The document should be titled Travel Plan Statement.
  - Information about expected occupancy levels of students, staff and visitors is required.
  - Information about onsite facilities for pedestrians and cyclists is required.
  - Information about facilities available at the closest bus stops is required.
  - Details of the times of the first and last buses serving the development.

- Information about the number, type and location of cycle parking should be included
  - As the development is situated within the City Centre micromobility (scooter hire scheme) options should be included.
  - Reducing the need to travel – homeworking and home deliveries should be discussed.
  - Lift share and car clubs should be discussed.
  - • Information about deliveries is required.
  - Levels of car parking and cycle parking are required.
  - In the absence of an appointed Travel Plan Coordinator details of the interim contact for any travel plan related queries should be supplied.
  - Details of any barriers to the promotion of sustainable, active travel should be identified and the identified actions will seek to mitigate these issues.
  - Three actions are required for each objective to include the Oxford University objectives outlined within Table 4.1. The Travel Plan Statement and Travel Information Pack can be submitted in discharge of a condition of planning permission.
- 9.27. **S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended)**
- 9.28. £200,000 Highway Works Contribution indexed from December 2022 using Baxter Index
- 9.29. **Towards** Side road entry treatments at Bevington Road/Banbury Road junction and Norham Road/Banbury Road junction.
- 9.30. **Justification** To prioritise the safe crossing of pedestrians and encourage vehicles to reduce their speed on their approach to the junction.
- 9.31. **Calculation** Based on the known cost of other side road entry treatments provided elsewhere in the city of Oxford.
- 9.32. **£10,000 Highway Works Contribution** indexed from December 2022 using Baxter Index
- 9.33. **Towards** Cycle priority measures on Bevington Road
- 9.34. **Justification** To provide for an anticipated increase in cycle activity on Bevington Road resulting from the proposed development.
- 9.35. **Calculation** Contractor quotes.

### **Planning Conditions**

- 9.36. In the event that permission is to be granted, the following transport related planning conditions should be attached.
- 9.37. Before the development permitted is commenced details of the cycle parking areas, including dimensions, type of provision, and means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking areas, type of provision, and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.
- 9.38. Before the development hereby permitted begins a Student Arrival / Departure Management Plan shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, the arrival and departure of students at the beginning and end of terms if managed such that it does not impact adversely on the external road network or on the operation of the site. The plan shall specify the arrangements which will be put in place to manage this process and how those arrangements will be monitored and enforced.
- 9.39. Prior to the commencement of the development a Construction Traffic Management Plan prepared in accordance with Oxfordshire County Council's checklist, must be submitted to and approved in writing by the Local Planning Authority. The construction works must be carried out in accordance with the details approved in the Construction Traffic Management Plan.
- 9.40. Prior to first occupation a Travel Plan Statement and Residential Travel Information Pack should be submitted to the Local Planning Authority.

Informative

- 9.41. Prior to commencement of development, a separate consent must be obtained from the County's Road Agreements Team for any new highway vehicular access under S278 of the Highway Act. Contact: 01865 815700; RoadAgreements@oxfordshire.gov.uk.

**Oxfordshire County Council – Lead Local Flood Authority**

- 9.42. Recommendation:
- 9.43. No objection subject to conditions.
- 9.44. Condition:
- 9.45. The approved drainage system shall be implemented in accordance with the approved Detailed Design prior to the use of the building commencing: Document Floor Risk Assessment and Drainage Strategy Report Ref: 000277 Issue: P04 Drawing Below Ground Surface Water Drainage Northern Network Drawing No: 0111, Rev P01 Drawing Below Ground Surface Water Drainage Southern Network Drawing No: 0110, Rev P01 Drawing Surface Water Drainage Manhole Schedule Drawing No: 0116, Rev P01 Drawing Below Ground Foul And Surface Water Drainage Details (Sheet 1) Drawing No:

0400, Rev P05 Drawing Below Ground Foul And Surface Water Drainage Details (Sheet 2) Drawing No: 0401, Rev P05 Drawing Below Ground Foul And Surface Water Drainage Details (Sheet 3) Drawing No: 0402, Rev P05

- 9.46. All relevant Hydraulic calculations produced via Microdrainage Date 18/11/2022 File 20221110 – 277-FEH-North
- 9.47. All relevant Hydraulic calculations produced via Microdrainage Date 18/11/2022 File 20221110 – 277-FEH-South Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal.
- 9.48. Condition:
- 9.49. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include: (a) As built plans in both .pdf and .shp file format; (b) Photographs to document each key stage of the drainage system when installed on site; (c) Photographs to document the completed installation of the drainage structures on site; (d) The name and contact details of any appointed management company information
- 9.50. **Historic England**
- 9.51. Historic England Advice - The Significance of the North Oxford Victorian Suburb Conservation Area and listed buildings.
- 9.52. The site of the proposed development is within North Oxford Victorian Suburb; predominantly a well conserved, leafy Victorian conservation area. Despite being built in phases and for a range of incomes the area has a very coherent character as it was owned by St John's College, who exercised a high degree of control over its development. Houses are spacious, with generous front and rear gardens. The large plot sizes and extensive use of the neo-gothic style gives the area its coherence while the fact that houses were designed and built individually or in small groups, all to differing designs, adds interest and charm. When built it was the ideal place for families of Oxford academics, professionals and businessmen to live and tells an important story about how the expansion and reform of the University in the later 19th century, particularly permitting dons to marry, dramatically changed the City as a whole. Today, the conservation area retains a remarkable homogeneity. The current institutional use of many larger buildings has sustained them and additions to the conservation area have both created points of interest and on occasions resulted in modifications that have diminished the character of the area.
- 9.53. North of the site sits North Parade a tightly clustered row of terraced properties, largely built prior to the main 4 phases of development of the Victorian suburb, associated with former market gardens, and now predominantly with commercial frontages.

- 9.54. Within the development site is 59 Banbury Road, an especially interesting and accomplished example of Victorian domestic gothic that is listed at Grade II. Adjacent to the site is Gee's restaurant, Grade II listed, which is significant as a good example of a Victorian glasshouse and for its historical interest as the plant shop for the new suburb.
- 9.55. Assessment of the impact on North Oxford Victorian Suburb Conservation Area
- 9.56. The proposals include a new departmental building for the South-East Asian Studies Centre (SASC) fronting Winchester Road, student accommodation in the form of new blocks within the gardens of the villas along Winchester Road and Banbury Road, a new student accommodation building on Bevington Road, student meeting rooms and cafe, and the conversion of existing buildings to student accommodation and porters lodge. Landscaping for the scheme proposes numerous new trees along the boundaries to the site along Winchester, Bevington and Banbury Road.
- 9.57. Visibility of the large villa gardens from outside streets is possible through glimpse views. However, the proposed street elevations indicate that whilst the new accommodation blocks within the centre of the site would be seen between some properties, the height and position of the new buildings together with proposed new tree planting is such that they would not be overly visible. The sense of there being only gardens behind the villas will change and therefore this element of the proposals would have a degree of harm to the experience of the conservation area (less than substantial at the lower end).
- 9.58. The proposed new South-east Asian Studies Centre building would be located on the rear garden plots of 13 and 15 Bevington Road. Currently the garden of No. 13 is a car park, but with the garden wall along the footpath edge, fronting Winchester Road, remaining. Building on this site would cause a degree of harm to the significance of the conservation area as an established characteristic of the layout of the suburb was the intention that each residence would have a good-sized garden to accompany the family home and the proposed development of this space would diminish that character (harm being less than substantial at the lower end). However, we can see potential benefits to the street scene of creating a substantial building on this site as the corner plot of 13 Bevington Road does have a somewhat awkward appearance along Winchester Road owing to its detached nature and height. A four-storey block here wouldn't appear out of scale height-wise with the buildings it would sit adjacent to. The subdivision of the building into what appears as 2 semi-detached elements (one with active windows and the other with detailed solid 'window' features) is welcomed as this better reflects the building forms along Winchester Road.
- 9.59. The student accommodation building along Bevington Road also appears sensitive in scale, and whilst proposed in a contemporary architectural form appears high quality and responds well to its context, and from the submitted information and would sit comfortably within the streetscene. Furthermore, the



proposed additions to 43 & 45 Banbury Road are modest and would not harm the character of the conservation area.

9.60. Impact on listed buildings

9.61. The proposed 2-storey student accommodation west of 59 Banbury Road would encroach on the garden of this architecturally accomplished villa, compromising its spacious setting. This would cause some harm to its significance. Likewise, the wider change to the setting of Gee's would cause a modest degree of harm, through eroding the historical villa garden setting and replacing it with built form. We conclude that the harm to these listed buildings would be less than substantial at the lower end.

9.62. Proposed heritage benefits and landscaping enhancements

9.63. The proposals put forward heritage benefits including restored or refurbished front gardens including numerous new specimen trees along public frontages, new front walls and railings. The proposals also detail the restoration and repair of the listed 59 Banbury Road including the original conservatory to the rear. Whilst modest these benefits are notable and welcomed as they will result in enhancement to the character and appearance of the conservation area. The Council must weigh up the relative heritage harm the proposals would result in, against the public benefits of the proposals including those heritage benefits the application puts forward.

9.64. Conclusions

9.65. The Council have many considerations to take into account and our comments focus only on those that pertain to the historic environment. Whilst we have identified areas of heritage harm it is our view that these are limited and constitute less than substantial harm at the lower end (both to the conservation area and the nearby listed buildings of 59 Banbury Road and Gee's). The Council must weigh up the heritage harm against the public benefits of the proposals and be content that they outweigh the considerable weight that must be afforded to the conservation of heritage assets, as set out the in NPPF.

9.66. Recommendation

9.67. We consider that the application would result in a degree of harm to the conservation area and listed buildings, and recommend if the Council are minded to approve the scheme they are content that the public benefits of the case clearly outweigh the harm that the proposals would cause.

9.68. Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

9.69. **Thames Water**

9.70. Waste Comments

- 9.71. The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.
- 9.72. Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.
- 9.73. With the information provided, Thames Water has been unable to determine the Foul water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for FOUL WATER drainage, but have been unable to do so in the time available and as such, Thames Water request that the following condition be added to any planning permission. "No development shall be occupied until confirmation has been provided that either:- 1. Foul water Capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.
- 9.74. Water Comments
- 9.75. The proposed development is located within 5m of a strategic water main. Thames Water do NOT permit the building over or construction within 5m, of strategic water mains. Thames Water request that the following condition be added to any planning permission. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the

approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works. Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk).

- 9.76. There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>
- 9.77. Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development" The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](https://www.thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.
- 9.78. Supplementary Comments Thames Water advise that a drainage strategy should contain the points of connection to the public sewerage system as well as the anticipated flows (including flow calculation method) into the proposed

connection points. This data can then be used to determine the impact of the proposed development on the existing sewer system.

**9.79. Thames Valley Police**

9.80. Thank you for consulting me on the above application. I have reviewed the submitted documents and crime statistics for the local area. I am pleased to see consideration has been given to student safety and crime prevention throughout the development. I do not object to this application, subject to further detail being provided and conditions being placed on the approval as detailed below.

9.81. I provide the following comments to ensure forthcoming applications meet the requirements of;

- The National Planning Policy Framework 2021 paragraph 92(b); which states that Planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...
- The National Planning Policy Framework 2021, paragraph 130(f) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".
- In order to ensure all opportunities are taken to design out crime from the outset, and to ensure all areas of the development are sufficiently secured to reduce the opportunities for crime and disorder to occur, I ask that the following or similarly worded condition be placed upon any approval;

9.82. Condition 1: Prior to commencement of development, an application shall be made for Secured by Design Silver accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of SBD accreditation has been received by the authority.

9.83. Condition 2: Prior to commencement of development, details of a proposed external lighting scheme shall be submitted to the local planning authority. The scheme shall set out the steps that will be taken to ensure that external lighting, including zonal/security lighting and column lighting within parking courts promotes a secure environment and does not cause a nuisance to local residents.

**9.84. Landscaping**

9.85. I am unable to locate detailed landscaping plans within this application. Whilst the security strategy mentions defensible space and planting, I am unable to accurately assess this from plans submitted. Prior to permission being

granted, I ask that detailed landscaping plans are submitted which indicate the location and specification for all planting across the development.

9.86. Surveillance

9.87. I ask that prior to permission being granted, additional ground floor windows are added to the blank facades

9.88. Gable ends of block HC2 to increase surveillance over internal circulation areas and cycle parking.

9.89. I ask that clarification is provided as to whether or not this is a window in the gable of block HC3. If not, a window must be added in this location to increase surveillance over cycle storage;

9.90. Cycle storage

9.91. I have concerns that there are no fully enclosed secure cycle stores proposed on the site. When considering high value cycles, such as electric bikes for example, it is important that high quality secure storage is provided to reduce opportunities for theft. Where insufficient secure storage is provided, there is a risk that residents will opt instead to take their cycles into the residential blocks, storing bikes in rooms or hallways, creates subsequent fire safety concerns.

**Public representations**

9.92. **The Victorian Group of the Oxfordshire Architectural and Historical Society**

9.93. We object to the proposal to redevelop this site for University use, which represents an even more destructive desecration of the North Oxford Conservation Area than the University College scheme.

9.94. Policy DH3 of the Local Plan states, with regard to the site: 'Any major development is unlikely to be suitable, but there is some potential to intensify the existing use, whilst respecting both plot patterns and boundary treatments. Development should be of a scale that respects the surrounding buildings' It requires 'development that respects and draws inspiration from Oxford's unique historic environment ... responding positively to the significance, character and distinctiveness of the heritage asset and locality'.

9.95. The present scheme does not just 'intensify the existing use', but is a grotesque overdevelopment of the site. It does not 'respect ... boundary treatments', as the garden walls largely disappear.

9.96. We particularly object to the proposal to erect new buildings on the former gardens of the houses in Bevington Road and Winchester Road. The design of these is far from 'responding positively' to the character of the existing houses. The shape and materials of what is proposed are out of scale and character. The Winchester Road block, with its excessive height, blocky structure and quite unsuitable roof, is even worse than the other. The

reference to 'shared language of architecture which also speaks to the materiality of the existing buildings', and 'the rhythmic form of "modern Gothic"' is pure hot air. More convincing is the reference to the 'contemporary aesthetic' of the Winchester Road block.

- 9.97. The sites of these structures were originally the gardens of the houses, though the University, with typical lack of concern for history, context and the environment, has used them as car parks.
- 9.98. The CGIs of the street elevations are surely quite misleading, as they try to suggest that the new buildings within the site (obliterating yet more gardens) will be more or less invisible. This cannot be correct.
- 9.99. No less than 46 trees or groups of trees are to be felled, which is preposterous in a Conservation Area. Only 22 would be retained. It is claimed that 88 new trees would be planted, but it is admitted that it would take at least 25 years for 'tree canopy' to be replaced.
- 9.100. We object to the demolition of a substantial part of 43-45 Banbury Road. This house is of special interest as it was designed by the distinguished architect Thomas Edward Collcutt (1840-1924) while he was in the office of G.E. Street. His best known works are the Imperial Institute, Lloyds Register of Shipping, the Savoy Hotel, and the Palace Theatre. He became President of the RIBA and received the Royal Gold Medal.
- 9.101. It is admitted that there would be 'some harm' to the Conservation Area, which is a serious understatement. The Appraisal emphasises the importance of the gaps between houses, and view beyond, and this has been stressed by Inspectors after Planning Inquiries. It also deplors the loss of front gardens, garden walls, etc.
- 9.102. Both we and others have been arguing lately, without success, that Oxford City Council pays far too little respect to the North Oxford Conservation Area. If this application is approved, our argument will be beyond dispute.

### **Oxford Preservation Trust**

- 9.103. OPT are aware that the site forms part of the 'Banbury Road University Site', an allocated site within the adopted Local Plan under Policy SP31. Whilst the policy text states that planning permission will be granted for academic institutional uses, student accommodation, and/or residential development, the supporting text is clear that there are restrictions and considerations that need to be taken into account when redeveloping the site.
- 9.104. Paragraph 9.169 states that; "Any major redevelopment is unlikely to be suitable but there is some potential to intensify the existing use whilst respecting both plot patterns and boundary treatments. Development should be of a scale that respects the surrounding buildings."
- 9.105. Many of the existing buildings which sit on the site contribute to the character of the North Oxford Victorian Suburb Conservation Area or are listed. Plot B (from SP31, and the application site) is historically part of the late C19/early

C20 development of North Oxford and retains evidence of the planned “setting out” of this part of the city, characterised by large detached or semi-detached villas set back from the street behind boundary walls and the remains of front gardens.

- 9.106. More detailed guidance on the overall character of the application area and how it sits within the Conservation Area can be found within the Appraisal document. Banbury Road is identified as Character Area 6 within this document, and page 41 lists a number of negative features that can currently be found within this specific area. The majority of these features are as a result of institutional use of the existing buildings, which has led to an erosion of domestic character through things such as bright internal and external lighting, signage, loss of front gardens and unsympathetic modern development that inadequately replaces demolished houses.
- 9.107. Winchester and Bevington Roads sit within the North Parade Area (Character Area 7) in the Appraisal document. Here it states that there are many interesting gaps between buildings allowing an appreciation of large spaces behind. It goes on to say that the large spaces behind many of the Victorian houses allow for many interesting views across gardens or between buildings. It also acknowledges that where college campuses have developed on backlands north and south of the character area the views through gaps between houses have been blocked by the elevations of modern, institutional accommodation. The impact of this is particularly noticeable in Bevington Road.
- 9.108. Whilst the application site is an allocated site within the Local Plan, OPT feel that the amount of development being proposed constitutes a major redevelopment, with the majority of the site being built upon, including existing significant gaps on Bevington and Winchester Road. When assessing the proposals, alongside the Conservation Area Appraisal, it is clear that the scheme, as currently designed, will only exacerbate the existing highlighted negative features rather than improve on them. The amount of development proposed across the site will impact upon the wider character of the Conservation Area with the loss of gaps between houses and the loss of views of mature trees within plots to the rear of existing development.
- 9.109. OPT also consider that the proposed new academic departmental building, and the pavilion building take no reference from the adjoining development or the wider conservation area. In OPT’s first annual report published in 1927 it states the role of the Trust is to “guide positive change, not stop it”. The proposed buildings, whilst perhaps respectful in terms of height and scale, will sit at odds with the adjoining development, rather than enhancing it. The new academic building on Bevington Road resembles a number of other buildings that have recently been built in other parts of the city centre and there is nothing in the design to show consideration has been taken with regard to the unique features, and typical characteristics of this specific area. A requirement for respectful design to the surroundings is also found within Local Plan Policy DH3.

9.110. OPT urge Officers to consider if the proposals represent the Oxford tradition of promoting buildings of the highest quality, and whether they comply with the requirements of Policy SP31 which stipulates that any redevelopment of the site should respect the surrounding development. As this is the first of three closely located sites within the allocation to come forward, what is permitted is likely to set a precedent for the other sites, and so great care should be taken to ensure a high quality scheme is delivered, which could be used as the benchmark for future sites coming forward

### **The Victorian Society**

9.111. The Victorian Society were notified of this application by the Oxfordshire Architectural and Historical Society. Previously, we took part in a pre-app consultation where we raised concerns with the proposal and the harm it would cause to the North Oxford Conservation Area. Unfortunately, the submitted proposals have not been substantially amended in line with our initial comments and therefore we submit this objection.

9.112. This development site lies within the North Parade and Banbury Road character areas of the North Oxford Conservation Area. The Conservation Area is significant in the development of Oxford in the 19th century and is notable for its association with notable architects and individuals connected with the University. Furthermore, the Conservation Area has high aesthetic significance due to the large number of fine 19th century buildings, notably substantial houses, many of which have now been converted to other uses.

9.113. The site is no exception and is characterised by the presence of large, detached, and semi-detached 19th century houses, some by significant architects such as 43-45 Banbury Road designed by T E Colcutt, sitting in spacious plots. While many remain in residential use, some have been converted institutional use. The Conservation Area Appraisal notes features which contribute to the significance of the Conservation Area in these character areas, such as spacious front gardens, spaces between houses, large rear gardens, and mature trees. It also notes negative features such as extensions which infill the spaces between historic buildings, loss of front gardens and overdevelopment.

9.114. This proposal would see the development of the existing rear gardens of properties on Winchester and Banbury Roads with mainly lower scale buildings, and some larger buildings directly abutting the existing roads. The density of this development would be high, historic garden boundaries would be demolished, and mature trees felled leaving little of the existing large rear gardens intact and compromising views through the existing spaces between the buildings. This would harm many of the noted positive features of the Conservation Area which contribute to its significance.

9.115. The Victorian Society recognise that in the local plan this site is earmarked for development for use by the University, however, we also note that paragraph 9.169 states:



9.116. 'Any major redevelopment is unlikely to be suitable but there is some potential to intensify the existing use whilst respecting both plot patterns and boundary treatments. Development should be of a scale that respects the surrounding buildings.'

9.117. These proposals are a major redevelopment and in many aspects do not respect existing boundary treatments. These proposals would harm the significance of the Conservation Area and therefore we object to the application.

9.118. 9 letters of representation have been received from properties located in North Parade, Acer Walk, Banbury Road (Gees) and Winchester Road. The comments can be read in full on the Oxford City Council planning website. In summary, the main objections/issues raised are:

- Increase noise and disturbance
- Overlooking and loss of privacy
- Impact on neighbouring listed buildings
- Impact on the Conservation area
- Increased overshadowing
- Overbearing impact
- Increased light spill and light pollution
- Development should be considered against the other linked allocated sites in the local plan
- Impact on business during the construction phase including working hours etc
- Development will have an adverse impact on businesses
- Loss of daylight and sunlight
- Impact on outlook
- Air source pump noise
- Impact on trees and loss of trees
- Oculus would cause light pollution
- There is an exit indicated from the site to North Parade. None of the plans shows where this actually is.
- Impact on tenants during the construction period
- The architecture is interesting and appealing
- Noise generating elements should be located away from the boundary
- Change in ambience
- Contrary to North Oxford Victorian Suburb Conservation Area Appraisal
- Will the college contribute to upgrading North Parade

- Biodiversity net gain
- Inaccuracies within the document
- Does not respect the pattern of development in the area
- The public benefits do not outweigh the harm to the Conservation Area
- Impact of ground and surface water
- Balconies create overlooking
- SASC is not subservient

## **10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- a. Principle of development
- b. Design and Impact on the Historic Environment
- c. Impact on Neighbouring Amenity
- d. Highways
- e. Sustainability
- f. Biodiversity
- g. Drainage and Flooding
- h. Environmental Health
- i. Other matters

### **a. Principle of development**

10.2. The application site is an allocated site within the Oxford Local Plan (OLP) 2036 'Policy SP31 Banbury Road University sites'. Policy SP31 sets out the requirements for the site.

## Policy SP31: Banbury Road University Sites



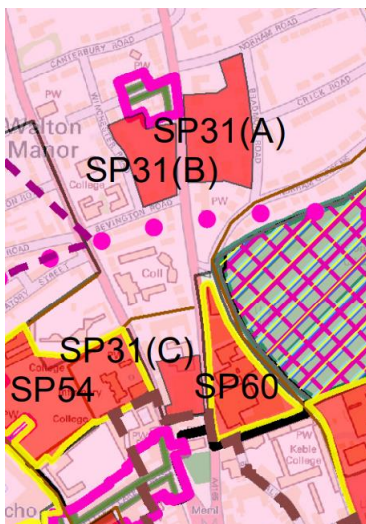
Planning permission will be granted for academic institutional uses, student accommodation, and/or residential development at the Banbury Road University Sites. Residential development could include employer-linked affordable housing in accordance with Policy H3. The minimum number of homes to be delivered is 60. Other complementary uses will be considered on their merits.

The site would only be suitable for academic institutional uses provided that the requirements of Policy H9 are met.

Pedestrian and cycle links should be enhanced through Plots A and C and to the University Science Area and Radcliffe Observatory Quarter.

Planning permission will only be granted if it can be proven that there would be no adverse impact upon surface and groundwater flow to the New Marston SSSI. Development proposals should reduce surface water runoff in the area and should be accompanied by an assessment of groundwater and surface water. Development proposals must incorporate sustainable drainage with an acceptable management plan. All proposals should minimise impact on air quality during construction phase and after implementation, particularly if they comprise of employment uses.

- 10.3. Policy SP31 of the OLP covers three separate plots in North Oxford. The supporting text in the policy states that “Any major redevelopment is unlikely to be suitable but there is some potential to intensify the existing use whilst respecting both plot patterns and boundary treatments. Development should be of a scale that respects the surrounding buildings.”



- 10.4. Policy SP31 of the OLP states that planning permission will be granted for academic institutional uses, student accommodation, and/or residential development, it also allows for academic institutional uses provided that the requirements of policy H9 are met. The allocation also requires a minimum of 60 homes which is the equivalent of 150 bedrooms to be delivered across the sites. The application seeks to provide 130 student rooms with the application stating that the remaining numbers in the allocation will be provided on the remaining plots within the allocation.
- 10.5. Policy H8 of the OLP allows for new student accommodation on sites which is allocated in the development plan. In addition planning permission will only be granted if:
- a. student accommodation will be restricted in occupation to fulltime students enrolled in courses of one academic year or more, subject to the provisions of criterion e below; and
  - b. for developments of 20 or more bedrooms, the design includes indoor communal amenity space for students to gather and socialise; and
  - c. a management regime has been agreed with the City Council that will be implemented on first occupation of the development ; and
  - d. the development complies with parking standards that allow only operational and disabled parking, and the developer undertakes and provides a mechanism to prevent residents from parking their cars anywhere on the site, (unless a disabled vehicle is required), which the developer shall thereafter monitor and enforce; and
  - e. a management strategy is agreed if it is intended there will be occupants other than students meeting the definition set in criterion a) outside of term times.
- 10.6. The application is proposed for full time students of the University, it includes internal communal space such as the pavilion, a management regime will be secured via condition, and the parking is limited to disabled spaces. The proposal complies with the requirements set out in Policy H8.
- 10.7. Policy E2 of the OLP states that planning permission will be granted to support the growth of the University of Oxford through the redevelopment and intensification of academic and administrative floorspace on existing University of Oxford and college sites and where it can be demonstrated that policy H9 can be met.
- 10.8. Policy H9 of the OLP links redeveloped and refurbished university academic facilities to university provided residential accommodation. The policy states that planning permission will only be granted for new academic, research or administrative accommodation where it can be demonstrated that a) the new accommodation would not generate or facilitate any increase in student numbers or b) the number of the their full-time taught course students living in Oxford in non-university provided accommodation does not exceed 2,500 at the time of the application.

- 10.9. The application confirms that the new SASC academic building will not lead to an increase in student numbers as the students attending will be from the existing student population.
- 10.10. The most recent annual monitoring report shows that the number of students at the University of Oxford in non-university accommodation is currently under the threshold set out in the policy and therefore the development complies with this aspect of Policy H9.
- 10.11. The OLP states in Policy H2 that planning permission will only be granted for residential development if affordable homes are provided in accordance with the range of criteria. Contributions towards affordable housing provision will not be sought where the proposal is within an existing student accommodation site or comprises the redevelopment of an existing purpose built student accommodation site which is owned by a university and which will continue to be owned by a university to meet the accommodation needs of the its students. In this instance, the proposal accords with the exceptions criteria as the site is within an existing student accommodation site as well as the proposal comprising a redevelopment and/or intensification of a site where the main existing use is student accommodation. Therefore, there is no requirement for the applicant to make a financial contribution towards off site affordable housing.
- 10.12. The allocation also requires the proposal to consider the impact of any development on the New Marston SSSI. The application is supported by a drainage and flood risk strategy which assess the impact on the SSSI and concludes that “we do not consider this change in the hydrogeology impactful upon recorded SSSIs and SAC’s given the distance to these features, the closest of which is 687m. Each of these sites lies adjacent to controlled surface water features (River Cherwell and River Isis) and are directly influenced by upstream water flows and the extensive river floodplains which are prominent”
- 10.13. In the consideration of the application it is also important to understand the context of this part of North Oxford, comments have been received relates to the intensification of institutional uses in this part of Oxford. The University have provided a plan outlining the existing academic uses surrounding the site.



10.14. It is clear from the plan and looking at the neighbouring uses that the intensification of the academic student use of the site would not be out of keeping with the wider uses in the area.

10.15. The principle of development is therefore acceptable and would comply with the requirements of the site allocation and relevant OLP planning policies outlined above.

## **b. Design and Impact on the Historic Environment**

### ***Design***

10.16. Policy DH1 of the OLP states that planning permission will only be granted for development which shows a high standard of design, and which respects the character and appearance of an area and uses materials appropriate to the site and surroundings.

10.17. Policy DH2 of the OLP relates to views and building heights. The policy seeks to retain significant views both within Oxford and from outside, in particular to and from the historic skyline. Planning permission will not be granted for development proposed within a view cone or the setting of a view cone if it would harm the special significance of the view.

10.18. Policy DH3 of the OLP refers to heritage assets and 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 and locality. For all planning decisions affecting the significance of designated heritage assets, great weight will be given to the conservation of that asset and to the setting of the asset where it contributes to that significance or appreciation of that significance.

10.19. Policy RE2 of the OLP sets out that planning permission will be granted where development proposals make efficient use of land. The policy sets out that any development shall have a density that is appropriate for the site, the

scale, height and massing should conform to the other policies in the OLP, built form and site layout must be appropriate for the capacity of the site.

10.20. The design strategy for the development is set out in the Design and Access statement submitted with the application:

10.21. *“The overall site strategy is based on the concept of weaving and inserting new buildings between and adjacent to existing buildings, whilst preserving east-west views into and through the site. Buildings are unified through the approach to form and materiality, and linked by an extensive landscape-led design. Architectural differences emerge in response to the scale and unique characteristics of the immediate context.”*

10.22. The development comprises:

- The construction of six new student accommodation buildings.
- The conversion of 43 and 45 Banbury Road villa into student accommodation.
- The construction of a shared mixed use pavilion building (student facilities).
- The construction of a new academic departmental building, SASC.
- The construction of a new substation to provide capacity for the site.
- Partial demolition of structures to the rear of 11 and 12 Bevington Road to reconfigure circulation access and facilitate linked connection to the SASC.
- Partial refurbishment of the existing villa at 11 Winchester Road to house a Porters’ Lodge, post area, and an accessible bedroom.
- Partial demolition at ground floor of rear extension to 11 Winchester Road and construction of ancillary facilities.
- Demolition of garden structures and buildings, cycle storage and garden walls throughout site.
- Partial demolition and alterations to the boundary garden walls to facilitate access.
- Associated landscape works including removal of and planting of trees.
- Provision of vehicle and cycle parking and refuse storage.
- Repair and restoration of front boundary walls and railings.
- Repair and partial reconstruction of the conservatory at the rear of 59 Banbury Road.

10.23. The new departmental building (SASC) would be located on the southern edge of the site. The building will be located adjacent to a number of Oxford School of Global and Area Studies (OSGA) student centres. The proposal and location of the building seeks to create greater links between these academic communities. The new SASC building would create a dedicated building for the study of The Association of Southeast Asian Nations (ASEAN). The building would comprise teaching spaces, study spaces, meeting, support and ancillary spaces. The University state that the location of the building is critical to create a strong connection between the departments and groups.

10.24. The graduate student accommodation would provide 130 units which would be located across 6 new buildings in addition to the existing villa building 43-

45 Banbury Road which is currently in academic use. A new student accommodation building would be provided along Bevington Road and the rest of the student accommodation would be located within the middle of the development site in separate buildings.

- 10.25. To the north of the site the scheme seeks to provide a new student pavilion. The pavilion would include a communal space, common room, kitchen, library space reading room and office. Policy H8 of the OLP requires new student accommodation to provide a communal area. As part of the alterations to 11 Winchester Road internal plant, refuse and storage will also be incorporated. In addition the air source heat pump and covered cycle storage is located by the pavilion.
- 10.26. The scheme is landscape led with a north-south pedestrian route through the site creating a circulation route connecting the buildings and entrances to the site. The main entrances to the site are between 45-47 Banbury Road and 10-11 Winchester Road. The main entrance to the new SASC building would be located between 12 and 13 Bevington Road. Other entry points are also proposed for more direct access to the individual accommodation blocks.
- 10.27. A number of objections have been received with regard to the design, quantum of development and impact on the Conservation Area and neighbouring Listed Buildings.
- 10.28. The development has been designed within the context of the Conservation Area and the NOVSCA. This has required the villas enclosing the site to be retained and the development to sit within the site whilst paying close attention to the gaps, heights and positioning of the main villas.
- 10.29. To the south of the site are the proposed larger buildings taking advantage of the existing large villas and existing gaps in the perimeter of the site. The new buildings have been designed to sit below the heights of the surrounding villas to create a sense of subservience, allowing the existing buildings to retain their primacy and thus seeking to preserve the overall character and appearance of the place as it is presently seen.
- 10.30. The more modest buildings are located to the north of the site. The design of single storey buildings at the north end of the site adjacent to the smaller buildings of North Parade and the northern part of Winchester Road shows a responsiveness to the immediate surroundings. This area of the site is in close proximity to other neighbouring properties as well as the closest listed buildings, 59 Banbury Road and Gees.
- 10.31. Where taller buildings are proposed at this end - fundamentally the two storey building range HC2 which is proposed to be sited alongside the southern boundary of the glasshouse site the slab datum is set below the AGL of the Gees site and so the comparative building height is proposed to be lower than the ridge height of the former glasshouse. Additionally, the intervening boundary wall would reduce the apparent building mass as viewed from within the garden/grounds/internal spaces of the glasshouse.



- 10.32. The pavilion is proposed to be a single storey building inspired by the glasshouses and conservatories historically linked to the site, with the lantern creating a focal point. The pavilion/common room is proposed to consist of a standing seam zinc roof and simple glulam timber and steel sections with a slight taper to create a sense of slenderness.
- 10.33. The proposed accommodation buildings would be divided by the colleges. The Hertford College accommodation (HC1 – 2 storey, HC2 – 2-storey) and HC3 – up to 3 storey). These buildings have been designed to reflect their location on the site with HC2 being lowered due to its relationship to Gees Restaurant. Due to the location of HC3 there is height added to the middle in the least harmful way.
- 10.34. The Reuben College and Kellogg College accommodation (RC and KC1) are located in the centre of the site. The two blocks are separated into two halves which are connected by a lightweight bridge at first floor level.
- 10.35. Across all accommodation buildings there is a predominant language of brick, simply detailed in keeping with the NOVSCA character. The brickwork and lintels around windows and at the base of the building are proposed to be whitewashed in a limestone texture. A finer articulated façade is proposed for upper floor levels where slender, projecting mullions and decorated fibre cement panels are introduced.
- 10.36. The larger buildings would be located to the south of the site on Winchester Road. The new (SASC) departmental building would be located in the south west corner of the site. This building has been designed as part of a family of departments that work together in the immediate area to facilitate a connection with their neighbours in the field of international study at St Anthony's and the School of Global and Area Studies at 11, 12 and 13 Bevington Road. Oxford Preservation Trust (OPT) object to this building and consider its design out of keeping with the neighbouring buildings. The building would have an overall height of 13.6m which is not dissimilar to the height of no.1 Winchester Road at 12.6m. The design makes reference to the architectural vernacular of countries/places linked to the academic work of the department. This distinctive response would allow the new building to be read as such, a modern intervention that will not take away from or diminish the important character and architectural integrity of the existing and by definition the original suburb. With regard to this building Historic England state *“Building on this site would cause a degree of harm to the significance of the conservation area as an established characteristic of the layout of the suburb was the intention that each residence would have a good-sized garden to accompany the family home and the proposed development of this space would diminish that character (harm being less than substantial at the lower end). However, we can see potential benefits to the street scene of creating a substantial building on this site as the corner plot of 13 Bevington Road does have a somewhat awkward appearance along Winchester Road owing to its detached nature and height. A four-storey block here wouldn't appear out of scale height-wise with the buildings it would sit adjacent to.”*

- 10.37. The new accommodation building located along Bevington Road has also been designed to reflect the scale of the neighbouring buildings. The Victorian Group of the Oxfordshire Architectural and Historical Society (OAHS) object to this new building - its design, height and scale as well as the changes to 43 and 45 Banbury Road. The building would have an overall height of 7.6m (no.11-12 Bevington Road is 7.9m) These new perimeter buildings have been designed to reflect the pattern and scale of the existing perimeter buildings, with them being set back to allow for a frontage which can be landscaped to bring much relief to the street scene and to allow for enhancements to the frontages as well as to the Conservation Area. With regards to this building Historic England state *“The student accommodation building along Bevington Road also appears sensitive in scale, and whilst proposed in a contemporary architectural form appears high quality and responds well to its context, and from the submitted information and would sit comfortably within the streetscene. Furthermore, the proposed additions to 43 & 45 Banbury Road are modest and would not harm the character of the Conservation Area.”* The gap between the buildings would allow for the building to sit comfortably within the site and between the neighbouring buildings. In addition the overall height and location would be in keeping with those in the vicinity and therefore would not be considered out of scale. Whilst officers understand the concerns raised by the amenity groups, it is considered that the buildings are well designed and Historic England raises no objection to their design, scale or relationship with the neighbouring buildings.
- 10.38. Overall the biggest change occurs in the centre of the site where presently neglected “gardens” or open spaces would be lost, although this loss would be in part mitigated by the planting of spaces between new and existing buildings that would increase the amount of well-planted and purposefully landscaped land in comparison to what is presently neglected ‘gardens’ or open space. The new residential buildings have been designed to appear subservient to the large, Victorian villas. The buildings proposed have modest footprints with a tight depth of plan taking account of the desire to create good internal spaces and study bedrooms that work as clusters rather than corridors. Brick walls and tiled pitched roofs respond to the pervading architectural language of the suburb but the imperative to build the most sustainable buildings possible has driven the form of the buildings, the appearance of the external envelope and the expression of architectural language, including detail. The principle that underpins the architecture is one of highly crafted buildings and this accords completely with the principles of the Victorian Architects who established the design principles, architecture and landscape for North Oxford Suburb in its original incarnation. There is a symbiosis which should allow this “new” place to sit comfortably alongside its neighbours.

### ***Impact on the Conservation Area and views***

- 10.39. Policy DH2 of the Oxford Local Plan refers to views and building heights. Policy DH3 refers to heritage assets and 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 and locality. When considering the impact of a proposed development on the

significance of a designated heritage asset, paragraph 199 of the NPPF states that great weight will be given to the conservation of that asset. In addition officers are required to take account of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, that requires in considering a planning application, that special attention is paid to the desirability of preserving or enhancing the character or appearance of the conservation area, and section 16 of the NPPF which states that, with respect to buildings or other land in a Conservation Area and its setting, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

- 10.40. The site is located within the North Oxford Victorian Suburb Conservation Area and more specifically a section of the site is located within the North Parade Character Areas (Bevington Road and Winchester Road and most of the central area of the site) and the other section is located within the Banbury Road Character Area. OPT, OAHs and The Victorian Society raise objections to the impact of the development on the Conservation Area, the impact on the gaps in the Conservation Area, the continued institutionalisation of the area and loss of views.
- 10.41. The features highlighted within the North Parade Character Area is the greater variety of buildings, the framing of buildings, gaps between the houses revealing larger spaces and smaller mature and ornamental gardens. In addition a key view from this character area is the spire of St Phillip and St James.
- 10.42. The Conservation Area Appraisal (CAA) states that in this character area *“The mix of date, style and scale is reflected in the variety of building materials. There are bricks of various types and some stucco. Roofs vary in pitch and materials. Sash windows predominate though there is diversity here too, from Georgian examples with glazing bars and original glass to Victorian Gothic arched openings with large sheets of glass”* It also recognises the institutional uses that are present within the area *“The signs of institutional use are widespread: strip lighting, louvre blinds, signage, standardised paintwork, front gardens given over to bins and parking. On the south side of Bevington Road St Anne’s College has acquired houses backing onto its campus, with unsympathetic internal and external treatments evident from the street.”* Going on to state *“The large spaces behind many of the Victorian houses allow for many interesting views across gardens or between buildings. Where college campuses have developed on back-lands north and south of the character area the views through gaps between houses have been blocked by the elevations of modern, institutional accommodation. The impact of this is particularly noticeable in Bevington Road.”*
- 10.43. The CAA also highlights the negative features of this character area which includes, the loss of front gardens, car parking, intrusive alterations to existing buildings, loss of gaps between buildings and light pollution.
- 10.44. The features highlighted in the Banbury Road Character Area are characteristics such as high quality buildings, diversity of buildings, trees and large houses set back from the street.

- 10.45. The Conservation Area Appraisal highlights the inclusion of poor surfacing material and the dominance of parking for private cars set against the large houses which benefit from a range of designs and materials. It also recognises the institutional uses that are more present as you get closer to the city centre which bring with them negative features such as corporate branding, office style lighting, signs and logos.
- 10.46. The NOVSCA also highlights the significance of the Conservation Area. The NOVSCA has an architectural language that creates a strong underlying character and appearance that contributes to a singular, unified sense of place. The frontages, where these survive and rear gardens create a strong, green character and appearance with large trees as well as smaller fruit trees, in rear gardens that survive as evidence of a particular ethos or philosophical approach to domestic living that underpinned the suburb at its foundation. The principal roads, Banbury and Woodstock with larger villas in generous plots interspersed with Institutional buildings, such as Wycliffe College designed and built as such as well as groups of villas, added to and merged to be occupied by institutions, colleges and private schools as well as University academic departments. These villas are set back from the road in what were historically gardens enclosed by brick walls. On frontages walls are low often displaying evidence of lost ironwork railings.
- 10.47. The site's contribution to the significance of the Conservation Area is its strong plot character, with large residential Victorian villas set in generous plots, the homogenous variety of the villas (designed by a small number of architects) that make up the block, and the multi-sensory perception of verdant tranquil back gardens from the surrounding streets.
- 10.48. The significance in the Conservation Area is primarily derived from character and appearance. With the character and appearance of each area being different. The larger villas on Banbury Road – more architectural significance, grander more opulent buildings detached with larger gaps between them. The smaller semi-detached or terraced villas on Bevington and Winchester Roads, a tighter rhythm and narrower gaps. The Conservation Area character and appearance is very often described by views – what you see and how the views are framed. The Banbury Road benefits from larger gaps that allow more views into the garden spaces behind – the contribution that trees in the rear gardens make to the views. Winchester Road has some larger gaps and these clearly offer the ability to understand the rear garden space and for it to make a contribution to the character and appearance of the Conservation Area but between the semi-detached villas the gaps are narrower and therefore the contribution of the rear space to the Character and appearance of the place is less important. Bevington Road again has some important, larger gaps. The rhythm of villas in the short section of the street that is part of the site is disrupted – unlike the continuous rhythm that exists on the south side of the street (St Annes). The gap that allows a long view, particularly into the rear of the Banbury Road Villas (proposed to be demolished) is significant in that it offers the opportunity to understand the character of the rear garden spaces and for these to make a contribution to the character of the public realm. It also benefits from distinctive landmarks. In North Oxford this is often church spires and here the spire is Pip and Jim. From within the Conservation

Area there are long views and shorter glimpses of this church spire and it makes a contribution to views of the suburban townscape.

- 10.49. The gaps between buildings allow views into the rear gardens or “in-between” spaces that also make an important contribution to the overall character and appearance of the Conservation Area by allowing views of the green, rear garden spaces and whose large trees contribute views of their canopies to the observer in the public realm, the streets and pavements outside the plots. This particular characteristic makes a greater contribution in the eastern part of the NOVSCA, to the east of the Banbury Road than in the central part, where this site lies, due to the greater generosity of plots and spaces between as well as the wider streets however the particular character of Banbury Road with notably large villas, larger on the eastern side, exhibits this characteristic whereas Winchester Road is characterised by a greater variety of architecture and essentially, tall pairs semi-detached villas or houses with narrower gaps between them and of a homogenous architectural language suggesting the use of “pattern-book” detailing introduced after the earliest phase of building in the NOVSCA, Park Town notwithstanding. Winchester Road is also significantly narrower than Banbury Road. Bevington Road on the southern boundary of the site displays the homogeneous architecture of a small number of villa types, those at the southern end of the site reflecting the architecture of Winchester Road together with the tighter plots with the exception of the corner plot at the junction of Bevington and Banbury Roads where the openness of the corner provided by the rear garden of the dominant Banbury Road villa (No. 45) affords long views northwards into the rear gardens of the enclosing villas.
- 10.50. A number of mature and semi-mature, large trees provide important longer views of upper tree canopies to observers standing in the public realm that contribute to understanding of the special character and appearance of the Conservation Area and this is particularly evident from Banbury Road where the larger tree canopies make a significant contribution to the viewers understanding of back gardens and “in-between” spaces and to the particular contribution that views of “rear gardens” make to the special character and appearance of the conservation area. Otherwise the rear gardens of those properties that are and have since the last quarter of the C20 been occupied by College and University, are neglected and do not offer the lush verdant appearance with its consequent sensory benefits (sound, smell) that the privately owned villas contribute to the special character and appearance elsewhere in the NOVSCA. Additionally, whilst a small number of mature/semi-mature trees survive in front gardens of the villas across the site the gardens themselves, again a consequence of institutional functions exhibit the sign of neglect, a precedence for functions such as car and bicycle parking and loss of any historic front garden character and appearance that would have been present at the original occupation of these villas.
- 10.51. To the north of the site sits North Parade, a narrow street of small scale buildings in comparison to the much larger villas. A number appear to be survivals of former buildings associated with the market garden/nursery and these can be seen as single-storey, gabled, timber clad buildings displaying characteristics similar to garden sheds or outbuildings that have been adapted

for a number of different uses from art galleries to cafés. The street has more recently been closed off to motor vehicles and supports outdoor occupation that enlivens the public space with numerous community and activities associated with the uses of the buildings. There are several narrow passageways/alleys that run south from North Parade providing access to ancillary buildings, including domestic buildings that sit to the rear of plots and that sit alongside the northern, walled boundary of the site. There is a higgledy appearance to the built form here which provides the backdrop to the grander buildings around the perimeter of the site. Roofs are juxtaposed one against the other and buildings sited on different alignments resulting in layering of roofs and building facades to create a tight knit mix of built form that is clearly apparent looking from the principal streets as glimpsed views but also from within the site and plots themselves.

- 10.52. From the site and the surrounding streets it is possible to glimpse views of the spire of the former church of St Phillip and St James (Pip and Jim) which was one of the first churches to be built to support the religious life of the suburb. The building is grade II\*listed. This is an important landmark in the NOVSCA and from outside and is of cultural and historical as well as architectural value.
- 10.53. The west side of Winchester Road is occupied by St Anthony's College as well as a University departmental building all contained behind a high, coursed stone, boundary wall in which there are a number of gated entrances. The high boundary wall runs along the back-edge of the western pavement of Winchester Road turning the corner into Bevington Road at its southern end and continuing along the frontage of Bevington Road to the point where it meets the Woodstock Road at its western end.
- 10.54. The new buildings have been designed to sit significantly below the heights of the surrounding villas to create a sense of subservience, allowing the existing buildings to retain their primacy and thus preserving the overall character and appearance of the place as it is presently seen. The front gardens are proposed to be reinstated and restored to enhance the frontages and the Conservation Area
- 10.55. Importantly the new buildings have been sited, oriented and aligned to ensure that important views, principally glimpsed and kinetic but nevertheless significant that are presently experienced between villas and that allow views across the "in between" to the backs of villas beyond reinforcing the sense of a "middle space", are preserved and that the content of these views is not largely buildings but actually the spaces between them. This would enable the observer standing on the street, whichever street that is to have the sense of a gardened or landscaped "middle space" at the back of large villas thus preserving this important characteristic of the NOVSCA.
- 10.56. Officers acknowledge that the proposal would change the character and appearance of the site with the existing garden land being developed to a form a new student village and understand the concerns raised in the comments and objections with regard to further institutionalisation. The site is an allocated site where change is permitted. Comments have been received that the level of developed proposed goes beyond the policy requirements. Policy

RE2 of the OLP states that development must make the best use of site capacity. This requirement therefore has to be balanced with good design and impact on heritage assets. The supporting text of the allocation states *“Any major redevelopment is unlikely to be suitable but there is some potential to intensify the existing use whilst respecting both plot patterns and boundary treatments. Development should be of a scale that respects the surrounding buildings.”* and a number of comments and objections refer to this. Officers consider that whilst there is a large level of development proposed in the centre of the site, the overall scale, heights and pattern of the development is not considered to be a major redevelopment given that the existing villas are mainly untouched. In addition the nature of the existing use of the site and requirements of the allocation would inevitably lead to intensification and in this case further institutionalisation. Notwithstanding, the scheme seeks to improve the poor quality frontage which will reduce the visible effects of the institutionalisation of the site.

- 10.57. Comments and objections have also been received with regard to gaps and impact on views. The views study within the heritage, townscape and visual impact assessment submitted with the application seeks to interrogate the views in order to get that balance right, by allowing the site to be fully utilised whilst still preserving the character and appearance of the Conservation Area. The views study show how the buildings have been designed to sit behind the existing buildings so to retain the views between the buildings and to hold on to this notion of gaps and views that is highlighted in the CAA. Officers acknowledge that the views will change and elements of the proposal will become more paramount depending on your location as you past the site, notwithstanding, it is considered that the location of the buildings have been designed in a way to preserve the overarching principles of gaps and views between buildings. The new building along Bevington Road would be highly visible in the street scene. It can be seen that the overall height and form of the building would not be out of keeping with the larger villas it sits between with the design of the building breaking up the massing and the retention of large trees in key locations helps soften the view as well as providing a level of screening.
- 10.58. The new building on Winchester Road would close the existing gap in the street creating a loss of openness and as well as the loss of a prominent gap in the street scene as well as that openness that can be experienced behind. The new building benefits from a more contemporary design but like the new Bevington Road building has been designed to a scale and height that is reflective of the neighbouring buildings. The design of the building has also been considered to ensure that the massing is appropriate for the location given the fenestration detailing. At the other end of Winchester Road, more of the rear buildings would be visible, the tree between 10 and 11 Winchester Road is to be retained providing screening, in addition the buildings that are visible in this location are the lower buildings on the site.
- 10.59. North Parade comprises of a number of buildings backing on to the site. Views of the site are available in certain locations, with the tops of the lower building located close to the boundary being visible.

- 10.60. Moving back on to the Banbury Road. The scheme proposes alterations to 45 Banbury Road which will change its appearance, in addition the view between 45 and 47 Banbury Road would be partially filled with a new building which would alter the view but a gap is maintained between the new building and the existing building on Banbury Road.
- 10.61. Historic England state *“Visibility of the large villa gardens from outside streets is possible through glimpse views. However, the proposed street elevations indicate that whilst the new accommodation blocks within the centre of the site would be seen between some properties, the height and position of the new buildings together with proposed new tree planting is such that they would not be overly visible. The sense of there being only gardens behind the villas will change and therefore this element of the proposals would have a degree of harm to the experience of the conservation area (less than substantial at the lower end).”*
- 10.62. Officers consider that given that the overall height of the development sits within the existing built form in the area, the development is likely to have limited impact on long range views and would be seen in the context of the built development in the area and therefore would not have an adverse impact on the Oxford Skyline.
- 10.63. The proposal will change the character of this part of the Conservation Area, due to the scale, location, loss of the gardens and their walls and density of the development proposed.
- 10.64. There would be changes to glimpsed views – the sense as well as partial appearance of back gardens which make a contribution to the character and appearance of the Conservation Area and contribute to the present sense of place as experienced from the public spaces/streets. The harm caused would be through the appearance of new buildings or parts of buildings to the rear of the existing villas that would interrupt some of the glimpsed views through and across the back gardens to the backs of the buildings edging the urban block beyond removing in part the sense of gardens and openness that contributes to the character and appearance. Where the more obvious gaps created by gardens on the properties on Winchester Road and Bevington Road are located the loss of these gaps will be more apparent. There would not be total loss of all views, or indeed all sense of gardens in the spaces in between, and the design has sought to mitigate the harm through the alignment and siting of buildings and keeping their height and mass down, such that they would appear as subservient to the principal villas preserving the significance of the latter. It is considered that the level of harm caused would be less than substantial harm.
- 10.65. The scheme would see the loss of the rear garden walls and the subdivision of plots. The surviving garden boundary walls in the back gardens would be almost entirely demolished. Officers consider that these elements provide evidence of the original plot layout and as such they make a contribution to the character and appearance of the Conservation Area. The loss of these structures would be harmful to the character of the Conservation Area in that they define back gardens to properties which are in themselves important



elements of the Conservation Area. The siting and alignment of the new buildings has been designed in part to preserve the sense of historic garden plots, replacing garden walls with new building facades and in so doing preserving a relationship between principal buildings and the spaces that presently belong to each of them and it is considered that whilst this will not mitigate the loss of any historic fabric that survives it will partially mitigate the change to plots. The harm that would be caused to the character and appearance of the Conservation Area would be less than substantial harm.

- 10.66. In addition to the above given there will be the loss of the rear gardens. The retention of important trees and new planting in gaps preserves a sense of the green space between and behind villas. As with the loss of walls the loss of the open garden spaces to the rear of the villas would be harmful to the character of the Conservation Area. There would be some mitigation through the inclusion of individual garden spaces between the villas and the new buildings to the rear as well as between the new buildings. Overall the level of harm that would be caused would be less than substantial harm to the character or appearance of the Conservation Area.
- 10.67. The scheme has looked to keep hold and preserve the important characteristics of the Conservation Area with the retention of gaps and views, the retention of trees and the introduction of front gardens and railings whilst making the most efficient use of the site. The scheme seeks to create a new 'place' where it benefits from its own garden and where it incorporates other elements of the Conservation Area.
- 10.68. Comments have been received with regard to the quantum of development on the site and questions have been raised as to why the other plots in the allocation can't be utilised. Supporting information to address this point has been submitted outlining that the University do not consider that the other plots within the allocation have the ability to deliver on this level of development that is set out in the allocation due to ownership issues and the ways the site are used at the moment. The proposal allows for a student village to be created, allowing that level of interdependence between the students and departments.
- 10.69. It is considered that the development would result in a low level of less than substantial harm to the Conservation Area. As set out in paragraph 202 of the NPPF 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. Great weight is given to the conservation of the Conservation Area. The public benefits of the scheme are explored as part of the balancing exercise further in the report

### ***Impact on Listed Buildings***

- 10.70. In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant planning permission, "special regard should be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic

interest which it possesses.” A finding of harm to the setting of a listed building gives rise to a strong presumption against planning permission being granted. The presumption can be outweighed by powerful material considerations.

- 10.71. Paragraph 206 of the NPPF states that “Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”
- 10.72. There are two listed buildings amongst the properties that sit immediately adjacent to the development site. No 59 Banbury Road a grade II Listed Building. A detached villa completed in 1859 to the designs of Frederick Codd, an architect whose work can be seen prolifically throughout the NOVSCA and who was instigative in producing pattern books of designs and architectural details that were used by speculative builders across the Conservation Area. The building has a distinctive “Arts and Crafts” architectural language which distinguishes it from its neighbours which are more overtly Victorian Gothic in appearance. The other listed building is a glasshouse, originally built to support a nursery and market garden that occupied the triangle of land that is the site and that supplied the new owners of the burgeoning suburb with conservatory plants and fruit trees for their houses and gardens supporting the strong Arts and Crafts ethos established by William Morris and his associates and that underpinned the development of the suburb. The building has more recently been converted to function as a restaurant and sits within a relatively tight curtilage with modest garden areas enclosed by brick walls. Its significance primarily derived from the aesthetic/architectural value of the building. It is important to note that few villas in NOVSCA are listed. Those that are listed are deemed to have a very special architectural or historical significance that qualifies them for that particular statutory protection. No. 59 exhibits an interesting architectural language that is not typical of Frederick Codd’s NOVSCA work which is more generally seen in the form of “pattern book” details employed by speculative builders or follows the more typical Victorian Gothic vernacular of his fellow architectural contributors to the Conservation Area.
- 10.73. The building has a very strong Arts and Crafts appearance with applied timber framing a reference to crafted detail, swept and kicked eaves lines that reference an architectural language seen in buildings such as Webb’s Red House and which later transfers to the suburban housing of the early and immediately post war C20 as domestic revival architecture. The conservatory to the rear of the building is a feature that was frequently added to or included in the design of villas in the NOVSCA but that rarely survives. It is unclear from supporting documents as to the significance of this element of the building or indeed its contribution to the overall, architectural significance of the building although in terms of a type or function it does arguably add some conservation value.

- 10.74. Gees is a Grade II Listed Building currently in use as a restaurant. A surviving glasshouse from the former nursery, market garden that occupied the site. The significance of the building lies in its construction and materials that identify the building's original function which made an important contribution to the function of the surrounding conservation area in that it supplied the many plants and trees that populated the conservatories and gardens of the burgeoning suburb. The present setting of the building does not make a contribution to the building's significance it is merely the frontage and the garden plot on which it now sits.
- 10.75. The removal of the rear gardens and the walls would have a low level of less than substantial impact on the setting of 59 Banbury Road, The surviving garden boundary walls in the back gardens would be almost entirely demolished. Officers consider that these elements provide evidence of the original plot layout and as such they make a contribution to the character and appearance of the Conservation Area and the setting of the Listed Building. Gees would retain its boundary but the changes in its wider setting due to the development would change causing a low level of less than substantial harm.
- 10.76. With regard to the impact on the Listed Buildings Historic England state *"The proposed 2-storey student accommodation west of 59 Banbury Road would encroach on the garden of this architecturally accomplished villa, compromising its spacious setting. This would cause some harm to its significance. Likewise, the wider change to the setting of Gee's would cause a modest degree of harm, through eroding the historical villa garden setting and replacing it with built form. We conclude that the harm to these listed buildings would be less than substantial at the lower end."*
- 10.77. As set out in paragraph 202 of the NPPF 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. Officers are of the opinion that the development would result in less than substantial harm to the setting of the listed buildings. Great weight is given to the conservation of the setting of these listed buildings. The harm identified is considered to be on the lower end of less than substantial. The public benefits of the scheme are explored as part of the balancing exercise further in the report.

### **Landscaping**

- 10.78. The proposal is a landscape led scheme. The intention of the design is to create a clear route through the site from north/south and vice-versa. Objections have been received with regard to the level of trees proposed to be removed in order to bring forward the scheme.
- 10.79. The application scheme calls for the removal of large numbers of trees, mainly from the central rear gardens core of the site, but more prominent frontage trees are largely retained. Policy G7 of the OLP states *"Planning permission will not be granted for development that results in the loss of green infrastructure features such as hedgerows, trees or woodland where this would have a significant adverse impact upon public amenity or ecological*

*interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated.”*

- 10.80. There would be some points of access into the “new place” that will preserve the existing access to the back of plots thus preserving the important sense and appearance of individual villas, detached or semi-detached that is so important to the character and appearance of place although it is acknowledged that security measures will need to be in place although this does not have to be any different to and in fact probably an improvement on the present arrangements.
- 10.81. There is proposed to be substantial improvement to public realm through the remaking of planted front gardens and reinstating railings and the identification of individual front gardens rather than the more sterile, combined spaces that have gradually evolved through use over many years.
- 10.82. There would be a variety of spaces created within the new development, with small pockets of quiet soft landscape (gardens) immediately to the rear of villas and then harder landscaped courtyards and in-between spaces linked together by the north south route/path. The topography of the site with a distinctly lower middle space will enable the observer to see both through spaces and over buildings in the middle preserving a sense of a space held by the traditional villas that ring the site. Key trees have been retained and enhanced by further planting and the layout within the scheme with the horse chestnut being centre in the new square lawn.
- 10.83. The landscape design has allowed for pockets and areas of spaces to be created which will improve and provide variety for the graduates living on the site. The introduction of considered planting help curate the spaces as well as acknowledging its garden roots with tree lined gardens being proposed between the existing and new buildings. The planting ranges from herbs and low level planting to larger scots pines which all add to the quality of the development and the quality of the spaces available for the graduates.
- 10.84. The scheme seeks to incorporate and introduce new semi mature trees along the streets. *“Limes (Tilia cordata) along Bevington Road and the southern part of Banbury Road and plane trees (Platanus acerifolia) along the northern section, mirroring the planes of Kellogg College opposite. Winchester Road will be planted with chestnut-leaved oaks (Quercus castaneifolia), Black Walnuts (Juglans nigra) and the European Nettle Tree (Celtis australis). The internal orchards will be local Oxford apple varieties with accent planting of Magnolias (M. acuminata and M. soulangeana)”* In addition the reinstatement and restoration of historic railings along Winchester Road, Bevington Road and Banbury Road. The front gardens along Banbury Road will be replanted with trees and the car parking removed. This planting will continue along Bevington Road with the inclusion of Holly Hedges to redefine the original garden boundaries. The Winchester Road gardens would also be restored with the addition of tree and hedge planting. 4 Disabled car parking spaces will be provided within the frontage of no.11 Winchester Road.

- 10.85. The application scheme calls for the removal of large numbers of trees, mainly from the central rear gardens core of the site, but more prominent frontage trees are largely retained. Furthermore, due to replacement planting proposals the canopy cover is predicted to be restored to a no development scenario quantum after 25 years, and to increase by 24% at 40 years post development. Therefore, the policy requirements set under G7 are demonstrated to have been met in a Tree Canopy Cover Assessment study.
- 10.86. Officers consider that the restoration and reinstatement of the front gardens add positively to the Conservation Area and are considered a public benefit of the scheme.

### ***Archaeology***

- 10.87. Policy DH4 of the OLP relates to Archaeological remains. NPPF paragraph 203 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. NPPF Paragraph 205 states that where appropriate local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.
- 10.88. The Conservation Area Appraisal sets out a statement of special interest which states that the area special interest is derived from the considerable potential for below ground archaeology. The site is located 120m from the extensive parch-mark complex in University Parks comprising Middle Neolithic-Early Bronze Age funerary and ritual monuments and later Iron Age and Roman rural landscapes. Furthermore, Roman remains have been recovered immediately to the north, east and south-west of the site boundary indicating additional Roman potential. Early Saxon burials are also known from the nearby area (for example Park Town) which may share a relationship with Roman burial grounds.
- 10.89. An archaeological evaluation undertaken in February-March 2023 by Oxford Archaeology did not identify any significant archaeological remains at this site and noted significant localised disturbance from 19th century gravel quarrying. However, as the trenching locations were due restricted because of the tree constraints and the sample size restricted because of the need to use a mini digger with limited bucket width, officers have therefore included a condition to secure a watching brief given the scale of the development and the proximity to multi-period archaeological remains. Mitigation measures can be secured via conditions. The public benefits of the scheme are explored as part of the balancing exercise further in the report

### ***Harm to the historic environment and public benefits***

- 10.90. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 10.91. It is considered that the proposal would not lead to substantial harm to (or total loss of significance of) a designated heritage asset as set out in the NPPF and Planning Policy Guidance. The scheme is therefore considered to have less than substantial harm at the lower end. In line with Paragraph 202 of the NPPF any harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.92. The National Planning Policy Guidance sets out what is meant by the term public benefits:
- 10.93. "Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit."
- 10.94. In Historic England's comments they state "The Council have many considerations to take into account and our comments focus only on those that pertain to the historic environment. Whilst we have identified areas of heritage harm it is our view that these are limited and constitute less than substantial harm at the lower end (both to the conservation area and the nearby listed buildings of 59 Banbury Road and Gee's). The Council must weigh up the heritage harm against the public benefits of the proposals and be content that they outweigh the considerable weight that must be afforded to the conservation of heritage assets, as set out the in NPPF."
- 10.95. There are aspects of the development that would have a harmful impact on the character and appearance and significance of the historic assets most notably the loss of the garden walls and rear garden and changes to the views experienced in the this part of the Conservation Area as set out in the report. The harm attributed to the archaeology can be mitigated through conditions.
- 10.96. The site is an allocated site for this type of development and therefore there is an expectation and understanding that some level of change will be required to the site as well as to the Conservation Area in order to fulfil the requirements of the allocation. Some of the objections received relate to the quantum of development and level of development. Officers consider that the quantum of development proposed is appropriate for the site. With the buildings being designed in varying heights to relate to where they are positioned on the site, ensuring the development seeks to retain views where possible. Officers do consider there is a fine balance in terms of the quantum

of development on the site – weighing up the impact on heritage assets whilst making an efficient use of the site.

- 10.97. There are a number of benefits associated with the scheme and due to the multifaceted nature of the building there are many direct and indirect benefits to the scheme.
- 10.98. The biggest public benefit is considered to be the introduction of student accommodation on the site. The development will provide 130 rooms.
- 10.99. The delivery of 130 rooms will help the Council meet the housing need for the plan period. In allocating the Winchester Road site there is an expectation that a minimum of the equivalent of 60 homes will be provided. A minimum number is attributed to each allocation to ensure that the Council meet their overall housing set out in Policy H1. The delivery of housing in a Local Planning Authority's area against its requirement is measured in the Housing Delivery Test (HDT) which was introduced by the Government in November 2018. There are sanctions for authorities that are not delivering the required number of homes, including potentially that applications be assessed against the presumption in favour of sustainable development, rather than against local planning policies.
- 10.100. The Housing Delivery Test applies a ratio to assess the number of student rooms equivalent to one home. This ratio was calculated using ONS data about the number of students occupying student-only HMOs, on average. The ONS data for Oxford is very similar to the national picture. The HDT uses the equation that for every 2.5 student beds provided, 1 C3 dwelling is released. Therefore using this methodology, this indicates that with a net gain of 130 student beds at Winchester Road that there is scope for 52 C3 houses to be released back to the rental market. This principle is embedded in the Housing Delivery Test, established by Central Government, and was tested in the Examination in the Local Plan.
- 10.101. The proposals have a number of positive attributes. The new buildings are of high architectural quality and seek to sit comfortably within their historic context, by careful consideration of their siting, height and bulk, and use of materials. The development would allow the reinstatement of the front gardens and railings which will enhance the frontages and the Conservation Area by removing hard standing and car parking which has been identified as negative elements to the Conservation Area. In addition there would be new tree planting which will further enhance the Conservation Area.
- 10.102. The proposals would provide an energy and carbon efficient building which uses Passivhaus principles. Passivhaus sets goals above and beyond BREEAM targets.
- 10.103. There are a range of economic benefits that the development will bring both in the shorter term during construction as well as longer term whilst in its operational stage such as jobs.

10.104. On the basis of the above, having given great weight to the conservation of the designated heritage assets, it is considered that the benefits of the scheme collectively would on balance outweigh the identified less than substantial harm and would comply with the requirements of paragraph 202 of the NPPF. As a result the proposals are considered to comply with the requirements of national and local planning policies in relation to the impact on designated heritage assets as required by section 16 of the NPPF and Policies DH1, DH2, DH3 and DH4 of the Oxford Local Plan 2036.

**c. Impact on neighbouring amenity**

10.105. Policy H14 of the OLP states that planning permission will only be granted for new development that provides reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy H14 sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to habitable rooms of the neighbouring dwellings.

10.106. Policy RE7 of the OLP states that planning permission will only be granted for development that ensures that standards of amenity are protected. This includes the amenity of occupiers and neighbours is protected in addition to not having unacceptable unaddressed transport impacts and provides mitigation measures where necessary. The development is located in close proximity to a number of residential properties specifically those located in Acer Walk, North Parade and Winchester Road. A number of objections have been received with regard to loss of sunlight, daylight and increased overshadowing, overbearing impact and impact on outlook.

10.107. The Pavilion and plant room are proposed to be located against the existing boundary wall which it shares with a number of commercial and residential properties located in North Parade and Acer Walk. The pavilion building has been designed to have a flat roof close to the boundary which then goes in to a mono pitch roof. At the boundary the pavilion building would have an overall height of 3.3m going up to a height of 7.2m. The existing wall ranges from 1.8m in height up to 2.6m.

10.108. Appendix 3.6 of the OLP sets out the 25/45 degree guidance that is applied when assessing the impact of development on sunlight/daylight. The guidance should be assessed in combination with other material factors. The application is supported with information relating to the 25/45 degree guidance as well as a sunlight and daylight report. On North Parade from records, it appears that no.4, 5A, 6, 7, 8 and 4 Acer Walk that are located on the boundary of the site contain residential uses with some of the properties having residential widows on the rear elevation.

10.109. In 2016 planning permission was granted to include a flat at ground floor level as well as first floor level at no.4 North Parade. At ground floor level is a living room which is located 1.9m from the boundary. The property benefits from two openings on this elevation and also has access to a small patio area. At first floor level located 8.4m away is a bedroom that has a window overlooking the site with regard to this window it is not considered to be



adversely impacted by the development. At ground floor whilst the development will be located close to the boundary due to the single storey nature of the pavilion, the development is not considered to adversely impact on outlook or have an overbearing impact.

- 10.110. No 3 North Parade and 3A North Parade sit back from the boundary and are already impacted by No.4 Acer Walk and are therefore not considered to be directly impacted by the development with regard to sunlight/daylight
- 10.111. 5A North Parade appears to have residential accommodation within the building but is also in use as a cafe. This building is set further away from the boundary (just over 9m) and therefore the separation distance is considered sufficient so that the development does not adversely impact on neighbouring amenity due to the modest height on the development buildings at this area of the site. No 6 is also considered sufficiently distanced from the boundary so not to be adversely impacted with regard to sunlight/daylight. 7 North Parade has an E use but has also had records of residential uses. Whilst there is an outbuilding located on the boundary, there are no windows on the building facing on to the development site and no windows from the development site directly overlooking the neighbours therefore the development is not considered to have an adverse impact. No. 8 North Parade (Gardeners Arms Pub) includes a first floor living room window to the rear but this is located over 15m away from the boundary and therefore is not considered to be adversely impact by the development with regard to loss of light, loss of privacy, outlook and overbearing impact.
- 10.112. No 4 Acer Walk is also located in close proximity to the development, the property is a residential property and the site also has planning permission to build a new dwelling on the site. The proposal has considered the impact of the development on the existing arrangement and the extant permission. The new dwelling would be located against the boundary the property shares with the application site. The new dwelling comprises light shafts and angled windows to allow daylight/sunlight to enter the new property. When the 25 degree angle is applied it is clipped by the new building. The room that is impacted benefits from other window openings and therefore whilst there will be an impact on the available daylight/sunlight given the availability of other windows and openings in the building, it is not considered to be harmful as to warrant refusal. The existing dwelling is set further back from the boundary wall and the development is not considered to have an unacceptable impact on the light available to the existing dwelling. There are no windows overlooking no.4 with only rooflights and roof lantern visible which are not considered to cause overlooking or loss of privacy.
- 10.113. Objections have also been received with regard to overbearing impact and impact on outlook. The development will be located in close proximity to the gardens and rear elevations of those residential properties located close to the boundary on North Parade and Acer Walk. The buildings on the boundary and single storey and maintain a flat roof in the closest locations, whilst officers acknowledge that the view will change due to the combination of the heights and design of both the development and the neighbouring property layouts, the development is not considered to have an unacceptable

impact in terms of outlook and the development is not considered to be unacceptable overbearing. Comments received relate to changes to the outlook and as the site is allocated, the outlook on to the site was always earmarked for change and it is considered that the scheme has been designed in a way to minimise the impact on the outlook whilst still ensuring an efficient use of the site.

10.114. No.1 Winchester Road is surrounded by the development site. Objections have been received relating to the scheme, the development has been amended to address the concerns raised in the objections.

10.115. With regard to sunlight/daylight the scheme complies with the 25/45 degree guidance when applied to the property and therefore whilst there will be a change to the setting of the property, the development is not considered to have an adverse impact with regard to sunlight/daylight. The taller elements of SASC align with the building line and the lower portion stepping out in to the site. Therefore it is not considered to be overbearing given the scale of the existing buildings in the vicinity. Block KC1 is located to the rear of no.1 Winchester Road, whilst there are windows facing on to the site at first floor level these serve a corridor and are in excess of 21m away from the rear elevation of the property. At ground floor the building sits on the boundary but is only single storey in this location. The development is therefore not considered to be overbearing or adversely impact on outlook due to the combination of the distances, heights and design.

10.116. With regard to overlooking and loss of privacy, the University have responded to the concerns raised by the neighbour and by officers and have sought to address overlooking and loss of privacy. Amended plans have therefore been provided. The amended plans show the removal of access to the balcony at the furthest northern and eastern points. These elements of the terrace will only be accessed for maintenance and a condition will be included to ensure that remains. With regard to a number of other windows on the north and east elevation external shutters (fins) have been included which will provide screening fins between the property and the building. These screening fins will also be applied to the rear windows of the SASC windows that may cause perceived and actual overlooking. These fins allow light to enter whilst blocking views as set out in the plans. The fins also allow the windows to be opened whilst again safeguarding privacy. In addition the University has confirmed that the boundary wall will be raised to 2m to help screening at ground level. The building to the rear of No.1 Winchester Road also does not contain windows that directly overlook the rear. Officers are satisfied that these amendments that will be secured through conditions will allow neighbouring privacy to be retained and that the scheme will not result in unacceptable levels of overlooking or loss of privacy.

10.117. Gees is a restaurant that shares a boundary close to the development site. A number of objections have been received with regard to impact on its amenity and business. There are concerns with regard to light pollution and the illumination from the lantern which is proposed on the building and the impact on the garden of Gees. Whilst officers acknowledge these concerns it is also acknowledged that Gees its self is a business which produces its

own levels of light pollution due to its own design, opening hours and nature of use. The site has been allocated as a development site and therefore it is expected that some level of light pollution would be produced from the development. The buildings behind Gees have purposefully been lowered to ensure that the impact is minimal and officers are of the opinion that given that the site is located in a built up area there is always likely to be some level of light pollution. The buildings in the vicinity are large and benefit from a number of floors and therefore even at the upper levels there is the potential for light spillage.

- 10.118. There are also concerns with regard to the impact of the construction phase on the amenity and ambience of Gees. As with any development there will be a level of disruption, conditions such as a construction management plan will be required to help mitigate this. With regard to construction hours, it would be unreasonable to impose working hours on a site that is located in a built up area within the City Centre, notwithstanding the general industry standard to working hours would still apply.
- 10.119. With regard to drainage, additional drainage information has been submitted and the County Council Drainage raise no objection to the proposals.
- 10.120. The development would bring with it a new level of general noise and disturbance due to number of students that will be living on site. The development will be managed by the colleges and the students will have adhere to certain standards with regard to behaviour. Whilst officers acknowledge there will be this level of disturbance, it is one that would be expected on a site that is allocated for student accommodation and therefore with the alongside the management of the site, officers do not consider that the development would bring with it an unacceptable level of disturbance and noise.
- 10.121. With regard to overshadowing the buildings have been designed to respond to the site and their surroundings, with a range of heights and locations. The largest buildings will be located on the peripheral of the site in gaps with lower buildings located alongside boundaries. The development is not considered to give rise to unacceptable levels of overshadowing.
- 10.122. Objections have been received relating to the location of the air source heat pump as well as other plant. The application was submitted with a noise assessment which was found to be acceptable with regard to noise generated from the development and Environmental Health raise no objection.
- 10.123. The proposal has been amended to overcome concerns with its impact on neighbouring amenity. Officers acknowledge that there would be a large change to the site and the way it looks and the activity levels which is to be expected for an allocated site of this size for this use. It is also acknowledged that there would be a lot of potential disturbance during the construction phase which is common with projects of this size, but the construction phase will still have to comply with good working practice. Officers are of the opinion that the scheme would not have an unacceptable impact on

neighbouring amenity with regard to loss of sunlight/daylight, loss of privacy and overlooking, overshadowing, impact on outlook and with regard to be overbearing. The scheme is therefore considered to comply with policies H14 and RE7 of the Oxford Local Plan.

#### **d. Highways**

10.124. Policy M1 of the OLP states that Planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport. Policy M2 of the OLP states that a transport assessment must be submitted for development that is likely to generate significant amount of movement. Policy M3 of the OLP relates to car parking. Policy H8 of the OLP which relates to student accommodation states that students should not bring cars into Oxford. However it is recognised that's some disabled and operational spaces should be available. The scheme proposes to be car free with the expectation of disabled car parking spaces which is considered acceptable in this location. The site is located within a highly sustainable location and is in walking distance to a number of bus stops. The surrounding roads benefit from controlled parking zones (Walton Manor) and therefore the development is not considered to give rise to parking pressures on the surrounding highway. Oxfordshire County Council Highways have been consulted on the application and raise no objection to a car free development in this location. The application was submitted with a Transport Assessment.

10.125. The scheme proposes 7 disabled parking spaces with 4 being located within the frontage of no.11 Winchester Road one being located in the front of no.59 Banbury Road and two being located in the frontage of 47 and 49 Banbury Road. The frontages are already used for parking. This area would also allow for delivery and operational vehicles to access the site. Other entry points in to the site would be pedestrian only. Policy M4 (Provision of Electric charge points) of the OLP 2036 requires a minimum of 25% of parking spaces to be provided with charging points on non-residential developments, and adequate ducting should be provided to all spaces to enable additional charging points in the future as demand requires. As the development anticipates the creation of 7 car parking spaces for blue badge holders, at least 2 of them will need to be EV ready, in order to be compliant with policy M4

10.126. The TA sets out the cycle parking proposed for the site which is set out in the table below:

Land Use	Minimum Requirement	Proposed Provision
Hertford College Accommodation (HCA)	53	80
Reuben College Accommodation (RC);	24	24
Kellogg College Accommodation (KC1);	20	20
New Villa (KC2);	13	13
43 & 45 Banbury Road (KC3);	20	20
Southeast Asian Studies Centre	29	40
Hertford College Pavilion (HCP)	N/A (Mostly ancillary to Hertford College Accommodation)	10 additional spaces provided for occasional external visitors
<b>Total</b>	<b>159</b>	<b>207</b>

10.127. In addition the re-provision of cycle spaces for the existing buildings is also proposed:

Land Use	Re-provision of cycle spaces
7-8, 9-10, 11 Winchester Rd and 57, 59, 61 Banbury Rd	45
1-2, 3-4, 5-6 Winchester Rd and 47-49, 51-53, 55 Banbury Rd	76
11-12, 13 Bevington Rd and 43-45 Banbury Rd	18
<b>Total</b>	<b>139</b>

10.128. In total 346 cycle parking spaces are to be provided as part of the redevelopment of the site.

10.129. The Travel Plan submitted with the application sets out how the University seek to incorporate initiatives to encourage sustainable travel.

10.130. Whilst the application was submitted with a Construction Management Plan, further details are required and therefore a condition will be included requiring one to be submitted. In addition the specifics of the cycle parking is also required and will be conditioned.

10.131. As part of the development the County Council have asked for section 106 contributions towards a side road entry treatment at Bevington Road/Banbury Road secured through a S106. A comment was received regarding funds to upgrade North Parade but the County Council have not sought funds for North Parade and instead require funds to be used for Banbury Road/Bevington Road.

#### S106 Contributions

Contribution	Amount	Price base	Index	Towards
Highway works	<b>£100,000</b>	December 2022	Baxter	Side road entry treatment at Bevington Road/Banbury Road junction.
Highway works	<b>£10,000</b>	December 2022	Baxter	Cycle priority measures on Bevington Road
<b>Total</b>	<b>110,000</b>			

10.132. Subject to conditions and the S106 contribution Oxfordshire County Council Highways raise no objection to the development.

10.133. A comment was received regarding an access that is shown on the plans that links North Parade to the application site. This is an existing access path and no changes are proposed to the access.

**e. Sustainability**

10.134. Policy RE1 sets out the sustainability requirements for new major development. Planning permission will only be granted for development proposals for new build major developments (over 1000sqm) which achieve at least a 40% reduction in the carbon emissions from a code 2021 Building Regulations.

10.135. The University of Oxford also have their own Estates Services Sustainability Design guide which sets out what the University expects from new building projects in environmental terms.

10.136. The energy statement submitted with the application sets out how the scheme has been designed to meet the policy.

10.137. *“The buildings are being designed to Passivhaus Principles with a high performing fabric, strict airtightness targets and triple glazing used throughout the scheme.*

10.138. *Heating loads are very low, and no gas is proposed anywhere in the scheme with electrification of heat throughout. There has also been significant work in eliminating the need for active cooling as far as possible with all buildings except KC2 and KC3 being predominantly naturally ventilated. An optimisation process has been undertaken with the architect and design team to ensure natural ventilation can be used to mitigate the risks of overheating wherever possible. This includes high performance glazing and external shading.*

10.139. *High efficiency mechanical ventilation is used throughout in winter. The very low heat loads to Hertford College Accommodation (HCA which comprises HC1, HC2 and HC3), Reuben and KC1 accommodation buildings are met using direct electric heating. The very low heating and cooling loads to KC2 and KC3 are met using a high efficiency polyvalent 4-pipe air source heat pumps.*

10.140. *Air Source Heat pumps are also used to generate domestic hot water to the accommodation buildings.*

10.141. *The Pavilion Building uses an air source heat pump for heating. SASC is served by two separate air source heat pump systems – one for heating and one for cooling.*

10.142. *The scheme has been tested for overheating risk using the TM52 (SASC and the Pavilion) and TM59 (all sleeping accommodation) methodologies using a 2050s medium emissions 50th percentile weather file with all buildings passing the assessment.*

10.143. *Results for the Part L compliance modelling and their performance against the Oxford Local Plan 2036 target reduction of 40% in regulated emissions relative to a baseline”.*

- 10.144. As set out in the application, the development has been designed in two phases with regard to sustainability. Part of the development (SASC, the Pavilion, HCA, Reuben and KC1) will developed in line with the 2013 Building Regulations. As set out in the energy statement the design of the development has occurred over a number of years. The design therefore was developed in line with the 2013 building regulations which were in force at the time of the design and a building control application as submitted to secure the design of part pf the scheme to these regulations. KC2 and KC3 were subject to a redesign in late summer 2022. As such, KC2 and KC3 are designed in accordance with the 2021 regulations.
- 10.145. The proposal is compliant with policy RE1 of the OLP and the 40% target set out in the policy.

**f. Biodiversity**

- 10.146. Policy G2 of the Oxford Local Plan refers to the protection of biodiversity and geo diversity. An ecology Impact Assessment was submitted with the application.
- 10.147. The primary ecological interest within the application site is roosting bats. Based on the findings of internal inspections and emergence / re-entry surveys, as summarised in Table 5.1 of the Ecological Impact Assessment (EclA), it is my understanding that a total of 26 bat roosts were recorded within eight of the buildings. These roosts were assessed to be occasionally used day roosts, belonging to three common species: Common pipistrelle, Soprano pipistrelle, and Brown long-eared.
- 10.148. The Local Planning Authority has a duty to consider whether there is a reasonable likelihood of protected species being present and affected by development at the application site. The presence of a protected species that may be affected by the development is a material consideration in its determination of a planning application (paras' 98, 99 ODPM and Defra Circular 06/2005: Biodiversity and geological conservation).
- 10.149. The Local Planning Authority has a duty as a competent authority, in the exercise of its functions, to secure compliance with the Habitats Directive (Regulation 9(1) The Conservation of Habitats and Species Regulations 2017 '2017 Regulations')
- 10.150. The Habitats Directive is construed from 31 December 2020 to transfer responsibilities to UK authorities to enable it to function as retained EU law. This applies to European sites (SACs and SPAs) and European Protected Species, both in and out of European sites.
- 10.151. It is a criminal offence to deliberately capture, kill, injure or disturb protected species and against the damage or destruction of a breeding site or resting place of such an animal, unless it is carried out with the benefit of a licence from Natural England. The 2017 Regulations provide a licensing regime to deal with derogations.
- 10.152. Almost all roosts would be impacted by the proposed development. Five of the ten roosts within 43/45 Banbury Road will be destroyed under the proposals, with

most other roosts recorded within the application site subject to disturbance. The proposed development would therefore only be able to proceed under licence from Natural England. The local planning authority must consider the likelihood of a licence being granted when determining a planning application. This requires consideration of the so-called “three tests” development must pass to qualify for a licence, as set out in the 2017 Regulations::

10.153. a) The purpose of the development must be preserving public health or public safety or another imperative reason of overriding public interest; b) There must be no satisfactory alternative; and c) The development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

10.154. Officers are satisfied that the development meets the 3 tests as it complies with planning policy and provides public benefits in the form of student accommodation which in turn frees up further housing within the city. As there are bats present on site there will always be a base level of disturbance to the site. The site is allocated for this type of development and the application details why it cannot be provided on the other sites. In addition the identified roosts are of low conservation importance and the proposed mitigation, including the installation of ten bat boxes with the new structures, will ensuring roosting opportunities remain post-development.

10.155. The Local Planning Authority should have regard, in exercising its functions, to conserve, restore and enhance biodiversity (section 40 Natural Environment and Rural Communities Act 2006). Officers are satisfied with the assessments relating to all other protected species, and that the potential impacts identified on nesting birds, reptiles, hedgehogs, and common toads can be suitably mitigated, and that these measures can be set out in a Construction Environmental Management Plan (CEMP).

10.156. Biodiversity net gain is a policy requirement for all major developments within the city. The submitted Biodiversity Metric 3.1 indicates the proposals will generate a net loss of -3.74 habitat units (-22.75%) and a net gain of +0.47 hedgerow units (+981.64%). The applicant will therefore require biodiversity offsetting, with 4.56 habitat units required to deliver 5% net gain and comply with Policy G2 of the Oxford Local Plan 2036. The offsetting will be secured through the S106 Agreement.

10.157. Subject to condition and the S106 Agreement the proposal is considered to comply with policy G2 of the Oxford Local Plan.

**g. Drainage and Flooding**

10.158. The site is located within Flood Zone 1 and is therefore deemed to be at a low risk of surface water flooding. The application was submitted with a Flood risk and Drainage Strategy Report.

10.159. Comments have been received with regard to drainage issues. With issues such as the accuracy of the report and the potential for the scheme to exacerbate flooding and ground water flows to the neighbouring properties. In response to



the comments further information was provided which concludes that the risk of this small volume of water being able to flow above ground and enter the garden of No. 1 Winchester Road is therefore negligible.

10.160. Oxfordshire County Council and Thames Water have raised no objection on drainage or flooding grounds.

#### **h. Environmental Health**

##### ***Contaminated Land***

10.161. Historical documentation and plans indicate that the site has not had a previously contaminative use, with the possible exception of a former backfilled quarry located at the southern end of the site that may present a contamination risk. The submitted Phase I Desk Study and Phase II Site Investigation has been reviewed and it is considered that the extent of work completed is sufficient to characterise the likely contamination risks on site. The report confirms the absence of any significant contamination risks to future occupiers, construction workers and the surrounding environment with respect to soil and groundwater contamination and ground gas risks. However in case any unexpected contamination is identified during site development works the following condition should be added to any permission granted for the site, to ensure that the contamination is risk assessed and remediated as required. The proposal therefore complies with Policy RE9 of the OLP.

##### ***Air Quality***

10.162. The baseline assessment shows that the application Site is located within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council (OCC) for exceedances of the annual mean NO<sub>2</sub> air quality objective (AQO). The air quality baseline desk assessment shows that current air quality levels at the application site are below relevant air quality objectives for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations. Therefore, the location of the application site is considered suitable for its intended use - the introduction of future residents (new receptors) without mitigation.

10.163. An objection has been received with regard to ventilation from the kitchen, the kitchen in 11 Winchester Road is an existing kitchen. Notwithstanding, environmental health raise no objection.

10.164. The proposed development subject to conditions complies with policy RE6 OLP.

##### ***Noise***

10.165. A noise Impact assessment was submitted with the application. Appropriate noise guidelines have been followed within the submitted report such as Noise Policy Statement for England, National Planning Policy Framework (NPPF), Planning Practice Guidance on Noise, British Standard 8233: 2014 "Guidance on sound insulation and noise reduction for buildings and BS4142:2014 +A1:2019 "Methods for rating and assessing industrial and commercial sound" and policy RE8 of the Oxford Local Plan 2036.

- 10.166. A number of the objections refer to increased noise both due to the siting of the air source heat pump and through general activity on the site.
- 10.167. With regard to general activity it is acknowledged that the scheme would bring with it increased activity and noise due to the intensification of the use of the site. The use of the site for student accommodation is not considered to raise the level of noise and activity to such a level that would be unacceptable or incompatible with the neighbouring properties. With the site being owned and managed by the University it is considered that there will be clear expectations in regard to the behaviour of the students and a clear site management hierarchy where neighbours will be able to report back to the site manager regarding unacceptable noise disturbances. With regard to noise from plant the proposed plant noise levels criteria have been adequately predicted at the identified receptors taking into consideration distance losses, surface acoustic reflections and, where applicable, screening provided by the building. Based on the results of the submitted noise assessment, noise limits for the proposed plant have been adequately calculated. The calculations show that the noise criteria of the proposed plant strategy will meet the Local Authority criteria during the operating period and should not have an adverse impact on the nearest sensitive receivers. Additionally, appropriate façade and ventilation strategies have been developed to ensure occupants are protected from excessive external noise.
- 10.168. Officers are therefore satisfied that the submitted acoustic submission meets the local plan guidelines given appropriate design choice of plant and therefore acceptable in environmental health terms.
- 10.169. The proposal would therefore comply with policy RE8 of the OLP and is acceptable subject to conditions.

### ***Health Impact Assessment***

- 10.170. A Health Impact Assessment has been submitted in accordance with policy RE5 which seeks to promote strong, vibrant and healthy communities and reduce health inequalities. A completed Health Impact assessment has been included with the application.
- 10.171. The conclusion that can be drawn from the submitted HIA is that the development would not have any notably adverse impacts in terms of health outcomes and overall impact on public health would be positive. The proposal therefore complies with the requirements of policy RE5.

#### ***i. Other Matters***

- 10.172. Comments have been made with regard to the accuracy of the plans included with the design and access statement. The plan has been copied from the Council policy map and is not to scale. The full policy map can be viewed on the Council website.
- 10.173. It has been suggested that family homes could be provided on the site. The site is a Council allocated site which allows for student accommodation and therefore

the application complies with the Oxford Local Plan as outlined in the principle of development.

## **11. CONCLUSION**

- 11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. The NPPF recognises the need to take decisions in accordance with Section 38(6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with paragraph 11 detailing the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the NPPF. The relevant development plan policies are considered to be consistent with the NPPF despite being adopted prior to the publication of the framework.

### *Compliance with Development Plan Policies*

- 11.3. Therefore in conclusion it is necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.
- 11.4. The proposal is considered to comply with the development plan. Where issues have been raised with regard to harm to the historic environment, in line with the NPPF, paragraph 202 has been engaged. Whilst some harm has been identified to the historic environment and whilst great weight has been given to the conservation of the designated heritage assets, taking into account all the material considerations, it is considered that the benefits to the scheme would outweigh the less than substantial harm that has been identified.

### *Material considerations*

- 11.5. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.
- 11.6. National Planning Policy: The NPPF has a presumption in favour of sustainable development. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.
- 11.7. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within 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. The proposal seeks to provide new student accommodation and a departmental block in a sustainable location, the proposal will not have an unacceptable impact on neighbouring amenity or the historic environment and conditions have been included to ensure this remains in the future. The proposal will allow for sufficient cycle parking and will provide biodiversity enhancements.
- 11.9. It is therefore recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

## **12. CONDITIONS**

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

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

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy S1 of the Oxford Local Plan 2016-2036.

3. Prior to the commencement of development excluding demolition and enabling works a schedule of materials together with samples and sample panels of the exterior materials to be used shall be submitted to and approved in writing by the Local Planning Authority before the start of work on the site above ground and only the approved materials shall be used unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure high quality development and in the interests of the visual appearance in accordance with policies DH1 of the Oxford Local Plan 2016-2036.

4. Details of the windows (including details of the screening fins) and doors shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a sympathetic appearance of the proposed development in accordance with policy DH1 of the Oxford Local Plan 2016-2036.

5. Prior to the commencement of development excluding demolition and enabling works, large scale drawn details and specifications of the windows, common room roof, roof lights and oculus lantern details shall be submitted to, and approved in writing by, the Local Planning Authority. Only the approved details shall be carried out unless otherwise agreed in writing by the Local Planning Authority. The solar PV panels shall be colour matched to the roofing material.

Reason: To ensure a sympathetic appearance of the proposed development in accordance with policy DH1 of the Oxford Local Plan 2016-2036.

6. Prior to occupation, details of the lighting and fittings shall be submitted to, and approved in writing by, the Local Planning Authority. Only the approved details shall be carried out unless otherwise agreed in writing by the Local Planning Authority.  
The strategy shall:  
Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and  
Show how and where internal and external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

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

Reason: To ensure a sympathetic appearance of the proposed development and enhance the safety and amenity of residents in accordance with policies RE7 and DH1 of the Oxford Local Plan 2016- 2036 and to prevent harm to species and habitats within and outside the site during construction in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), The Wildlife and Countryside Act 1981 (as amended) and Policy G2 of the Oxford Local Plan 2036.

7. No development shall take place until the complete list of site specific dust mitigation measures and recommendations that are identified on Table 7.1 (pages 20-22) of the Air Quality Assessment that was submitted with this application, are included in the current site's Construction Environmental Management Plan (CEMP). The new (updated) version of the CEMP will need to be submitted to, and approved in writing by, the Local Planning Authority. The updated approved CEMP shall be implemented as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the overall dust impacts during the construction phase of the proposed development will remain as "not significant", in accordance with the results of the dust assessment, and with Core Policy RE6 of the new Oxford Local Plan 2016- 2036.

8. Prior to the commencement of development, details of the Electric Vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following provision:
  - a. Location of EV charging points;
  - b. The amount of electric car charging points should cover at least 25% of the amount of
  - c. permitted parking of the commercial development;
  - d. Appropriate cable provision to prepare for increased demand in future years.
  - e. The electric vehicle infrastructure shall be formed, and laid out in accordance with these details before the development is first in operation and shall remain in place thereafter.

The approved details shall be implemented as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To contribute to improving local air quality in accordance with policy M4 of the Oxford Local Plan 2016-2036 and enable the provision of low emission vehicle infrastructure.

9. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work and historic building recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including prehistoric, Roman and Victorian remains in accordance with policy DH4 of the Oxford Local Plan 2016-2036.

10. Noise from new plant proposed as part of the development is to be mitigated at all times such that is no more than 44dB LAr,T during the day (6am-10pm) and 30dB LAr,T during the night (10pm-6am), when measured at the façade of all noise sensitive receptors when measured and corrected in accordance with BS4142:2014 +A1:2019 "Methods for rating and assessing industrial and commercial sound."

Reason: To ensure the amenity of occupiers and neighbours is not impacted by the proposed development in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

11. Prior to use, the proposed plant installation and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and retained and maintained thereafter.

Reason: To ensure the amenity of occupiers and neighbours is not impacted by the proposed development in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

12. The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime (6am – 10pm) and of more than 30 dB LAeq 8 hrs in bedrooms at night (10pm-6am).

Reason: To ensure the amenity of occupiers and neighbours is not impacted by the proposed development in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

13. Construction works and associated activities at the development, audible beyond the boundary of the site should not be carried out other than between the hours of 07:00 - 19:00 Monday to Friday daily, 08:00 - 13:00 on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Local Planning Authority.

Reason: To ensure the amenity of occupiers and neighbours is not impacted by the proposed development in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

14. At least 21 days prior to the commencement of any site works, all occupiers surrounding the site located in North Parade, Church Walk, Winchester Road, Bevington Road and 43-75 Banbury Road should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works should be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.

Reason: To ensure the amenity of occupiers and neighbours is not impacted by the proposed development in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

15. No waste materials should be burnt on site of the development hereby approved.

Reason: To ensure the amenity of occupiers and neighbours is not impacted by the proposed development in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

16. All waste materials and rubbish associated with construction should be contained on site in appropriate containers which, when full, should be promptly removed to a licensed disposal site.

Reason: To ensure the amenity of occupiers and neighbours is not impacted by the proposed development in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

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

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

18. No development shall be occupied until confirmation has been provided that either all water network upgrades required to accommodate the additional demand to serve the development have been completed or a development and infrastructure phasing plan has been agreed with the Local Planning Authority, in consultation with Thames Water, to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

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

19. No development shall be occupied until confirmation has been provided that either: 1. Foul water capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Planning Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.



Reason: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents in accordance with policy RE4 of the Oxford Local Plan 2036

20. Prior to commencement of development, an application shall be made for Secured by Design Silver accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of SBD accreditation has been received by the Local Planning Authority.

Reason: To ensure the safety and amenity of occupiers and visitors in accordance with policy RE7 of the Oxford Local Plan 2036.

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

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

22. 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.

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

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

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

Landscape Management Plan shall be carried out as approved by the Local Planning Authority.

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

25. No development shall take place until details of the design of all new hard surfaces and a method statement for their construction shall first have been submitted to and approved in writing by the Local Planning Authority and the hard surfaces shall be constructed in accordance with the approved details unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

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

26. No development shall take place until details of the location of all underground services and soakaways have been submitted to and approved in writing by the Local Planning Authority. The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas of retained trees as defined in the current British Standard 5837 "Trees in Relation to Design, Demolition and Construction - recommendations". Works shall only be carried out in accordance with the approved details 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.

27. No development, including demolition or enabling works, shall take place until a Tree Protection Plan (TPP) has been submitted to, and approved in writing by the Local Planning Authority. The TPP shall include such details as are appropriate for the protection of retained trees during development, and shall be in accordance with the current BS. 5837: "Trees in Relation to Design, Demolition and Construction - Recommendations" unless otherwise agreed in writing by the Local Planning Authority.

The TPP shall include a scale plan indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. The approved physical protection measures shall be in place prior to the commencement of any development, including demolition or enabling works, and shall be retained for the duration of construction, unless otherwise agreed in writing beforehand by the Local Planning Authority.

The Local Planning Authority shall be informed in writing when physical measures are in place, in order to allow Officers to make an inspection prior to the commencement of development. No works or other activities including storage of materials shall take place within designated Construction Exclusion Zones unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

28. No development, including demolition and enabling works, shall take place until a detailed statement (the Arboricultural Method Statement (AMS)) has been submitted to and approved in writing by the Local Planning Authority. The AMS shall detail any access pruning proposals, and shall set out the methods of any workings or other forms of ingress into the Root Protection Areas (RPAs) or Construction Exclusion Zones (CEZs) of retained trees. Such details shall take account of the need to avoid damage to the branches, stems and roots of retained trees, through impacts, excavations, ground skimming, vehicle compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with of the approved AMS unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To protect retained trees during construction in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

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

30. Prior to occupation of the development, details of ecological enhancement measures including at least ten bat roosting devices, ten bird nesting devices, and two insect nest boxes shall be submitted to and approved in writing by the Local Planning Authority. Details must include the proposed specifications, locations, and arrangements for any required maintenance. The approved devices shall be installed prior to occupation of the approved development and retained as such thereafter, unless otherwise approved in writing by the Local Planning Authority. Any new fencing will include holes suitable for the safe passage of hedgehogs.

Reason: To comply with The Conservation of Habitats and Species Regulations 2017 (as amended), The Wildlife and Countryside Act 1981 (as amended), and to enhance biodiversity in Oxford City in accordance with paragraph 174 of the National Planning Policy Framework and Policy G2 of the Oxford Local Plan 2036.

31. If any phase of the development does not commence within a year of the bat roost surveys within that phase, or having commenced is suspended for more than one year, then further survey work shall be commissioned to establish if there have been any changes in the presence of protected species, and identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, new ecological measures, and a timetable for their implementation, will be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Works will then be carried out in accordance with the approved ecological measures and timetable.

Reason: To comply with The Conservation of Habitats and Species Regulations 2017 (as amended), The Wildlife and Countryside Act 1981 (as amended) and Policy G2 of the Oxford Local Plan 2036 and Policy G2 of the Oxford Local Plan 2036.

32. No development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities;
  - b) Identification of "biodiversity protection zones" in respect of protected and notable species and habitats;
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on biodiversity during construction (may be provided as a set of method statements) and biosecurity protocols;
  - d) The location and timing of sensitive works to avoid harm to biodiversity features;
  - e) Contingency/emergence measures for accidents and unexpected events, along with remedial measures;
  - f) Responsible persons and lines of communication;
  - g) The role and responsibilities on site of a qualified ecological clerk of works (ECoW) or similarly competent person if required, and times and activities during construction when they need to be present to oversee works; and
  - h) Use of protective fences, exclusion barriers and warning signs.
- The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent harm to species and habitats within and outside the site during construction in accordance with The Conservation of Habitats and

Species Regulations 2017 (as amended), The Wildlife and Countryside Act 1981 (as amended) and Policy G2 of the Oxford Local Plan 2016-2036.

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

Reason: To ensure compliance with policies S1 and RE1 of the Oxford Local Plan 2016- 2036.

34. The approved drainage system shall be implemented in accordance with the approved Detailed Design set out in the documents and drawings listed below prior to the use of the building commencing:

Document

Floor Risk Assessment and Drainage Strategy Report

Ref: 000277

Issue: P04

Drawing

Below Ground Surface Water Drainage Northern Network

Drawing No: 0111, Rev P01

Drawing

Below Ground Surface Water Drainage Southern Network

Drawing No: 0110, Rev P01

Drawing

Surface Water Drainage Manhole Schedule

Drawing No: 0116, Rev P01

Drawing

Below Ground Foul And Surface Water Drainage Details (Sheet 1)

Drawing No: 0400, Rev P05

Drawing

Below Ground Foul And Surface Water Drainage Details (Sheet 2)

Drawing No: 0401, Rev P05

Drawing

Below Ground Foul And Surface Water Drainage Details (Sheet 3)

Drawing No: 0402, Rev P05

All relevant Hydraulic calculations produced via Microdrainage

Date 18/11/2022

File 20221110 - 277-FEH-North

All relevant Hydraulic calculations produced via Microdrainage

Date 18/11/2022

File 20221110 - 277-FEH-South

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal in accordance with the requirements of policy RE4 of the Oxford Local Plan 2016-2036.

35. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:
- As built plans in both .pdf and .shp file format;
  - Photographs to document each key stage of the drainage system when installed on site;
  - Photographs to document the completed installation of the drainage structures on site;
  - The name and contact details of any appointed management company information

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal in accordance with the requirements of policy RE4 of the Oxford Local Plan 2016-2036.

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

Reason: To encourage the use of sustainable modes of transport and to protect the visual appearance of the area in accordance with Policy M5, DH1 and DH3 of the Oxford Local Plan 2036.

37. Prior to occupation a Student Arrival / Departure Management Plan shall be agreed in writing with the Local Planning Authority and be put in place, and adhered to thereafter, to ensure that, with the exception of disabled persons, the arrival and departure of students at the beginning and end of terms if managed such that it does not impact adversely on the external road network or on the operation of the site. The plan shall specify the arrangements which will be put in place to manage this process and how those arrangements will be monitored and enforced.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies RE7 and H8 of the Oxford Local Plan 2036.

38. Prior to the commencement of the development a Construction Traffic Management Plan prepared in accordance with Oxfordshire County Council's checklist, must be submitted to and approved in writing by the Local Planning Authority. The construction works must be carried out in accordance with the details approved in the Construction Traffic Management Plan.

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

39. Prior to first occupation a Travel Plan Statement and Residential Travel Information Pack should be submitted to the Local Planning Authority. The details as approved shall be brought into operation upon first occupation of the development and shall remain in place and be adhered to at all times thereafter unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies RE7 and H8 of the Oxford Local Plan 2036.

40. Details of the day to day management of the student accommodation permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The details as approved shall be brought into operation upon first occupation of the development and shall remain in place and be adhered to at all times thereafter unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To avoid doubt and in order to ensure the development is appropriately managed so as to protect the amenities of neighbouring occupiers, in accordance with policies RE7 and H8 of the Oxford Local Plan 2036.

41. A plan detailing the areas of the terrace that will not be in use as part of the SASC building shall be submitted and approved by the Local Planning Authority. This area shall then not be used unless for maintenance purposes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the privacy of neighbouring amenity in accordance with policy HP14 and RE7 of the Oxford Local Plan 2016-2036.

INFORMATIVES :-

- 1 Prior to commencement of development, a separate consent must be obtained from the County's Road Agreements Team for any new highway vehicular access under S278 of the Highway Act.  
Contact: 01865 815700; RoadAgreements@oxfordshire.gov.uk.

## **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.