

Oxford City Planning Committee

24<sup>th</sup> May 2023

<b>Application number:</b>	22/00962/FUL		
<b>Decision due by</b>	12th October 2022		
<b>Extension of time</b>	9 <sup>th</sup> June 2023		
<b>Proposal</b>	Demolition of the existing 24-bed student accommodation building (Bowen Building) and erection of 65-bed student accommodation building and erection of 30 bed student accommodation building with associated landscaping. (Amended Plans and Additional Information).		
<b>Site address</b>	Ruskin Hall , Dunstan Road – see <b>Appendix 1</b> for site plan		
<b>Ward</b>	Headington Ward		
<b>Case officer</b>	Felicity Byrne		
<b>Agent:</b>	Sarah Isherwood	<b>Applicant:</b>	University Of West London
<b>Reason at Committee</b>	Major development		

---

## 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; and

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

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

## 2. EXECUTIVE SUMMARY

- 2.1. This report considers demolition of an existing student accommodation block and the erection of two new student accommodation buildings within Ruskin College's Ruskin Hall Campus which contains listed buildings and structure and lies within the Headington Conservation Area to provide 95 student rooms. The development is identical to that approved first in 1997 and since then re-approved, the most recently being in 2018. The principle of development has therefore been previously accepted.
- 2.2. Officers consider that the development would be of good quality design and have an appropriate massing height and relationship to the existing buildings within the College campus. A degree of less-than-substantial harm to heritage assets would arise but that harm would be outweighed by the public benefits derived from the development in this case. In coming to this view great weight has been given to the preservation of the significance of heritage assets and the higher duty placed on decision makers under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.3. There would be no significant adverse impact on neighbouring residential amenities as a result of overlooking, loss of privacy, overbearing, visual intrusion, noise or overshadowing. Subject to relevant conditions, the development would not have an adverse impact in relation to trees and landscaping, biodiversity, land quality, air quality, archaeology, drainage and transport.
- 2.4. In conclusion, subject to conditions set out at Section 12 of this report, the development would accord with the relevant policies of the Oxford Local Plan 2036, the Headington Neighbourhood Plan, the policy framework set out in the NPPF and complies with the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Conservation of Habitats and Species Regulations 2017 (as amended).

### **3. LEGAL AGREEMENT**

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

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

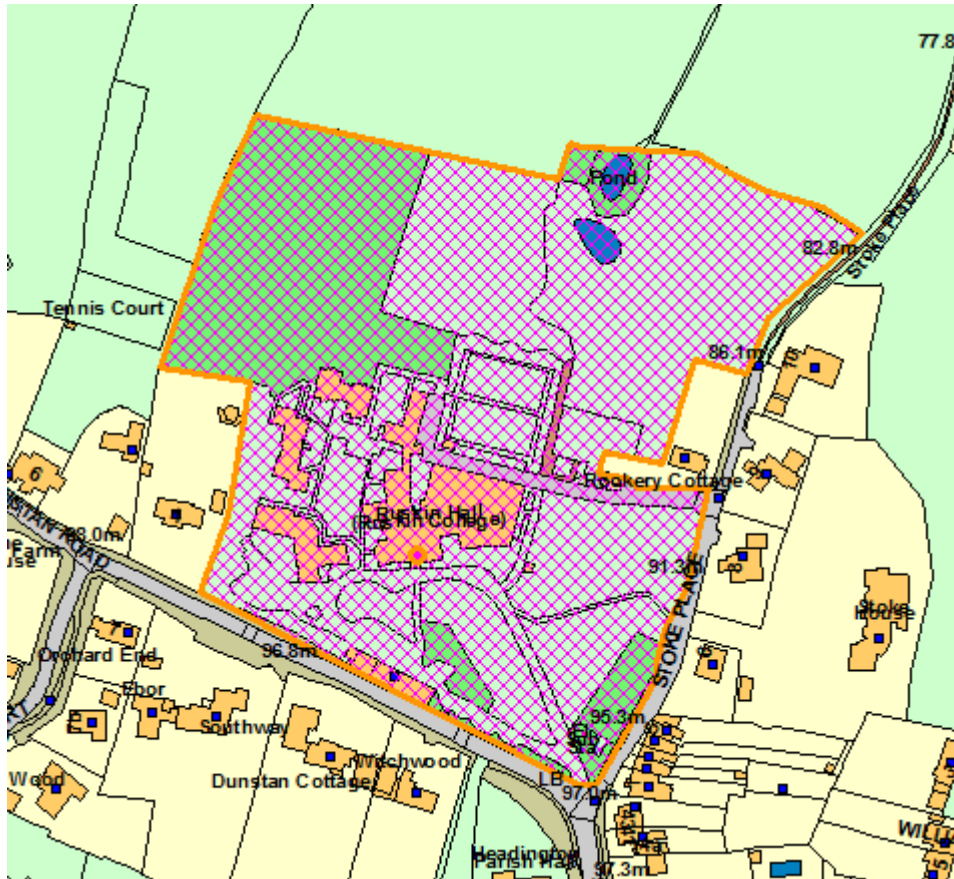
- 4.1. The proposal is liable for CIL amounting to £78223.04.

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

- 5.1. The site relates to Ruskin College, which lies to the north east of Oxford and is an existing higher education college owned and operated by University of West London. The Ruskin College site measures 6.6ha and comprises Ruskin Hall and associated academic and accommodation buildings. The college site is contained by a stone wall which delineates the site's boundary to the south west along Dustan Road and to the east along Stoke Place.
- 5.2. Ruskin Hall, or the Rookery as it is formerly known is the principal building within the site and is a Grade II listed building. The building forms the main entrance building to the College and dates to late C16 early C17, but has been subject to later additions. Flanked to its side are buildings of a later C20

construction including the most recent library building to the immediate east of Ruskin Hall. To the north east of Ruskin Hall are separate detached accommodation blocks including the Bowen Building, a 3 storey flat roof building, and the Beko Building which is a 2 storey pitched roof building.

- 5.3. To the north of Ruskin Hall and to the east of the accommodation blocks lies a brick and stone built walled garden, which includes a crinkle crankle wall along its northern arm of the 4 sided garden. The wall is Grade II listed and believed to date back to C18, to around 1733. The walled garden is laid out to provide areas for growing vegetables for community gardeners.
- 5.4. To the north of Ruskin College buildings and gardens is an area of undeveloped fields, known as Ruskin Fields, leading up to the northern arm of the Ring Road.
- 5.5. The whole site lies within the boundary of the original designation of the Old Headington Conservation Area on 4<sup>th</sup> January 1971. The fields to the north of these lands, which formed part of Headington Meads, bounded by the Northern By-Pass, were taken into the conservation area through its last extension on 9<sup>th</sup> December 1998.
- 5.6. The Ruskin College site is a highly verdant parkland and heavily treed site which contributes significantly to the site's character. The location of the application site on the fringes of Old Headington adjacent the open fielded landscape result in a highly attractive and visible rural setting with views of the site in the landscape from Elsfield View Cone. This rural setting is an important feature of the character of this part of the conservation area and contributes to the setting of the above mentioned listed buildings.
- 5.7. To the east of the site is Stoke House which is a Grade II listed building. This building was formerly owned by Ruskin College and providing 12 student bedrooms, but no longer is part of the Ruskin College site having been sold prior to the purchase of the Ruskin College site by University of West London.
- 5.8. To the east of the site on Stoke Place and to the south west on Dunstan Road lies residential buildings. The principal vehicular entrance to the site is from Dunstan Road to the south east. Along Stoke Place lies existing pedestrian openings into Ruskin College
- 5.9. The site lies in Flood Zone 1.
- 5.10. See block plan below:



© Crown Copyright and database right 2020.  
Ordnance Survey 100019348

## 6. PROPOSED DEVELOPMENT

6.1. The proposal follows a series of identical applications for the proposed student accommodation blocks approved in 2009 (09/00634/FUL and 09/00636/FUL); in 2013 to extend the time limit of the 2009 permissions (12/03123/EXT and 12/03124/EXT) and in 2018 (17/02387/FUL). All schemes granted approval for 95 beds (net gain 71), in identical positions as proposed by this application. The last approval granted being 17/02387/FUL was granted 27<sup>th</sup> April 2018 and expired 27<sup>th</sup> April 2021. The principle of the development has therefore been previously established and accepted in principle.

6.2. Since permission was last granted the site has been acquired by University of West London in July 2021. University of West London is identified as being a public research university with campuses in Ealing and Brentford in Greater London as well as in Reading. The University of West London at Ruskin College provide higher education courses in social sciences and politics, as well as offering Access courses and community learning courses.

6.3. This report therefore considers how the proposals now accord with the relevant development plans and any material considerations arising since the last grant of planning permission in 2018.

6.4. It is proposed to demolish the existing 3 storey flat roof student accommodation block known as the Bowen Building located to the north west of Ruskin Hall and

erect a replacement 4 storey student accommodation building, identified as Block A. A further new 2 and 3 storey accommodation block is proposed to the east of Ruskin Hall, identified as Block D. There would be a total of 95 bedrooms provided and a net gain of 71 bedrooms on site.

- 6.5. The existing Bowen Building provides 24 bedrooms in a staggered block formation and measures overall approximately 8.8m high, 14.5m wide and 19.5m long.
- 6.6. Block A is an L-shaped building would provide 65 bedrooms and measures approximately 12.8m high (roof plant stands 0.90m high), 35.8m wide and 28.5m wide.
- 6.7. Block D is also an L-shaped building providing 30 bedrooms and measures approximately 9.7m high (at its highest point) and 47.5m wide by 50m long.
- 6.8. The buildings would be constructed from buff brick with blue brick plinth detail with bronze coloured aluminium fenestration, doors, spandrel and louvre panels.
- 6.9. In addition to the accommodation buildings are proposed cycle stores to accommodate additional cycle parking provision.
- 6.10. The existing vehicular access into the site from the south east remains unchanged and no new car parking is proposed.

## **7. RELEVANT PLANNING HISTORY**

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

58/00768/D\_H - Students' hostel and tutors' house (in principle). APPROVED 11th November 1958.

59/07795/A\_H - Dwelling house. APPROVED 10th March 1959.

76/00240/AH\_H - Erection of two storey residential block of 2 flats and bedsitting rooms for students. APPROVED 7th May 1976.

77/00396/AH\_H - Adaptation and reconstruction of existing residential accommodation to provide offices and student facilities. APPROVED 22nd June 1977.

87/00067/NFH - Two storey building to provide 24 study bedrooms, with associated facilities and single storey seminar room. APPROVED 12th March 1987.

89/00325/NFH - Erection of prefabricated buildings to form nursery/creche. APPROVED 14th August 1989.

97/00732/LH - Conservation area consent for demolition of Bowerman building

plus outbuildings. Dismissed 12th June 1998.

97/00733/NFH - Construction of new academic centre incorporating teaching accommodation and 10 study bedrooms. Creation of new access drive and parking spaces. Dismissed 12th June 1998.

98/01058/NFH - Retention of prefabricated building for nursery/creche (Renewal of temporary permission for further ten years). APPROVED 18th August 1998.

06/01696/FUL - Planning permission for external alterations to reform and extend lower wing roof. Replacement windows and door, north elevation; new window and door, west elevation. Change of use from College central support office to a children's nursery. Erection of 1.5m high fence surrounding grass play area and walkway on west of building. Smith House. APPROVED 12th October 2006.

06/01695/LBC - Listed Building Consent for external alterations to reform and extend lower wing roof. Replacement windows and door, north elevation; new window and door, west elevation. Internal works including creation of corridors, internal partitions, reconfiguration of rooms, and ancillary/w.c. facilities. Smith House. APPROVED 12th October 2006.

07/02867/FUL - Removal of temporary building housing nursery plus other structures within walled gardens. Erection of freestanding dining hall, together with hard and soft landscaping works and ornamental pond. APPROVED 14th July 2008.

08/01403/FUL - Alterations to walled garden structure, including ground beams and buttressing on north elevation of part crinkle crankle wall. New oak gates to existing openings in south and west walls. Removal of brickwork above south gate opening to facilitate contractors access and reinstatement of fabric. The Rookery. APPROVED 21st August 2008.

08/01404/LBC - Listed Building Consent for i) repair and stabilization of walled garden structure, including ground beams and buttressing on north elevation of part crinkle crankle wall. ii) Removal of brickwork above south gate opening to facilitate contractors access and reinstatement of fabric. iii) New Oak gates to existing openings in south and west walls. (Note: the animal shelter and associated remains of buildings on land east of the walled garden do not need to obtain consent for their removal). The Rookery. APPROVED 21st August 2008.

08/02707/FUL - Formation of a 'trim trail' on part of Ruskin fields, including seven timber 'exercise stations' along a mown grass track. (Amended description). APPROVED 13th February 2009.

09/00213/FUL - Refurbishment of existing student accommodation blocks including replacement windows, new doors and new cladding to Beatrice Webb

Building; and replacement bay windows to Biko Building. 27th March 2009.

09/00548/FUL - Replacement sub-station. APPROVED 4th September 2009.

09/00546/LBD - Listed Building Consent for alterations including demolition of late 19th/ early 20th C. internal servants stair, 1960's Tawney Hall (Refectory wing and kitchens) and small scale rear late 19th/ early 20th C. additions. Alterations and extension on 4 levels for academic block. The Rookery. Formation of new gated pedestrian entrance in south boundary wall. The Walled Garden. APPROVED 2nd November 2009.

09/00547/FUL - Alterations and extension on 4 levels of The Rookery to provide academic accommodation and ancillary facilities. Associated hard and soft landscaping and cycle parking provision. Erection of smoking canopy, gazebo, fire pit, water tank and engineering operations to create steps and shallow pools/pond, regrading of land and creation of hard surface footpaths within fields to North of site.

Formation of new gated pedestrian entrance in south boundary wall. The Walled Garden. APPROVED 11th September 2009.

09/00549/FUL - Installation of car parking areas to provide 38 car parking spaces.. REF 4th September 2009.

09/00633/CAC - Conservation Area Consent for demolition of Bowen Building. APPROVED 11th September 2009.

09/00634/FUL - Erection of 4 storey building to provide student accommodation. Cycle parking. Associated hard and soft landscaping. APPROVED 11th December 2009.

09/00635/CAC - Conservation Area Consent for demolition of the Bowerman Building. APPROVED 11th September 2009.

09/00636/FUL - Erection of student accommodation on 2 and 3 storeys. Cycle parking. Associated hard and soft landscaping. APPROVED 11th December 2009.

10/00612/FUL - Alterations and extensions on 4 levels to provide academic accommodation and ancillary facilities. APPROVED 18th August 2010.

10/00613/LBD - Listed Building Consent. Alterations and extensions involving demolition of internal stairs, refectory wing and kitchens. Erection of academic and ancillary facilities on 4 levels. APPROVED 16th August 2010.

11/01404/EXT - Application to extend the time limit of the existing planning permission 07/02867/FUL for the new dining room building. Approved 8th August 2011.

12/01659/EXT - Application to extend time limit for implementation of planning permission 09/00548/FUL for replacement of sub-station. APPROVED 10th September 2012.

12/03123/EXT - Application to extend the time limit for implementation of planning permission 09/00636/FUL (Erection of student accommodation on 2 and 3 storeys. Cycle parking. Associated hard and soft landscaping). APPROVED 17th October 2013.

12/03124/EXT - Application to extend the time limit for implementation of planning permission 09/00634/FUL (Erection of 4 storey building to provide student accommodation. Cycle parking. Associated hard and soft landscaping).

17/02387/FUL - i) Erection of 65 bed student accommodation building on four storeys. ii) Erection of 30 bed student accommodation building on two and three storeys. Demolition of Bowen Building. (additional information and revised plans). APPROVED 27th April 2018.

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:
Design	119-136	DH1		GSP4, CIP1, CIP3
Conservation/Heritage	189-208	DH3		CIP4
Housing	60-77	H1, H8		
Commercial				
Natural environment	174-188	G2, G7		GSP3
Social and community	92-103	V7 Infrastructure, cultural and		



		community		
<b>Transport</b>	104-113	M1, M2, M3, M4, M5	Parking Standards SPD	TRP3, TRP5
<b>Environmental</b>	152-173	RE1, RE3, RE4 RE9,	Energy Statement TAN	
<b>Miscellaneous</b>			External Wall Insulation TAN,	

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 26<sup>th</sup> July and on 14<sup>th</sup> December 2022 and an advertisement was published in The Oxford Times newspaper on 22<sup>nd</sup> December 2022.

### **Statutory and non-statutory consultees**

#### Oxfordshire County Council (Highways)

9.2. Oxfordshire County Council Highways Authority: (first round consultation) No objection subject to conditions for increased cycle parking (safe/secure/ideally enclosed/ level access/ students/staff and visitors, disabled/ cargo bikes/ electric bikes), Student Traffic Management Plan, Construction traffic management plan, and a Travel Plan (including Travel Information Pack and Parent visiting/ Open days/ Conferences), Student no cars. Comments can be summarised as:

- No change to two existing access from Stoke Place and Dunstan Road. A Construction Traffic Management Plan is required to demonstrate route for construction traffic and measures to minimise impact on the local highway network.
- The site is in a sustainable location in transport terms. There are frequent bus services available at the entrance of the John Radcliffe Hospital (approximately 500m south west of the site), Osler Road (approximately 400m south) and along London Road. The bus services available head both towards the city centre and Thornhill park and ride. There are good walking/cycling routes to local nearby facilities with the local shops/amenities located along London Road 700m from the site.
- No additional parking spaces will be provided at the site as part of the proposal with the development proposed as 'car free' in accordance with Policy M3. Students must be prohibited from bringing cars to the Campus
- The proposal includes the provision of 33 cycle parking spaces for Block A and 15 cycle parking spaces for Block B, with one cycle parking space being provided for every two student bedrooms. 24 existing cycle parking spaces are not shown retained.
- Whilst the student accommodation blocks will be located near the

institution where students will be studying, as the development will be car-free it is important that sustainable travel modes are encouraged with a sufficient provision of cycle parking space. As a result, it is considered that the minimum parking standards included within policy M5 of the Oxford Local Plan should be applied. Therefore, the number of cycle parking spaces will need to be amended to provide one cycle parking space for every student as well as provide space for visitors and staff members.

- Cycle parking for students and staff will be covered, secure (and ideally enclosed). Visitor parking will need to be appropriately located near the front of the site.
- Cycle parking for block A will also need to be relocated to ensure that the cycle parking is provided with unobstructed and level access to the highway
- Provision for disabled parking spaces, cargo bikes and electric bikes
- Refuse collection would not change –accessed as currently via Stoke Place with sufficient turning within the site. Current arrangements are still considered suitable to serve the additional student accommodation.
- The development triggers the requirement for a Travel Plan Statement and a Residential Travel Information Pack to be produced prior to occupation. Whilst a travel plan was submitted, it is not satisfactory and an updated detailed version could be secured by condition that includes a Residential Travel Information Pack to ensure all residents are aware of the travel choices available to them at the point of occupation, EV charging for bicycles and vehicles, and cycle parking within residential boundaries.

#### 9.3. (second round following amended plans)

- The amended site plan submitted by the applicant demonstrates that 65 cycle parking spaces will be provided to the rear of Block A and 30 spaces will be provided at Block D. This equates to one cycle space per bedroom, with the proposals meeting the minimum cycle parking standard as listed in policy M5 of the local plan.
- Furthermore, the applicant has addressed our previous concerns regarding the accessibility of the cycle parking at the rear of Block A, demonstrating both routes which could be taken to access the cycle store.
- The plans now include the retention of the existing visitor cycle parking. The visitor parking is considered acceptable, providing an appropriate amount of visitor cycle parking spaces.

9.4. Oxfordshire County Council Lead Local Flooding Authority (LLFA): No objection subject to conditions requiring implementation in accordance with the submitted information and plans and submission of a record of implementation.

9.5. Historic England: In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers.

- 9.6. The Cycling Campaign for Oxford: Objection (first round consultation) The applicant has interpreted policy M1 in such a way as to minimise the amount of cycle parking to be provided. They propose half of what the policy requires. This is not acceptable. The nearest bus stop and shopping facilities are 13-15 minutes walk away and at least half an hour return journey on foot. Every resident needs to be able to choose to cycle, and have secure covered facilities that enable them to do so. It is disappointing to see the applicant seeking to avoid their clear responsibility for future residents.

The applicant also seeks to provide ebike charging only if there is a demand for it. The charging must be made available from the outset. This development is at the top of a hill above the city and this provision should be conditioned or else the application be refused.

- 9.7. Cyclox: First round consultation are summarised as: Objection. It does not sufficiently prioritise cycling contrary to Policy M1 and provides half the minimum cycle parking and visitor cycle parking contrary Policy M5. This site is well-suited for cycle travel to local facilities, libraries, the JR, Oxford centre and Thornhill P&R bus service to London. Students and staff should be able to choose a cycling option for these destinations.

Half the minimum policy requirement is proposed by exploiting a provision in Policy M5 which states "Provision of bicycle parking lower than the minimum standards set out in Appendix 7.3 may be acceptable for new student accommodation that is located close to the institution where most of its occupants will be studying". Cyclox argues that in this case it is not acceptable.

The nearest bus stop and the nearest shopping facilities are a 15-minute walk away - at least a half-hour return journey on foot. In our view every resident needs to be able to choose to cycle and have secure covered facilities that enable them to do so.

Cyclox believes the planning department should either refuse the application on these grounds or else set explicit conditions with respect to the minimum cycle parking ratio of one space per bedroom and a minimum number of covered visitor cycle spaces. Cyclox would also like to see the provision of E-bike charging stations (as required in the Local Plan Policy) as part of the approved plan rather than a vague future non-specific intention. E-bikes are a good solution for cyclists living at the top of a steep hill, and Ruskin attracts students of all ages and physical abilities. This provision should be a condition of approval or grounds for refusal.

- 9.8. Thames Valley Police (TVP): Objection (first round consultation) TVP is unable to support the application at this time, as there are concerns that the current proposals do not adequately consider or mitigate the risk of crime and antisocial behaviour. It is recommend that the applicants provide an addendum to the Design and Access Statement that comprehensively addresses crime and disorder, incorporating the principles of Crime Prevention through Environmental Design (CPTED) prior to approval. This document should demonstrate a commitment to achieving accreditation under the police's Secured by Design

(SbD) scheme. Occupants of student accommodation are often young adults living independently for the first time and may not prioritise their personal safety. These young adults often have a desirable amount of technology making them vulnerable likely victims of crime. Robust physical security should therefore be present to protect the occupants as well as the development as a whole. The areas of concerns relate to cycle storage; access arrangements into blocks; postal services; bin stores; defensible spaces and boundary treatments.

9.9. 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 conditions requiring an application for SbD Silver accreditation and an external lighting Scheme should be imposed.

### **Public representations**

9.10. A number of local people and association groups including Headington Heritage, Friends of Old Headington and Cllr Ker (City Council Councillor) commented on this application from addresses: 42 Hugh Allen Crescent, 140 Howard Street, Flat 1, Dunstan Cottage Dunstan Road, 1, 4, 5, 8, 10 Stoke Place, 1 no address given.

9.11. In summary, the main points of objection were:

- Insufficient cycle parking/ storage – provision for half the occupants seems an extremely stupid and irresponsible in this location. Whilst students may study on site the distance to the nearest shops facilities is a kilometre away. Cycling to Carfax is quicker than Public transport. One for one spaces should be provided.
- This application is for a substantial accommodation block and, if granted, should be excluded from inclusion in the resident and visitor CPZ scheme.
- The strategy for the academic future of the college is unclear. The academic reputation of Ruskin College has fallen to the lowest level ever. The development should come once the strategy and reputation has improved, not just for capital gain. Only support an application for an aggressive expansion in rooms provision if the college is on track to be a respected academic institution again, demonstrated over the next 3 years if degree courses and meaningful vocational qualifications are offered.
- Whilst ensuities are apparently required, the site has been occupied by nurses at the JR and it is good enough for them. Is the increase in student rooms and numbers justified, particular now since covid and remote/ hybrid learning. Stoke House student accommodation has recently been sold to Linacre College (loss of 16 rooms for Ruskin). Could AirB&B be used instead.
- This is not a brownfield site – it is virgin green land.

- Archaeology needs further examination prior to any work commencing
- Generated traffic from Amazon and other services will be unacceptable in Old Headington due to the restricted nature of St Andrew's Lane and Dunstan Road
- Improvements to Cycling infrastructure in a manner compatible with the Old Headington Conservation Area (OHCA) is required
- Significant harm done to surroundings by the proposed cycle racks insensitively placed on the driveway impacting on a Grade II Listed building from the public road
- No Management Plan presented to address severe impacts from transport, noise and others on the amenity of residents exacerbated by poor Old Headington infrastructure in contravention to the OHCA "tranquillity" of the village
- Will impact on a OHCA "significant" defined view to Ruskin, and in particular from the new Land North of Bayswater Brook development
- A Listed Building consent (/LBC) is required as the development is in the curtilage of a listed building
- No water quality assessment to determine if calcareous, or rare species supporting
- Concerned about the increased traffic, overflow parking and the inevitable deterioration to the road surface of Stoke Place which is an unadopted road and a byway open to all traffic. Parking places are extremely limited and are required by residents. Parking by students obstruct the road so that residents cannot park and service vehicles are obstructed. None of these issues are addressed by University of West London.
- Increased parking and traffic cause safety issues for residents. Conferences have not been well managed with parking in front of driveways and obstructing Stoke Place. Few attendees arrived by public transport.
- The new build will overlook multiple houses' garden and houses, reducing privacy. It will also create some light pollution.
- The vibration of this heavy traffic is likely to cause additional subsidence on No.5 Stoke Place.
- The assumption that all traffic will be by bike seems unrealistic: It should be noted that experience tells us that students bring their cars and seek parking close by. The on-site parking provision seems insufficient for the increased number of teacher's staff.

- The proposed buildings are very high and bulky. They are out of keeping with the Old Headington and Stoke Place conservation area. They will detract from the current aspect of the Ruskin parkland and damage the natural habitat including that which benefits the walled-garden allotment and other surrounding gardens and natural space.
- Light spill to neighbouring properties.
- New blocks would not improve and enhance, but infill and urbanise the parkland setting. Design more appropriate for a business park. Low design aspiration with off the peg shoe box shape.
- Materials proposed make no reference of old Headington of stone and brick/tiled building and walls. Brick will only be stretcher bond and not reflect other interesting detailed bonds around and on site (e.g. Local Flemish, Flemish Garden and English bond). Bog standard materials cannot be dress an indifferent brick façade.
- Loss of the Bowerman does not facilitate a replacement.
- Webb building shows more design imagination.
- Renewing permissions does not make them still acceptable.
- Increased overlooking to Stoke place – 20m from Stoke Place wall.
- 400 students on site – how are they and staff going to be managed? Including food deliveries, refuse collections, parking etc. How will parking be effectively policed by Ruskin/UWL?
- Arboricultural Barell Report poor.
- Concern that the new buildings D would be within the root protection zone of the Sequoia tree – poorly maintained by Ruskin.
- Bulky Block D would be visible, destroy the current setting and ‘uneasy’ on the eye from Barton Brook development. Block A would blight transverse views across the site.
- The area has changed around the site following construction of Rookery Villa (now private residential). Blocks D would be overbearing and overlooking on it, and noise impact resulting in loss of amenity.

### *Second round consultation*

9.12. Additional comments raised to those previously can be summarised as:

- Given the sensitivity of the environment here we would expect all issues to be resolved satisfactorily, especially with respect to flooding and mitigation thereof.

- The new site plan appears to address the provision of cycle parking only
- Objection is rooted in the quality and nature of the proposed development in this important rural and green part of the Old Headington Conservation Area
- The Ruskin Hall site is not brownfield in the popular, post-industrial, sense of the word but a former grand home set inside the OHCA with a parkland and rural setting.
- It is part of the Green Space and Dunstan Road Character Areas that form part of the Character Appraisal for OHCA. Our concern is that this development proposal should be scrutinised as a new proposal and not as a rubber-stamped reiteration of former plans by former owners. It is important that the OHCA is preserved and enhanced with this development
- Stoke Place is being seriously eroded even by current use. Its width at its narrowest point is only 2.7m between the verges. The damage caused by the constant traffic can also be evidenced from the stone boundary wall of Ruskin College running the length of Stoke Place which is in a dangerous state of decay and presents a serious health and safety risk. One section has already partially collapsed.
- Use of Stoke place by heavy goods vehicles associated with this development over this period will leave Stoke Place in an even more perilous state. It is a Bridleway Open to All Traffic and as such Ruskin have a right to use it, but they also have a responsibility, as do local residents, to use it with care.
- Development must include an agreed transport plan so that should disputes or failings arise they can be tackled, with hopefully, a significantly greater level of commitment and success than Ruskin College
- Stoke Place is a rare example of a typical rural bridleway and needs to be protected to preserve its role and character in the Old Headington Conservation area.
- The road surface is significantly impacted by fast running drainage water when it rains, which seems to occur from some sort of blockage in the drains near the Ruskin boundary, opposite #5. This needs to be investigated and fixed.
- The road needs to be resurfaced from #1 to #8 (Ruskin Access Road)
- The road is very dark at night. This is a safety concern to users including students

- As part of the development work, can Ruskin include the road improvements (#1-8) on the road surface, lighting and wall fixes? To the standard where this section of the road could be adopted by the (City) Council, and made residents only parking?

### **Officer response**

9.13. Listed Building consent is not required in this case because the development does not involve demolition of or works to the listed building or Crinkle Crankle Wall or any curtilage listed building. It is within the setting of the listed building but listed building consent is not needed for this. The Planning application considers the effect of building within the setting of the listed building in any event.

9.14. Adoption of the Stoke Place would be by the County Council as Highways Authority, not the City Council.

## **10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- Principle of development
- Affordable housing
- Design and Heritage
- Impact on amenity
- Transport
- Flood Risk and Drainage
- Archaeology
- Air Quality
- Trees
- Biodiversity
- Sustainable Design & Construction
- Land Quality

### **Principle of the development**

10.2. The National Planning Policy Framework (NPPF) states that plans and decisions should apply a presumption in favour of sustainable development. To support the Governments objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land comes forward where it is needed, that the needs of groups with specific housing requirements are addressed and that the land with permission is developed without unnecessary delay. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected



in local policies, including students. Therefore it is clear that national policy expects that the housing needs of students are understood and should be met. The PPG also encourages Authorities to engage with universities to ensure they understand their student accommodation requirement.

- 10.3. Planning policies and decisions should promote an effective use of the land in meeting the need for homes and other uses (para 119) and states policies and decisions should give substantial weight to the value of using brownfield land within settlements for homes and promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land is constrained and available sites could be used more efficiently.
- 10.4. Policy S1 of the Oxford Local Plan 2036 (OLP) states that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Planning applications that accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.
- 10.5. Policy H8 of the Oxford Local Plan states that planning permission will only be granted for student accommodation in restricted locations, including on or adjacent to an existing university campus and only if the use during university terms is to accommodate students being taught at that site or on a site which is allocated in the development plan to potentially include student accommodation. Being an existing student campus college, this site is defined as suitable for student accommodation. Because there are significant restrictions on where student accommodation can be delivered, delivery on sites that meet the locational criteria is particularly important in order that the accommodation needs of students can be met, as is required by policy.
- 10.6. Ruskin College is allocated in the Local Plan for development under policy SP55. This policy states “Planning permission will be granted for academic institutional uses, student accommodation and residential development at Ruskin College Campus. Residential development could include employer linked affordable housing in accordance with policy H3. Development could include open space, sports facilities and allotments. Other complementary uses will be considered on their merits. Pedestrian and cycle links through and to the site should be enhanced”.
- 10.7. In 2008, the Ruskin College Masterplan was developed and endorsed by the North East Area Planning Committee. The Masterplan sought to establish a framework for the future development at Ruskin’s College sites in Old Headington to span the next 15 years. The College had taken the decision to consolidate the two Ruskin College sites because it was not economical or ecologically sustainable to duplicate activities between the two sites. This has now been achieved with the construction of the new academic building on the Old Headington campus, the closure of Ruskin’s College on Walton Street and the transfer of all students and staff to the Old Headington Campus, now called Ruskin College campus. Since that time the college has been taken over by the University of West London (UWL).

- 10.8. In order to continue the implementation of the Masterplan, the college still need the two student accommodation blocks previously approved to be effectively renewed. As previously stated there have been 3 rounds of approvals for identical buildings in the same locations providing the same number of bedrooms, continuing to seek new accommodation to deliver the growth ambition of the College 09/00634/FUL & 09/00636/FUL and as further approved under 12/03123/EXT, 12/03124/EXT and 17/02387/FUL. This report therefore considers how the proposals now accord with the relevant development plans and any material considerations arising since the last grant of planning permission in 2018 (17/02387/FUL refers).
- 10.9. In view of the change of ownership, and the acquisition of the site in July 2021 by UWL, additional information has been provided regarding the courses that will be offered at Ruskin as a result of the change of ownership. The agent advises that the courses to be offered to students are Law, Politics, International Relations, Public Health and Social Work, as well as access courses for Health and Social Care, Access Nursing, Access Social Science. New courses are being set up now for recruitment in coming months. All of the courses offered are full time learning and the higher education courses offered on the website indicate they are over one academic year duration. UWL aim to increase numbers from 154 full time students currently to 500 students in 2025/2026. The increase in course provision and partnerships has led to an increase in demand for accommodation for full-time students. The College also requires an associated increase in high quality on student accommodation, which cannot be met through the existing on site accommodation alone.
- 10.10. UWL has advised that there are currently 1,713 students at Ruskin College. Of these 154 students are on full-time courses and all 75 existing student bedrooms were occupied last year and over 51% of students (approx.79) were living elsewhere in Oxford. This year demand for the site accommodation is increasing. UWL therefore need the proposed accommodation to meet this current need and increasing demand. Furthermore the accommodation needs to be modernised for a better student experience and for their health and wellbeing. They also currently lease other buildings for their summer school activities but would ideally like to house the students in their own accommodation therefore increasing the demand for accommodation.
- 10.11. The increase to the sites accommodation capacity will be from 75 to 146 rooms providing a net gain of 71 bedrooms which would allow Ruskin to meet most of the demand for its accommodation.
- 10.12. The National Planning Practice Guidance (NPPG) requires that student accommodation should now be considered as contributing towards the supply of housing, based on the amount of accommodation it releases onto the housing market. A total of 95 rooms would be provided by the development and based on the ratio of one house released on the open market per 2.5 student rooms provided by a new development (based on the nationally used Housing Delivery Test standard) the equivalent of 38 houses would be released back onto the general housing market as a result of the student accommodation. Based on net increased in student bedrooms this would be a net gain of 28 houses

- 10.13. From this information it is evident that the College are seeking to grow and attract students to Ruskin College to provide undergraduate courses for adults over a range of disciplines. The provision of student accommodation on site would support the development of the College and continue to provide the benefit of on-site campus accommodation which limits the need to travel and rent open market accommodation. This in turn would have the effect of reducing pressure on general market housing which is a key policy objection to ensure that there is a sufficient supply of housing to meet housing need across the City.
- 10.14. In view of the continued policy allocation for student accommodation at Ruskin College as set out in policy SP55; the location policy for student accommodation set out in policy H8 and the previous approvals for almost identical schemes for student accommodation, which are a material consideration, it is considered that the student accommodation is acceptable in principle on this site. Subject to conditions imposed to secure the use as student accommodation and occupation by those on full time courses together with out of term time use, a management plan and a mechanism for preventing students bringing cars to Oxford (normally a clause within any tenancy or similar agreement between College and student), the development accords with Policies SR1, SP55 and H8 of the OLP.

### **Affordable Housing**

- 10.15. 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 campus 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.
- 10.16. In this instance, the proposal accords with the exceptions criteria as the site is within an existing student campus 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. The scheme complies with policy H2 of the OLP.

### **Design and Heritage**

- 10.17. The NPPF makes clear that the purpose of planning is to help achieve sustainable development (Section 2), and that creating well designed places (Section 12), effects on the natural environment (Section 15) and conserving and enhancing the historic environment (Section 16) are important components of this.
- 10.18. Section 11 of the NPPF notes in paragraph 122 that in respect of development density the considerations should include whether a place is well

designed and “the desirability of maintaining an areas prevailing character and setting”.

- 10.19. Paragraph 130 of the NPPF states that decisions should ensure that developments will a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) is sympathetic to local character and history, including the surrounding built environment and landscape setting; d) establishes or maintains a strong sense of place to create attractive, welcoming and distinctive places and e) optimises the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public open space).
- 10.20. OLP policy DH1 states planning permission will only be granted for development of a high quality design that creates or enhances local distinctiveness. All developments will be expected to be supported by a constraints and opportunities plan and supporting text and/or visuals to explain their design rationale.
- 10.21. OLP policy DH2 recognises that land is scarce and there is an imperative to use land efficiently. Taller buildings can positively contribute to increasing density, enabling a more efficient use of land. The policy recognises the sensitivity of the iconic historic skyline and care is needed to ensure taller buildings do not negatively impact on this, or the green hills surrounding. The policy states that the City Council will seek to retain significant views both within Oxford and from outside, in particular to and from the historic skyline. Planning permission will be granted for developments of appropriate height and massing subject to a range of criteria regarding clear design rationale and positive impact; regard to the High Buildings TAN and demonstrate the impact on important views both on the historic skyline and out towards Oxford’s green setting.
- 10.22. Policy DH2 identifies a 1200m radius of Carfax Tower, which contains all buildings that are in the historic skyline (Historic Core Area). The policy states that for buildings within this radius and exceed 18.2m in height are likely to intrude into this skyline. Development taller than 18.2m in that range will be subject to more extensive scrutiny to assess their impacts of the proposals. The Ruskin College site is outside of this 1200m radius and outside of the Historic Core. Any proposal within a View Cone that may impact on roofscape and the foreground part of any views should be designed carefully and meet the following criteria, including that they are being based on a clear understanding of characteristic positive aspects of roofscape in the area and they contribute positively to the roofscape, to enhance any significant long views the development may be part of and also the experience at street level. 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.
- 10.23. Policy RE2 of the Local Plan states planning permission will only be granted where development proposals make efficient use of land. Development

proposals must make the best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford and address a range of criteria.

10.24. The site falls within the Headington Neighbourhood Plan area. Policy GSP4 has regard to the protection of the setting of the site and states new development will be permitted where its design responds appropriately to the site and the character of the surrounding area. Policy CIP1 has regard to development respecting existing local character and states that new development will only be permitted where they respond to and enhance the distinctive local character where it is described in the character assessments". Policy CIP2 seeks to protect important views within Headington itself and out of the Headington Neighbourhood Plan area. In Appendix C of the Neighbourhood Plan it identifies views on the viewpoint map. Policy CIP3 encourages high quality development proposals, stating development proposals which are of an innovative and/or contemporary design will be permitted where they (inter alia) respect and take account local heritage; and enhance the distinctive identity, character and setting in terms of scale, layout, density, orientation and massing.

#### *Significance*

10.25. The Old Headington Conservation Area Appraisal was adopted in July 2011. The aims of this document are to assess the special significance of the conservation area and the elements that contribute to this significance and to provide guidance on preserving and enhancing this. Key characteristics of this part of the CA along Dunstan Road is its tree lined approach to the historic village core, with grass verges and high stone garden walls contributing to the village character. The houses are generally set well back from the road in large gardens, reflecting the process of development onto former agricultural land on the village-edge. Ruskin Hall (The Rookery) is an example of the big houses built on the edge of the village by an Oxford merchant, but also has historic interest as an educational institution. The character area contains a group of cottages of late 19th century construction that extend from the end of St. Andrew's Road down Stoke Place Lane. These introduce the more densely built up character of the village centre, as well as illustrating the difference in the housing provision made for the village's working class inhabitants and its wealthy inhabitants, such as the owners of The Rookery and Stoke House in the later 19th century. The green setting of the conservation area is also important and is recognised in the Conservation Area Appraisal. The north of the site is bounded by open fields, the northern bypass and then open countryside beyond this. This green wedge is indeed important to the setting of the existing buildings on the site and the rural quality and significance of the conservation area.

10.26. Ruskin Hall, formerly known as The Rookery, is 2 storeys constructed of stone, under a pitched roof, the earliest, and once freestanding, building on the site, dates from the 16<sup>th</sup> and 17<sup>th</sup> centuries. It survives in part only, retaining chimney - breasts and good fireplace surrounds, but its cross wings were removed in order to accommodate the 3 storied, ashlar limestone, 1810 classical building, whose main staircase is now the principal feature of its type within The Rookery.

- 10.27. Extensive alterations in the late 19<sup>th</sup>, early 20<sup>th</sup> century, collectively ascribed to the Arts and Crafts style, produced a long, single storey, north range under pitched roofs, skewed in plan, with a lower, cloistered arrangement built on the eastern side of the 16<sup>th</sup>/17<sup>th</sup> century building to provide a link. About the same time, a pitched roof with dormers was added above the first floor, and at the southern end of the early building, with single storey extension immediately to its north. It is likely that the servants' stair, inserted within the original building, dates from this period. Also built during this phase is a 2 storeyed flat roof and single storied bay extension against the western, side elevation of the classical building.
- 10.28. Small-scale additions of 1 and 2 storeys height, of an ancillary nature, were added to the north elevation of the Classical building in the mid 1960's. The extensive plan form, but single storey, Tawney, Dining Hall and kitchens also dated from this phase. In the 2010 a larger extension to the Rookery and other internal alterations and changes were made, as approved under 09/00547/FUL and 09/00546/LBD which included the demolition of late 19<sup>th</sup>/ early 20<sup>th</sup> C. internal servants stair, 1960's Tawney Hall (Refectory wing and kitchens) and small scale rear late 19<sup>th</sup>/ early 20<sup>th</sup> C.
- 10.29. Overall Ruskin Hall (Rookery) has a moderate level of architectural significance deriving primarily from its earliest surviving range but also contributed to by its evident architectural evolution and the various ancillary structures that contribute to an understanding of the building's importance within the settlement.
- 10.30. The Crinkle Crinkle wall forms part of the Walled garden built in the 18<sup>th</sup> Century and thought to be for structural reasons. It is a relatively rare survival of this type of structure historically common to walled, productive gardens (for fruit growing). It is constructed of stone on the north face and lined with brick on the internal southern face of the wall. The walled garden also offers an important cultural reference related to the 18<sup>th</sup> C aggrandisement of the site and the significance of productive gardens and particularly walled gardens to small as well as much larger estates at this period. The wall has been repaired and the walled garden brought back to life in recent years under the approval 09/00547/FUL, and is tended by the students and the Ruskin Crinkle Crinkle Garden Club. The Crinkle Crinkle walled garden therefore has both architectural (aesthetic value) for its enclosing walls, as well as its historical value as an important feature of garden history.

*Design and appearance*

- 10.31. The proposed two new student blocks are identical in terms of siting, height, massing and appearance to the two separate applications approved in 2018. Whilst this permission has recently lapsed, it is a material consideration albeit with less weight than if it were extant. The wider Ruskin College site is of substantial size, however, the academic and accommodation buildings that form the sites use are contained to the south of the site in a clustered form. The siting of the buildings as proposed has the effect of containing the buildings towards the south of the site, preventing sprawl of buildings into the adjoining fields and

respecting existing building patterns. The site layout is therefore considered acceptable.

10.32. Block A effectively replaces the existing 1960's Bowen Building that was demolished shortly after the original permission was granted in 2010 due to the failing fabric. This L-shaped building would provide 65 bedrooms and measures approximately 12.8m high. Whilst a storey higher (4m) than Bowen (approx. 8.8m High) the fall of the land has been made use of and as such it would have a similar relationship to the listed Ruskin Hall. The plan form pushes and pulls the façade which together with the varied heights breaks down the massing of the building. Block D to the east of the Rookery on the site of the demolished Bowerman building, again utilises the change in ground level reaching approximately 9.7m high (at its highest point). It would be lower in height than the modern extension to the listed Ruskin Hall and it is considered to have an appropriate relationship to it. Again the plan form pushes and pulls the façade and with the varied heights which helps to break down the massing.

10.33. Public comments are noted regarding the appearance of the building. The buildings are both architecturally the same in appearance with flat roofs, large windows to bedrooms and communal rooms, and vertical bands of glazing for stair wells and landings. Whilst not highly decorative it echoes the simplicity in form of the existing 1960's building with its flat roofs and large windows and would be constructed from buff brick with blue brick plinth detail with bronze coloured aluminium fenestration, doors, spandrel and louvre panels. This pallet of materials is widely seen in student accommodation development within the City. Whilst stone has not been proposed, buff brick is considered to be an appropriate alternative and indeed is found on the adjacent Biko building and existing Bowen. Bronze coloured fenestration and detailing is a contemporary alternative to charcoal grey which harmonises with buff bricks. As such it is considered that the material pallet is acceptable in this location.

10.34. Comments of Thames Valley Policy are noted with respect to the design of the development and crime prevention for students. They advise that robust physical security should be present to protect the occupants as well as the development as a whole. Their areas of concern relate to cycle storage; access arrangements into blocks; postal services; bin stores; defensible spaces and boundary treatments. Design details and measures necessary to ensure all opportunities are taken to design out crime and to ensure all areas of the development are sufficiently secured to reduce the opportunities for crime and disorder to occur could be secured by conditions requiring an application for SbD Silver accreditation and an external lighting and CCTV scheme. As such the development would accord with Policy DH1 of the OLP.

#### *Impact on views and significance*

10.35. In considering this application, the development plan has altered since the previous permissions were granted with the OLP 2036 being adopted in 2021. However the policy context has not materially altered and a local planning authority's duty to have special regard to the preservation or enhancement of designated heritage assets remains. The significance of the listed building and

its garden landscape setting, the Crinkle Cranckle wall and walled garden, the green field landscape and the significance of this part of the Old Headington Conservation Area are well understood. In previous determinations the Council found that the proposed plans, which are identical to those here, were not harmful to the significance of those assets. There has been no significant material change in circumstances either in the context of the site or surroundings since that time. However there has been case law since the original 2009 decision (and subsequent decisions) that would lead Officers to assess harm in a different manner to that before. In particular, in 2015, in the Barnwell Manor case, the Court of Appeal emphasized that a finding of harm to the setting of a listed building or conservation area gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one. It can be outweighed by material considerations powerful enough to do so. This judgement, which has been reinforced/upheld by subsequent case law established the basis for determination of the present applications, considering that an authority can only properly strike the balance between harm to a heritage asset on the one hand, and planning benefits on the other, if it is conscious of the statutory presumption in favour of preservation, and if it demonstrably applies that presumption to the proposal it is considering.. As such Officers assessment is now more aligned with current case law and local plan policy.

#### *Views*

- 10.36. The site appears in views of the Oxford historic core from Elsfield. Whilst it is not within the identified view cone itself under Policy DH2, it does sit to the left of the historic core within the wider view, with the John Radcliffe Hospital very apparent in between. As part of this application a Landscape Report that assesses the visual impact of the development in the view from Elsfield has been submitted. Interrogation of the view has resulted in the original proposal being amended to remove some features for example chimneys, to reduce its visual impact within this view.
- 10.37. The site sits within the green and verdant edge of the wider setting of the historic core. Whilst there would be a change to this green mid-ground to old Headington as a result of the development, it is considered that the development would not adversely impact on the historic core itself by competing with or distracting from it, but would result in a change to the green setting, certainly in the short term before any mitigating landscaping planting matures.
- 10.38. As before the development would be mostly screened in winter months and totally screened in summer from the public footpath 'significant view line (which continues north from Stoke Place) as identified in the conservation area appraisal. As such there would no significant alteration to the view as a result.

#### *Block D*

- 10.39. Block D effectively replaces the existing 1960's Bowen Building and whilst a storey higher it would have a similar relationship as the existing building does to the listed building and its setting and as such there would be no harm to the



listed building and its setting. The land slopes down at this point within the site and views are obscured by mature trees to the north. From Dunstan Road to the south the land again falls within the site and the building would be obscured from views by the existing accommodation blocks Beatrice Webb and Biko. From Stoke Place the new Block D would be again glimpsed above and behind the northern range of the listed building. As such it would have a similar relationship as it does now and therefore have a neutral effect. It is considered that there would be no harm to the significance or setting of the listed building or conservation area as a result therefore.

#### *Block A*

- 10.40. Block A is located in a similar location to the Bowerman building that was demolished. The new building would result in the loss of some trees and reduce the existing parkland setting and which has contributed to the C18 and early C19 phases of the development of the site. The early original permission required mitigation in the form of tree planting along the site boundary which has been implemented. The siting of Block A to the east of the more recent modern extension to the listed building would align with this building frontage along the existing drive. Views of the rear building ranges and the walled garden would be maintained along this drive when entering from Stoke Place. Views of the modern extension and garden are glimpsed elsewhere along Stoke Place above the existing stone boundary wall and through the trees. As the land falls along Stoke Place so the wall screens views. The new building would like wise would be glimpsed and screened. As such it is considered that a low level of less than substantial harm would be caused to the setting of the listed building.
- 10.41. From entering the site from Dunstan Road, there will also be a level of harm caused to the setting of The Rookery by virtue of the siting of a relatively large, new building on the open space to the east of the listed building. The new building would result in the loss of two trees and also reduce the overall sense of a parkland setting that presently exists and that made an important contribution to the C18 and early C19 phases of the development of the site. The harm would be less than substantial due to the siting of the new building to the east of the campus and adjacent to the Rookery extension which would still allow a glimpsed view of the historic building on approach from Dunstan Road entrance as currently exists. However the new building would reduce the visibility of the walled garden to the rear which can presently be glimpsed from within the campus and Stoke Place, noting the new extension to the listed building already reduces the visibility and disconnects the garden from the original C18 Rookery building. As such it is considered that there would be a moderate to high level of less than substantial harm to the setting of the listed building and therefore the significance of the listed building.
- 10.42. In addition there would be some harm caused to the character and appearance of the conservation area by the intensification of buildings within the parkland/garden setting of Ruskin Hall campus which would alter the overall sense of a house within gardens in views into the site from outside, including glimpsed views from Stoke Place, within the conservation area, and in the

overall pattern of development which historically was a house within parkland/gardens. The level of harm to the conservation area is considered to be a low level of less than substantial harm.

*Justification and Public benefits*

10.43. As set out in 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 and setting of the listed building. 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.” 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.

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

- In redeveloping the site the proposal would make a positive contribution to Oxford’s significant housing need by effectively releasing existing housing stock back into circulation for the general population. This would constitute a public benefit and given the need for housing in Oxford this is afforded a high level of weight in this case;
- Provision of purpose built student accommodation for Ruskin College/ and wider UWL to promote its education including community courses to the benefit of the City, regional and UK economy. This is afforded a moderate level of weight in this case;
- Provision of accommodation on site to improve the health and wellbeing of its students;

- Improvement of energy efficiency of the existing building through sustainable design and construction in reducing carbon and helping to tackle climate change; and
- Increased biodiversity and tree canopy cover through new planting and is afforded a moderate level of weight in this case.

10.45. As discussed above, a medium level of less than substantial harm would be caused to the heritage significance. There is considered to be a clear and convincing justification of need for the development in this location, which has been suitably mitigated through the design. Overall it is considered that the level of public benefits derived from the development would outweigh the level of less than the substantial harm caused. As such the proposal would accord with the NPPF, Policies DH1, DH2, DH3 and DH4 of the OLP36 of the OLP and GSP4, CIP1, CIP3 and CIP4 of the HNP.

### **Impact on neighbouring amenity**

10.46. Policy RE7, as set out above, seeks to ensure a standard of amenity and make sure that development protects amenity and would not result in unacceptable impact on neighbours.

10.47. Officers previously considered that there would be no adverse impact on residential amenities. The proposed accommodation blocks would be situated well within the campus grounds and would have a significant distance to the nearest residential properties. Block A to the north overlooks an area of grass and trees and any oblique views to the rear of No. 4 Dunstan Road property, which is closest, are in excess of 47m (notwithstanding any boundary issues raised by No.4). It is also screened by the existing Biko building. There would be no direct overlooking, loss of privacy or overbearing. Block D is in excess of 34m to No. 8 Stoke Place. Whilst the building will face directly towards No.8 with windows to bedrooms, bathrooms and common rooms on all floors, it would be screened by existing and new tree planting and the central hall way windows have been covered with louvers also to restrict views. Furthermore the distance varies from 34m to 50m where the building sets back and is sufficient for there not to be any significant overlooking or loss of privacy. Neither would the building be overbearing.

10.48. Block D is positioned such that it directly overlooks the car parking and bins store area for the College and it set away from Ruskin Villa (on the site of the former Rookery Cottage) to the north–east of it. As such it would not directly overlook or be overbearing to that property.

10.49. Residents have also raised the issue of light pollution, and as before, a condition could be imposed requiring a lighting scheme in order to ensure lighting would not be an issue.

10.50. Subject to conditions, the proposal accords with Policy RE7 of the OLP36.

## Trees

- 10.51. Policy G7 of the Local Plan seeks the protection of existing Green Infrastructure features and 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 public amenity or ecological interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated.
- 10.52. The policy goes on to state that planning permission will not be granted for development resulting in the loss of other trees, except in the following circumstances, that it can be demonstrated that the retention of the trees is not feasible; and where tree retention is not feasible, any loss of tree canopy cover should be mitigated by the planting of new trees or introduction of additional canopy cover, and where loss of trees cannot be mitigated by tree planting on site then it should be demonstrated that alternative proposals for new green infrastructure will mitigate the loss of trees, such as green roofs or walls.
- 10.53. Policy G8 states development proposals affecting existing Green Infrastructure features should demonstrate how these have been incorporated within the design of the new development where appropriate. This applies to protected and unprotected Green Infrastructure features such as hedgerow, trees and small public green spaces.
- 10.54. The Ruskin College site comprises attractive sylvan parkland, within which are numerous mature trees which characterise the parkland semi-rural landscape. The trees have a significant important role in this landscape setting and form an important role not only locally in short range views from around and through the site but also in the wider landscape, and views back towards the hillside from Elsfield.
- 10.55. The application is supported by an Arboricultural Impact Assessment (AIA) undertaken in March 2022 and recorded a total of 65 trees, 6 groups and 1 woodland. The tree stock comprises 7 high quality (category A) trees, 42 moderate quality (category B) trees, group and woodland, 14 low quality (category C) trees and 5 groups and 2 trees that a very poor quality and need removing (category U).
- 10.56. To implement the proposal, the AIA indicates that 6 trees would be lost to the development. These are moderate-quality category B trees T479 (Ginkgo), T492 (Apple), T493 (Apple), T494 (Cherry), T509 (Birch) and 1 low-quality category C tree T510 (Birch).
- 10.57. The assessment advises that “All these trees are well within the site and are not prominent as skyline features from any public viewpoints because of all the significant boundary tree cover that is being retained. Their loss will be noticeable in the immediate vicinity once the development is completed, but the comprehensive new landscaping proposals will rapidly mitigate those losses and limit the impact on local character to the short term and in the immediate vicinity. There will be no adverse impact to local character in the wider setting”

- 10.58. The proposal also involves development in close proximity to valuable trees, which are shown for retention; including in such proximity that special precautionary measures are proposed;- T511 (Beech), 478 (Yew), T477 (Tulip tree), T508 [veteran] (Alder).
- 10.59. Detailed tree protection measures are proposed within the Barrell Report, and it is considered that notwithstanding close spatial proximity of proposed buildings to retained trees, these would be adequate for the reasonable expectation of retained tree survival if implemented and maintained as specified; these details can be secured by conditions.
- 10.60. The scheme involves the loss of tree T479 (Ginkgo); it contributes positively both to the site internally and to views beyond the immediate vicinity, from Dunstan Road thereby it is a significant landscape feature to the character and appearance of the Ruskin Hall site. The applicant (tree consultants) has confirmed that the tree has to be lost to enable the construction of Block A. However, replacement trees are proposed for the location, which would ultimately and satisfactorily provide replacement tree canopy cover.
- 10.61. The arboricultural report includes a detailed Tree Canopy Cover Assessment (TCCA) study. The methodology and its calculations are sound (the study, as with all TCCA studies provides a means of comparing the development versus a no development scenario, rather than giving an accurate prediction of canopy cover for either).
- 10.62. In terms of canopy cover loss from tree removals, compared to the canopy cover gain from the new planting, the TCCA shows that the canopy cover loss is greatest at completion of development, but the new planting rapidly increases canopy cover to be almost equal after year 10 and turning into net gains of about 2% by year 20 and 3% by year 30. Therefore the proposed scheme is in compliance with Policy G7 of the OLP.
- 10.63. Landscape design details specifies a comprehensive new tree planting scheme for 29 new trees of mixed species intended to enhance local character. The landscape general arrangements are considered appropriate and the tree species selected support the canopy cover increase shown in the TCCA study. Details are indicative and a detailed landscape design providing nursery stock sizes, types and planting pit design detail are required and could be secured by condition.
- 10.64. In view of the mitigation being proposed to offset the trees lost to the development and the canopy cover assessment provided indicating a greater canopy in the mid to long term, that the policy requirements of policy G7 of the OLP has been met and the proposal is acceptable having regard to existing green infrastructure.

## **Transport**

- 10.65. Policy M1 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport. In

accordance with policy M2, a Transport Assessment for major developments should assess the impact of the proposed development and include mitigation measures to ensure no unacceptable impact on highway safety and the road network and sustainable transport modes are prioritised and encouraged. A Travel Plan, Delivery and Service Management Plan and Construction Traffic and Environmental Plan Management Plan are required for major development.

- 10.66. Policy M3 sets out the Council's policy for motor vehicle parking. In Controlled Parking Zones (CPZs) or employer-linked housing areas (where occupants do not have an operational need for a car) where development is located within a 400m walk to frequent (15 minute) public transport services and within an 800m walk to a local supermarket or equivalent facilities (measured from the mid-point of the proposed development) planning permission will only be granted for residential development that is car-free. In the case of the redevelopment of an existing or previously cleared site, there should be no net increase in parking as existing on site and a reduction will be sought where there is good accessibility to a range of facilities.
- 10.67. Furthermore as set out above, Policy H8 makes clear that all student accommodation development must comply with parking standards under Policy M3. This states that only operational and disabled parking is allowed and the developer must undertake and provide a mechanism to prevent students from parking their cars anywhere on the site, (unless a disabled vehicle is required), which the developer shall thereafter monitor and enforce. This is usually done through the tenancy agreement (as stated above).
- 10.68. Policy M5 and Appendix 7 sets out minimum cycle parking standards for student accommodation of at least 4 spaces for every 4 study bedrooms (1:1), unless site specific evidence indicates otherwise in accordance with Policy M5. Policy DH7 of the OLP sets out design requirements for bike & bin stores and external servicing features. These should be considered from the start of the design process.
- 10.69. The site is considered to be in a sustainable location with good access to public transport in and out of the City within walking distance on the London Road and shops and facilities in Headington District area (approx.400-500m and 700m respectively). There would be no change to two existing access from Stoke Place and Dunstan Road. The County Council as Highway Authority (HA) has raised no objection subject to conditions (see paragraph 9.2 above). The development does not proposed any additional car parking and therefore accords with Policy M3. Whilst the HA advises provision of electric charging for cars, as there would be no change to current car parking on site, provision cannot be required under Policy M4 which is only for new additional spaces within a development. Students would not be allowed to bring cars to the site and this could be secured by condition. The condition requires a clause in the tenancy (or similar) agreement that sets out no cars are allowed and in addition makes clear the consequences if this is breached. Subject to this condition the development would accord with Policy H8..

- 10.70. The development requires a Travel Plan which was submitted with the application. The HA advise that it is not satisfactory in its current form and an updated detailed version could be secured by condition that includes a Residential Travel Information Pack to ensure all residents are aware of the travel choices available to them at the point of occupation. Furthermore a Visitor Travel Plan is also required so that parents/visitors/ conference delegates are also aware of the limited parking on site and other travel choices available. This could be secured by condition. As such the development would accord with Policy M2 of the OLP.
- 10.71. The first round of statutory and public consultation responses raised concern that the development failed to provide sufficient cycle parking provision in accordance with the minimum cycle parking standard set out in Policy M5. The HA, whilst they did not object, also considered that the minimum 1:1 student space standard was required in this case, and the exemption set out in the Policy whereby a lower standard could be provided was not applicable given the distance to public transport links. The HA suggested that the full amount could be secured by condition. However, in response to Statutory and public consultation responses the applicant amended the plans which now show 65 cycle parking spaces to the rear of Block A and 30 spaces provided at Block D (split in to two areas), together with the 24 existing visitor and spaces retained. As such the development would provide 1:1 student spaces (total 95) and sufficient visitor spaces. Electric bikes and cargo bikes would also be provided for. The details of the cycle parking, including appearance, electric/ cargo, could be secured by condition and the development accords with M5 of the OLP. Refuse collection, servicing and deliveries for the site would not change and are accessed as currently via Stoke Place with sufficient turning within the site. The HA considers that the current access arrangements are suitable to serve the additional student accommodation.
- 10.72. A Construction Traffic Management Plan is required to demonstrate route for construction traffic and measures to minimise impact on the local highway network. This could be secured by condition and as such the development would accord with Policies M2 and RE7 of the OLP.
- 10.73. Comments regarding the state of Stoke Place and maintenance of the road are noted. However, this is outside the remit of the planning application. The road is not adopted by the HA and as such they are not able to impose conditions or improvements to it.

### **Flood Risk and Drainage**

- 10.74. Policy RE3 relates to flood risk management and states planning applications for development on sites larger than 1 ha in Flood Zone 1 must be accompanied by a site specific Flood Risk Assessment (FRA) to align with national policy.
- 10.75. Policy RE4 relates to sustainable and foul drainage, surface and groundwater flow, and states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SUDs) or techniques to limit run off and reduce the existing rate of run-off on previously

developed sites. Surface water run off should be managed as close to its source as possible, in line with the stated drainage hierarchy.

- 10.76. A Flood Risk Assessment and Drainage Strategy have been submitted with the application. The site is located within Flood Zone 1 which has a low probability of flooding at 1:1000 annual probability of flooding. The nearest watercourse is Bayswater Brook which lies 583m to the north of the site, which a ditch also to the north of the site that feeds into it. The drainage strategy demonstrates use of permeable soakaways where possible, an attenuation tank in order to facilitate the required green field discharge rates, and permeable paving. Any storm events would meet the 100 year plus 40% climate change event by directing water to towards the field to the north of the site and the existing pond and drainage ditch. Car parking areas would be porous hardstanding with porous sub base and access chambers for maintenance. Proposed foul water would connect into existing Thames Water sewers.
- 10.77. Further to the submission of amended and new information the LLFA have withdrawn their original objection and now raise no objection subject to conditions requiring implementation in accordance with the submitted Report and plans, and submission of a record of implementation. It is considered that the drainage strategy and sustainable drainage would be satisfactory in terms of reducing run off rates and the use of attenuation tanks and permeable paving is justified in this case. As such the proposed drainage strategy is acceptable in principle in accordance with RE3 and RE4 of the OLP, subject to a conditions securing implementation and a record of installation.

## **Archaeology**

- 10.78. Policy DH4 states that within the City Centre Archaeological Area, on allocated sites where identified, or elsewhere where archaeological deposits and features are suspected to be present (including upstanding remains), applications should include sufficient information to define the character, significance and extent of such deposits so far as reasonably practical within a Heritage Assessment and, if applicable, a full archaeological desk-based assessment and the results of evaluation by fieldwork.
- 10.79. Development proposals that affect archaeological features and deposits will be supported where they are designed to enhance or to better reveal the significance of the asset and will help secure a sustainable future for it. Proposals which would or may affect archaeological remains or features which are designated as heritage assets will be considered against the policy approach in policy DH3.
- 10.80. Archaeological remains or features which are equivalent in terms of their significance to a scheduled monument are given the same policy protection as designated heritage assets and considered against policy DH3. Proposals that will lead to harm to the significance of non-designated archaeological remains or features will be resisted unless a clear and convincing justification through public benefit can be demonstrated to outweigh that harm, having regard to the significance of the remains or feature and the extent of harm. Where harm to an



archaeological asset has been convincingly justified and is unavoidable, mitigation should be agreed with Oxford City Council and should be proportionate to the significance of the asset and impact.

10.81. The application proposal is of interest because of the potential for Iron Age, Roman and post-medieval remains in this location. A desk based assessment has been produced for this site (2006) and a geophysical survey and archaeological evaluation have been undertaken (though the current application includes new impacts not covered by the previous scheme). The evaluation demonstrated the presence of Iron Age and Roman remains in the western part of the site (within the footprint of the proposed Block A building) and noted the potential for Roman kilns to be present in the vicinity. The Oxford Archaeology report concludes that the grounds of Ruskin College 'clearly have significant potential to contain archaeological remains of several periods' (2008, page 15). Subsequently Oxford Archaeology undertook further evaluation and a watching brief prior to redevelopment work in 2010-2011. Four trial trenches were excavated to investigate the impact areas of a new extension to Grade II listed Rookery and a watching brief was undertaken on service trenches associated with the development. The combined works identified a possible Roman ditch and a variety of post-medieval features (including an 18<sup>th</sup> Century cistern related to the Rookery in a service trench located in the area of proposed landscaping south of Block A) and post-medieval structures to the west of The Rookery. Furthermore, in 2011 approximately 50% of the footprint of Block D was subject to a topsoil strip.

10.82. In view of this and taking into account the results of the previous evaluation trenching and the physical site constraints Officers would request that, in line with the advice in the National Planning Policy Framework, any consent granted for this application should be subject to conditions to secure sensitive demolition and further archaeological recording. Subject to this and appropriate conditions being imposed, it is considered the scheme would accord with policy DH4 of the OLP.

### **Air Quality**

10.83. Policy RE6 of the OLP has regard to air quality and states planning permission will only be granted where the impact of new development on air quality is mitigated and where exposure to air quality is minimised or reduced.

10.84. The application has been submitted with an Air Quality Assessment. 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). Analysis of DEFRA's urban background maps and of all pollutant concentrations at monitoring locations in the surrounding area of the application Site, show current air pollutant concentrations to be below their relevant air quality objectives. The proposed development would not be affected directly by road traffic emissions, and concentrations of both nitrogen dioxide and particulate matter would be close to background concentrations which are well below the air quality objectives. The impacts of existing pollution sources on the future

residents at the proposed development are therefore considered to be not significant and air quality at the application site would be acceptable.

- 10.85. According to the site's energy statement, no gas-fired boilers or centralised energy plant are proposed within the Site. The Proposed Development would be all-electric, with air source heat pumps and an low temperature hot water radiator system supplying each buildings hot water requirements. As such there would be no significant point sources of emissions and no negative impacts on local air quality from the use of these systems.
- 10.86. According to the site's transport assessment, the proposals do not include any increase in car parking provision on the campus and students using the accommodation would be prohibited from bringing cars to the campus, meaning that only limited additional daily traffic movements would be generated from deliveries and servicing. This development would therefore not generate any significant detrimental impacts on the operation of the local transport network.
- 10.87. The impacts of demolition and construction work on dust soiling and ambient fine particulate matter concentrations have been assessed on the AQ Assessment. The site was identified as "Medium Risk" during the demolition earthworks and construction phases and "Low Risk" for track out. These different risk levels were used to identify appropriate site specific dust mitigation measures. Provided these measures are implemented and included within a dust management plan, the residual impacts are considered to be not significant. These measures could be secured by condition.
- 10.88. In review of all the above documents, Officers conclude that that the air quality levels at this development will be below current limit values for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> and that the proposed development is predicted to cause a negligible increase in pollutant concentrations at all human and ecological assessment receptors. Subject to imposing suitably worded conditions, the proposal is considered to be in accordance with policy RE6 of the OLP.

## **Biodiversity**

- 10.89. OLP policy G2 states that development that results in a net loss of sites and species of ecological value will not be permitted. Compensation and mitigation measures must offset the loss and achieve an overall net gain of 5% for biodiversity and for major development this should be demonstrated in a biodiversity calculator. Policy G8 requires new development that affects green infrastructure to demonstrate how these have been incorporated within the design, including health and wellbeing and biodiversity enhancement.
- 10.90. The Local Planning Authority (LPA) has a duty to, in exercising its functions, to conserve, restore and enhance biodiversity (section 40 Natural Environment and Rural Communities Act 2006). It must consider whether there is a reasonable likelihood of protected species being present and affected by development at the application site. The presence of a protected species that may be affected by the development is a material consideration for the LPA in its

determination of a planning application (paragraphs' 98, 99 ODPM and Defra Circular 06/2005: Biodiversity and geological conservation). The LPA has a duty as a competent authority, in the exercise of its functions, to secure compliance with the Habitats Directive (Regulation 9(1) The Conservation of Habitats and Species Regulations 2017 '2017 Regulations'). The Habitats Directive is construed from 31 December 2020 to transfer responsibilities to UK authorities to enable it to function as retained EU law. This applies to European sites (SACs and SPAs) and European Protected Species, both in and out of European sites.

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

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

10.92. Badgers are not an EPS. The ODPM and Defra Circular 06/2005 Biodiversity and geological conservation paragraphs 123 and 124 provides "The likelihood of disturbing a badger sett, or adversely affecting badgers' foraging territory, or links between them, or significantly increasing the likelihood of road or rail casualties amongst badger populations, are capable of being material considerations in planning decisions". Anyone submitting an application for development in an area where there are known to be badger setts must comply with the provisions of the Protection of Badgers Act 1992 and first obtain a licence from Natural England before interfering with a sett for the purpose of development.

10.93. All wild birds are protected under the Wildlife and Countryside Act 1981. The developer must comply with the legal protection of wild birds. The LPA should consider if the developer has taken appropriate measures to justify any negative effects on wild birds.

10.94. An Ecological Impact Assessment (EclA), Biodiversity Impact Assessment and Biodiversity Metric 3.1 were submitted in support of the planning application.

#### *Protected Species/ Badgers/ Birds*

10.95. The proposals entail the demolition of one building and the construction of two more, in addition to extensive landscaping works. The existing building was

assessed to be of low suitability for roosting bats; a single bat roost survey was undertaken and no roosts identified. Potential impacts on nesting birds, reptiles and badgers are identified in the Ecological Impact Assessment (EclA). Appropriate mitigation is proposed and detailed method statements should be provided in the form of a Biodiversity Construction Environmental Management Plan (CEMP), which should be secured via planning condition.

10.96. Officers are satisfied that a robust assessment has been undertaken and the potential presence of protected habitats and species has been given due regard.

#### *Biodiversity Net Gain*

10.97. The submitted Biodiversity Metric 3.0 indicates the development would deliver an increase of 1.71 habitat units (+12.05%). This is largely underpinned by the creation of more species-rich grassland, which would only be achieved under suitable management. The long term management of the proposed habitats could be secured by condition. .

10.98. In summary, Officers are satisfied that the potential presence of protected habitats and species has been given due regard, a net gain in biodiversity would be achieved and subject to conditions listed, the development would accord with G2 of the OLP. Due regard has been given to the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981.

#### **Sustainable Design & Construction**

10.99. Policy RE1 states that planning permission will only be granted where it can be demonstrated that sustainable design and construction principles have been incorporated. In respect of carbon emissions the policy requires for major developments at least a 40% reduction carbon emissions from a 2022 Building Regulations compliant base case. This reduction could be secured through on-site renewable energy and other low carbon technologies and/ or energy efficiency measures.

10.100. An Energy Statement rev P02 for Ruskin College produced by KJ Tait has been submitted with the application. The proposal seeks to reduce carbon using low or zero carbon technologies and taking a fabric first approach which is supported. Air source heat pumps have been modelled on both Blocks A and D to supply all of their heating and hot water loads. Photovoltaic (PV) arrays mounted on the available roof space of each of the blocks. This will be circa 112m<sup>2</sup> on block A and 75m<sup>2</sup> on block D. The lighting systems in all the spaces will be LEDs of at least 120lm/W with daylighting control and occupancy sensing to reduce the lighting demand further. Heat recovery from the bathrooms will be implemented via a central mechanical ventilation with heat recovery system that will supply fresh air to the bedrooms. There would be in excess of 40% carbon reduction achieved for both blocks against a 2021 Part L Compliant baseline. Block A would achieve 70% reduction and Block D 78% reductions. Implementation of the energy strategy and further details of the PV could be

secured by conditions and as such the development would accord with RE1 of the OLP.

### **Land Quality**

10.101. The Council has a statutory duty to take into account, as a material consideration, the actual or possible presence of contamination on land. As a minimum, following development, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990. Policy RE9 requires a land quality assessment report here proposals would be affected by contamination or where contamination may present a risk to the surrounding environment. The report should assess the nature and extent of contamination and the possible impacts it may have on the development and its future users, biodiversity, the natural and built environment; and set mitigation measures to allow the development to go ahead safely and without adverse effect.

10.102. No new assessment has been submitted with this application. The development is of the same scale, layout and amount of accommodation as the previously approved application (17/02387/FUL refers). Officers have therefore considered historical mapping, documentation and correspondence associated with the previous approval. A previous Phase I Geo-environmental desk study completed at the site by Listers Geotechnical (ref: 17.02.029 April 2017) under the existing site planning permission did not identify any significant potential contamination risks. There is no evidence of historically contaminative use of the site where the new accommodation is proposed. Some minor depths of made ground may however be present. It is therefore considered that the proposed development does not present a potentially significant contamination risk to future site users, so an intrusive site investigation is not considered necessary. However a condition requiring a watching brief is considered appropriate in case any unexpected contamination is encountered during the course of site development. As such the development accords with Policy RE9 of the OLP.

## **11. CONCLUSION**

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

11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.

11.3. Therefore it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.

11.4. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the NPPF, and relevant policies of the Oxford Local Plan 2016-2036, when considered as a whole, and that there are no material considerations that would outweigh these policies.

11.5. This development that would provide increased student accommodation on land owned by the College, thereby releasing housing back on to the general housing market which would help meet the high demand for housing in the City. It would make best and most efficient use of the land, providing net biodiversity gain, ecological benefit, sustainable drainage and high levels of sustainable design and construction. Any harm to heritage assets identified would be outweighed by the public benefits derived from the development. Protected Species have been given due regard, harm minimised and mitigation measures proposed. Subject to conditions, it is concluded that the development would accord with the relevant Policies of the Oxford Local Plan 2036 and the NPPF, and complies with the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981.

11.6. It is recommended that the Committee resolve to grant planning permission for the development proposed.

## **12. CONDITIONS**

### *Time*

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

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

### *Plans*

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

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

### *Materials*

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

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

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

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

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

#### *Design/appearance*

4. Prior to commencement of development above slab level, 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

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

5. Prior to first occupation an internal and external lighting and CCTV scheme shall be submitted to and approved in writing by the Local Planning Authority. The details shall include siting (plans and elevations), luminance & spill of lights and technical specifications. The scheme shall set out the steps that will be taken to ensure that external lighting, including zonal/security lighting, particularly around parking areas, promotes a secure environment and does not cause a nuisance to local residents. The approved details shall be installed and retained thereafter.

Reason: In the interests of Secure by Design, Biodiversity, neighbouring amenity and the Character and appearance of the Conservation Area in which

the site lies in accordance with Policies DH1, DH3 and G2 of the Oxford Local Plan 2036.

#### Biodiversity

6. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) for 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 affecting protected species.
  - b) Identification of “biodiversity protection zones”.
  - c) Practical measures (both physical measures and sensitive working practices) to avoid impacts on protected species during construction (may be provided as a set of method statements).
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.The approved CEMP (Biodiversity) 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 protect nesting birds, reptiles and badgers in accordance with the Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act 1992.

7. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the occupation of the development. The content of the LEMP shall include the following.
  - a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management.
    - d) Appropriate management options for achieving aims and objectives.
    - e) Prescriptions for management actions.
    - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
    - g) Details of the body or organization responsible for implementation of the plan.
    - h) Ongoing monitoring and remedial measures.

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

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



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

8. Prior to commencement of the development, details of ecological mitigation and enhancement measures including at least ten bird nesting devices (including provision for building dependent such as swift, house sparrow, house martin) and two bat roosting devices shall be submitted to and approved in writing by the Local Planning Authority. Details must include proposed locations and arrangements for any required maintenance. The approved devices shall be fully constructed on site prior to occupation of the approved student accommodation and retained as such thereafter. Any new fencing will include holes suitable for the safe passage of hedgehogs.

Reason: To improve the biodiversity in Oxford City in accordance with Policy G8 of the Oxford Local Plan 2036 and the National Planning Policy Framework.

#### Transport

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

The plan shall include details of the following matters:-

- the routing of construction and demolition vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
- access arrangements and times of movement of construction and demolition vehicles (to minimise the impact on the surrounding highway network),
- times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours of 07:30-09:30 or 16:00-18:00;
- hours of working;
- travel initiatives for site related worker vehicles;
- signage for construction traffic, pedestrians and other users of the site;
- piling methods (if employed) and controls on vibration;
- earthworks;
- hoardings and security fencing to the site;
- noise limits;
- control of emissions;
- Dust mitigation measures including the complete list of site specific dust mitigation measures and recommendations that are identified in Appendix A4 (Table A4.1) on pages 48-50 of the Air Quality Assessment produced by Air Quality Consultants (April 2022) that was submitted with the application;
- waste management and disposal, and material re use;
- wheel cleaning / wash facilities to prevent prevention of mud / debris being deposited on public highway;
- contact details of the Project Manager and / or Site Supervisor;
- layout plan of the site;
- materials storage including any hazardous material storage and removal.
- Engagement with local residents and neighbours

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

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

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

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

Reason: In the interests of the highway network, the amenities of neighbouring occupiers and to ensure that the overall dust impacts during the construction phase of the proposed development will remain as "not significant" in accordance with the results of the dust assessment and policies RE1, RE6, RE8, M1 and M2 of the Oxford Local Plan 2036.

10. Prior to the first occupation of the development hereby approved, an amended Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework and Policies M1 and M2 of the Oxford Local Plan 2036.

11. Prior to first occupation of the development a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. Thereafter the first residents of each student accommodation block shall be provided with a copy of the approved Travel Information Pack.

Reason: To ensure all residents and employees are aware from the outset of the travel choices available to them and to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework and Policies M1 and M2 of the Oxford Local Plan 2036.

12. Prior to first occupation of the development a Travel Plan for visitors (including staff, conference delegates, parents) shall be submitted to and approved by the Local Planning Authority. The Travel Plan shall ensure that at term start and ending and other occasions likely to involve large numbers of parents or people visiting the site are phased by the college to minimize the

impact on the neighbours and the local highway in the vicinity of the site and shall make clear that there is limited parking on site

Reason: In the interests of sustainability, to ensure all visitors and parents are aware from the outset of the travel choices available to them and to ensure a satisfactory form of development in accordance with Government guidance contained within the National Planning Policy Framework and Policies M1 and M2 of the Oxford Local Plan 2036.

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

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies RE7, M2 and H8 of the Oxford Local Plan 2036.

14. A Student Accommodation Management Plan (SAMP) should be submitted for approval by the Local Planning Authority in advance of occupation of the student accommodation. This should set out control measures for ensuring that the movement of vehicles associated with the transport of student belongings at the start and end of term are appropriately staggered to prevent any adverse impacts on the operation of the highway. The approved SAMP shall be implemented upon first occupation of the development and remain in place at all times thereafter unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the reason of highway safety and the efficient operation of the public highway in accordance with policies RE7, M2 and H8 of the Oxford Local Plan 2036.

15. Notwithstanding the submitted plans, prior to occupation of the development details of the cycle parking for students shall be submitted to and approved in writing by the Local Planning Authority. The details shall include appearance, materials, provision for disabled parking spaces, cargo bikes and electric bicycles and which shall be safe, secure and where possible covered and details of the electric charging infrastructure. The development shall not be brought into use until the cycle parking and electric charging infrastructure has been provided and installed within the site in accordance with the approved details and thereafter shall be retained solely for the purpose of the parking of cycles.

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

16. The development shall be implemented in accordance with the approved drainage scheme set out below for the site before the development is completed and the use of the buildings commencing:

- Drainage strategy Ref: X222011 19/04/2022
- Ruskin College - Maintenance Schedule Issue: 28th April 2023
- Proposed Drainage Strategy Drawing No: 9200, Rev P05
- Manhole Schedule Drawing No: 9210, Rev P02
- Drainage Construction Details Sheet 4 Drawing No: 9254, Rev P01
- All relevant Hydraulic calculations produced via Microdrainage Date 09/07/2022 File X222011 - Ruskin College Network

Reason: To avoid increasing surface water run-off and thereby attenuating flood risk and to ensure that the principles of sustainable drainage are incorporated into this proposal in accordance with Policy RE 2 of the Oxford Local Plan 2016-2036.

17. Prior to first occupation, a record of the installed Sustainable Drainage (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.

Reason: To ensure that the proposed development has been implemented in perpetuity to avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policy RE 2 of the Oxford Local Plan 2016-2036.

#### Archaeology

18. No demolition shall take place until a Demolition Methodology Statement designed to ensure the safeguarding of archaeological remains (i.e. staged demolition) has been submitted to and agreed in writing by the Local Planning Authority. All works shall be carried out and completed in accordance with the approved Demolition Methodology Statement unless otherwise agreed in writing by the Local Planning Authority.

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

19. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of

archaeological recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the 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 and Roman remains in accordance with Policy DH4 of the Oxford Local Plan 2036.

#### Land quality

20. Throughout the course of the development, a watching brief for the identification of unexpected contamination shall be undertaken. Any unexpected contamination that is found during the course of construction of the approved development shall be reported immediately to the Local Planning Authority. Development on that part of the site affected shall be suspended and a contamination risk assessment carried out by a competent person and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

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

#### Trees

21. Notwithstanding the submitted Landscape Plan, 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 Plan that fail to establish, are removed, die or become seriously damaged or defective within a period of five years after first occupation or first use of the development hereby approved shall be replaced. They shall be replaced with others of a species, size and number as originally approved during the first available planting season unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 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 shall be submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall be carried out as approved unless otherwise agreed in writing by the Local Planning Authority.

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

25. The development shall be carried out in strict accordance with the Tree Protection Plan (Barrell Plan Ref: 22074-1) and other tree protection measures contained within the approved planning application 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.

26. 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.

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

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

28. 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.

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 Local Planning Authority at scheduled intervals in accordance with the approved AMP.

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

#### Student accommodation

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

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

31. During term time, as published by the College for the relevant academic year, the development hereby permitted shall be used for student accommodation

in accordance with the specifications and requirements of conditions 13 and 30 and for no other purpose unless otherwise agreed in writing beforehand by the Local Planning Authority. Outside term time the permitted use may be extended to include accommodation for cultural and academic visitors and for conference and summer school delegates. The buildings shall not be used for any other purpose other than that permitted by this condition.

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

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

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

33. Notwithstanding condition 32 above, prior to construction of the development above slab level further details of the photovoltaics on Block D including siting, rake, number and technical specifications shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be installed prior to first occupation of Block D.

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

## **13. APPENDICES**

- **Appendix 1 – Site location plan**

## **14. HUMAN RIGHTS ACT 1998**

- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

## **15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**



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

This page is intentionally left blank