

Oxford City Planning Committee

9th December 2025

Application number: 25/01788/FUL

Decision due by 8th August 2025

Extension of time 16th December 2025

Proposal Demolition of existing boundary railings and access gate, installation of 2 no. air source heat pumps to the North and South elevations. Alterations to fenestration, formation of new boundary railings and access gate. (additional information).

Site address Summertown House, 369 Banbury Road, OX2 7RD – see **Appendix 1** for site plan

Ward Cutteslowe and Sunnymead

Case officer Victoria Ashton

Agent: Neil Eaton **Applicant:** Chancellor, Master & Scholars, Oxford University

Reason at Committee The application has been called in by Councillors Fouweather, Sandelson, Goddard, Smowton, Miles and Gant on the grounds of policies relating to design, noise, vibration and external features.

1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

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

1.1.2. **delegate authority** to the Head of Planning and Regulatory 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 and Regulatory Services considers reasonably necessary

2. EXECUTIVE SUMMARY

2.1. This report considers the demolition of the existing boundary railings and access gate, the installation of 2 no. air source heat pumps (referred to as ASHP's from this point onwards) to the north and south elevations. It also considers

alterations to fenestration, formation of new boundary railings and access gate.

- 2.2. Officers conclude that the proposed development would be acceptable in principle and with regards to its design and impact on designated heritage assets including archaeology, subject to recommended conditions. The proposal would not cause any detrimental impacts to the amenity of any neighbouring dwellings, subject to the recommended conditions. The proposal would be acceptable in regard to flood risk and surface water drainage. The proposal would be acceptable in regard to tree impacts, subject to the recommended conditions. The proposal would result in no issues in regard to ecology and biodiversity, land contamination and highways. Overall, the proposal is considered to accord with Policies DH1, DH3, DH4, RE3, RE4, RE7, RE8, RE9, G2 and G7 of the Oxford Local Plan 2036. The proposal is also considered to accord with Policies HOS2 and HOS3 of the Summertown and St Margaret's Neighbourhood Plan.

3. LEGAL AGREEMENT

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

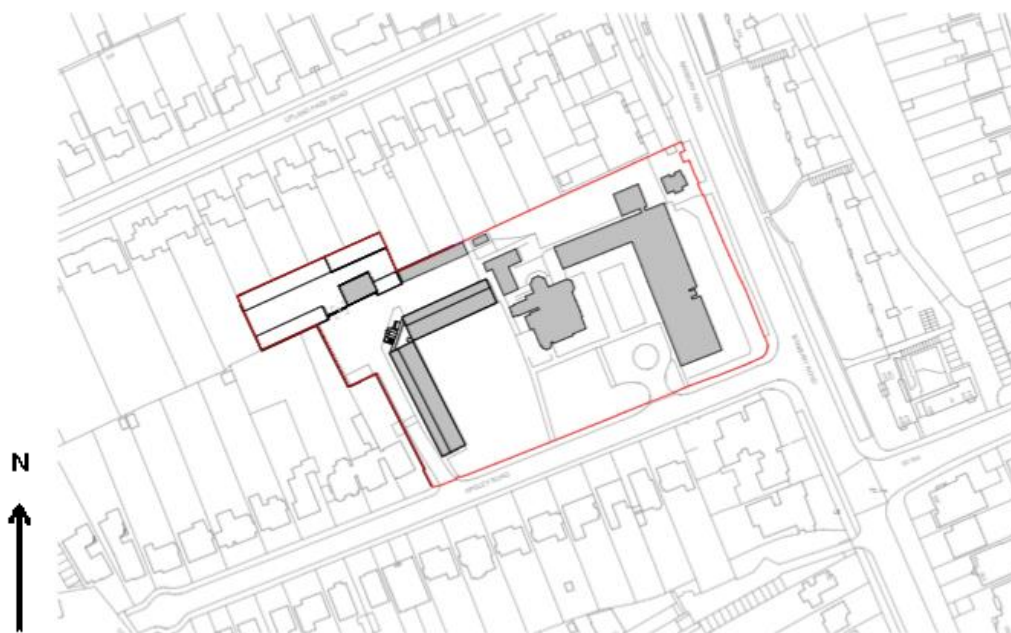
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

- 5.1. The application site is located in Summertown, to the north of Oxford city centre. The site is student accommodation for Oxford University, comprising of North, East, and West Blocks. The residential units are accommodated over three, five, and three storeys, respectively. The application site lies to the north of Summertown on the northern side of Apsley Road with the largest (East) block of accommodation fronting onto Banbury Road. The main access to the site is from two vehicular access points off Apsley Road. The site comprises the original Summertown House, which is a Grade II listed building situated centrally to the site, and three large 1960s blocks of post graduate student accommodation which surround it. A single storey building has been added to the rear of the listed house and is used as a day nursery operated by the the applicant (the University of Oxford).
- 5.2. The heritage asset in question is a Grade II listed building (list entry: 1369318), originally constructed in the 19th century. Over time, additions were made, notably in the 1960s, when the extensive accommodation blocks surrounded the original structure. While the building retains its historical significance, and the previous project to refurbish the East block included some restoration and improvements to the setting of the house, these later additions have altered its visual prominence within the site, reducing its visual presence.. The listed building is situated within a developed area of the site, surrounded by later structures that have evolved to meet the institution's operational needs.

- 5.3. The proposed site for the Air Source Heat Pump (ASHP) compound is beyond the curtilage of the listed building, ensuring that no physical alterations or direct encroachments on the asset would occur as part of the development. The site which is relevant to this application is north of the West block. There is an existing single-storey workshop building in this corner of the site, as well as a large car park. The car park also has shed and storage buildings within it.
- 5.4. The site is bounded by residential properties to the north, with Upland Park Road and to the south and west with Apsley Road, including rear gardens of these properties which are directly adjacent to the Summertown House site.
- 5.5. The site is not located within a Conservation Area. The only nearby listed building is Summertown House (Grade II Listed), as noted above. It is located within the Summertown and St Margaret's Neighbourhood Plan Area.
- 5.6. The site is not located within a Flood Zone.
- 5.7. See site location plan below:



Extract from Location Plan, Associated Architects, AAR-P1-ZZ-DR-A-9001 REV P04.

6. PROPOSAL

- 6.1. The application seeks permission for the development of an external compound, housing two ASHPs, situated to the north of the West Block. The ASHP's are proposed in order to facilitate a transition from existing gas boilers on the site and to increase the provision of more energy efficient measures in line with the University's net zero policy. This enclosure would house the two new heat pumps along with the necessary infrastructure, including thermal storage, electrical connections, and control systems, being installed within the

existing workshop building. New doors are proposed to the rear elevation of workshop building to allow access to the plant room. A set of doors is also proposed to the ASHP enclosure.

- 6.2. The ASHP enclosure would have a depth of 17.5 metres, a width of 5.6 metres and a height of 2.95 metres. The enclosure would be finished in fencing which would be dark stained timber.
- 6.3. Permission is also sought for the formation of new boundary railings and access gate as a replacement of the existing, to the west of the ASHP compound, to allow access into the adjacent car park.
- 6.4. No amended plans or changes to the description have been made, aside from the addition of 'additional information' relating to the addendum to the noise assessment. This has been discussed below.

7. RELEVANT PLANNING HISTORY

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

25/01919/LBC - Internal alterations to include demolition of existing partition wall, replacement of existing suspended ceiling. Formation of a new partition wall. Alterations to flooring, kitchen and upgrades to mechanical and electrical services.. PER 2nd October 2025.

8. RELEVANT PLANNING POLICY

- 8.1. The following policies in the below table are relevant to the application.

Topic	National Planning Policy Framework	Local Plan: Oxford Local Plan 2036	Other planning documents: Summertown and St Margaret's Neighbourhood Plan
Design	Paragraphs 131-141 Paragraphs 202-221	DH1: High quality design and placemaking DH3: Designated heritage assets DH4: Archaeology	HOS2: SSMNP Local Character and Distinctiveness HOS3: SSMNP Density, Building Design Standards & Energy Efficiency

Housing	Paragraph 135	RE7: Impact on residential amenity	
Environmental	Paragraphs 161-182 Paragraphs 196-198	RE3: Flood risk management RE4: Sustainable and foul drainage RE8: Noise and vibration RE9: Land Quality G2: Ecology and biodiversity G7: Protection of existing green infrastructure	
Miscellaneous	Paragraphs 7-14	S1: Presumption in favour of sustainable development	

9. CONSULTATION RESPONSES

- 9.1. Four site notices were displayed around the application site on 5th August 2025 for a minimum period of 21 days. These were placed on Apsley Road, Upland Park Road and Banbury Road. A Bank Holiday fell within the 21 days and therefore an additional day was added accordingly. Representations received on the first advertisement of the application have been referred to as original consultation.
- 9.2. Following the number of representations received, the applicant and agent submitted additional information in the form of an addendum to the noise assessment (document dated 6th October 2025). This was re-advertised with four site notices on 21st October 2025 displayed around the application site in the same locations as the original site notices. The new site notices were pink, and the description was updated to state 'additional information' to clearly show why the application was being readvertised. Representations received on the second advertisement of the application have been referred to as second consultation.
- 9.3. It was during the second consultation that the application was called-in by Members on 6th November 2025. The call-in was confirmed to be in time by Officers on the same day.
- 9.4. The reasons for the call-in were listed as relating to 'compliance with Policies RE8 (noise and vibration), DH1 (high-quality design) and DH7 (external features)'.

Statutory and non-statutory consultees

Oxford Civic Society (comments on original consultation)

- 9.5. *Our primary concern with this application is the potential noise from the very large heat pumps to be located close to neighbouring gardens and the high, unsightly proposed screening. We note that there are now several very well written and extensive comments that pick up very strongly on the points we raise Perhaps the University could be asked to reconsider their proposals in light of local objections.*

Summertown and St Margaret's Neighbourhood Forum (comments on second consultation)

- 9.6. *We support the use of ASHP's as part of decarbonisation/sustainability but would propose that where the ASHP is located in a residential community they be located away from street view, not sited adjacent to residential accommodation and amenity areas (e.g. gardens), low noise model, sited within an acoustic enclosure, in order to minimise the effect on the immediate neighbourhood.*

Public Representations

Original Consultation

- 9.7. In total, 54 comments were received on the original consultation, objecting to the planning application and these have been summarised as follows.

List of Addresses:

2, 3, 4, 6, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 20, 25/25A, 29A Apsley Road
1B 12, 13, 14, 16, 19, 20, 22, 24, 26, 28, 30, 31, 32 Upland Park Road
Manor Farm Noke Oxford
1 x no address given
Wolfson Building (no address given)

Comment Reasons:

- Access
- Amount of development on site
- Contaminated land issues
- Effect on adjoining properties
- Effect on character of area
- Effect on existing community facilities
- Effect on pollution
- Effect on privacy
- Effect on traffic
- General dislike or support for proposal
- Height of proposal
- Information missing from plans

- *Local ecology, biodiversity*
- *Local plan policies*
- *Noise and disturbance*
- *Not enough info given on application*
- *Other - give details*

Summary of Comments:

The comments have been summarised by Officers using the below headings.

1. Acknowledgement of Energy Efficiency Benefits

- Support general move to low-carbon technology.

2. Lack of Consultation

- No pre-application engagement with neighbours.
- Upland Park neighbours not consulted.
- Submission of the application over summer holidays.
- Site notices not displayed for long enough or in clear locations.
- Lack of engagement from applicant.

3. Noise

- Unacceptable noise impacts.
- Noise assessment inadequate and misleading, disingenuous.
- Errors with assessment.
- Excludes weekend measurements.
- Ignores outdoor spaces/rear gardens.
- Inadequate mitigation.
- Details missed in noise assessment / methodology incorrect.
- Impact on overall amenity, health impact, harm to quality of life.
- Not compliant with local or national planning policies.
- Vibration and humming noise.
- Fails to follow best practice from the Institute of Acoustics
- A Noise Impact Assessment by Evolved Acoustics has been submitted from 2 Apsley Road (addressed in report section below).
- Technical details including specification of Allaway AA303S Screen and calculations has been submitted (addressed in report section below).
- Technical Note – Acoustics has been submitted from 28 Upland Park Road (addressed in report section below).
- Apex Acoustics Noise Impact Review has been submitted by 32 Upland Park Road (addressed in report section below).

4. Appearance

- Visual harm to residential area and character.
- Overbearing compound.
- Other sites/options/models not been considered.
- Visual outlook and privacy.

- Lighting.

5. Wildlife

- Light pollution and artificial lighting.
- Impact on local wildlife from noise / environmental impact / bats / trees.

6. Other

- Works commenced on site in regard to asbestos removal and compound clearance. Contaminated land/asbestos.
- Concern over further expansion on site. Potential for further ASHP's to be installed.
- Traffic impact / no construction traffic management plan.
- Some comments provide a list of recommended conditions should the application be recommended for approval.

Second Consultation

9.8. In total, 56 comments were received on the second consultation, objecting to the planning application, including those registered as part of a joint objection, and these have been summarised as follows.

List of Addresses

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 17A, 18, 19, 20, 21, 25/25A,
29 Apsley Road,
1A, 1B, 2B, 2, 3, 5, 8, 11A, 11B, 12, 13, 14, 15, 16, 19, 20, 22, 23, 24, 25, 26,
27, 28, 29, 29A, 30, 31, 32, 34, 36, 38 Upland Park Road
1A Upland Court

Comment Reasons:

- Access
- Amount of development on site
- Contaminated land issues
- Effect on adjoining properties
- Effect on character of area
- Effect on existing community facilities
- Effect on pollution
- Effect on privacy
- Effect on traffic
- General dislike or support for proposal
- Height of proposal
- Information missing from plans
- Local ecology, biodiversity
- Local plan policies
- Noise and disturbance
- No opinion expressed on development

- Not enough info given on application
- Open space provision

Summary of Comments:

- Welcome sustainability initiatives.
- Noise inconsistency with assessment.
- Noise assessment contradicts our own noise assessments.
- Not stated specifications of heat pumps.
- Noise pollution.
- Health and wellbeing concerns.
- Asbestos concern.
- Suitable alternatives or better locations which would achieve decarbonisation.
- Lack of meaningful consultation.
- Discrepancy in number of proposed units.
- Insufficient information.
- Amendments do not address previous concerns raised, previous objections still remain.
- Second report submitted by Evolved Acoustics (2 Apsley Road).
- Institute of Acoustics Briefing Note Submitted.
- Stress on residents from ongoing application process.
- Impact on amenity and health.
- Application should not be considered a minor.
- Impact on wildlife.
- Technical Note by Evolved Acoustics submitted by 2 Apsley Road.

Officer Comments

- 9.9. Most of the comments received have been addressed in the report below. Four site notices were displayed around the application site for a minimum period of 21 days for both the original and second consultation. These were placed on Apsley Road, Upland Park Road and Banbury Road. Officers have evidence of the date these were displayed. No communication was raised with Officers of these notices having been removed at any point. Formal notification to properties (e.g. through a letter) is not carried out. The onus would be on the applicant to engage with local residents, and the City Council are not involved with this, nor can they require applicants to do so. The City Council also have no control over when an application is submitted. A Bank Holiday fell within the public consultation period and an additional day was added accordingly.
- 9.10. Several comments raised that work had commenced on site in regard to the clearing of asbestos. The City Council's planning enforcement team have been made aware of this, and the relevant concerns have been passed on to the Health and Safety team.
- 9.12. A number of comments have also referred to the application being 'minor' when this should be considered a 'major' application. The Town and Country Planning (Development Management Procedure) (England) Order 2010 clearly sets out the definitions of minor and major development, of which this application is

considered a minor as it involves development where the floorspace is less than 1,000 square metres and development on a site of less than one hectare.

- 9.13. Any other comments have been addressed in full in the below section of this report.

10. PLANNING MATERIAL CONSIDERATIONS

- 10.1. Officers consider the determining issues to be:

- I. Principle of Development
- II. Design
- III. Impact on Residential Amenity
- IV. Flooding and Surface Water Drainage
- V. Trees
- VI. Biodiversity and Ecology
- VII. Land Contamination
- VIII. Highways

I. Principle of Development

- 10.2. Policy S1 of the Oxford Local Plan 2036 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. This applies to paragraphs 10 and 11 of the NPPF which state that a presumption in favour of sustainable development is at the heart of national planning policy. The Council will work proactively with applicants to find solutions jointly which mean that applications for sustainable development can be approved where possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with Oxford's Local Plan and national policy will be approved without delay, unless material considerations indicate otherwise.
- 10.3. Policy RE2 of the Oxford Local Plan 2036 states that planning permission will only be granted where development proposals make efficient use of land. Development proposals must make best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford, as well as considering the criteria set out in the policy.
- 10.4. Specifically, where this application is concerned, the Council shall support initiatives to decarbonise existing buildings, in this case a residential building, where they accord with the identified requirements of local and national

planning policy, in addition to the legislative requirements the Council is required to undertake. The proposal seeks to decarbonise an existing site, contributing to a reduction in carbon emissions which is important in the wider context of climate change and movements to net-zero.

- 10.5. In this case, Officers recommend that planning permission should be granted without delay as the development would be supported in the context of meeting the wider ambitions of the Oxford Local Plan 2036 and the NPPF and would therefore be acceptable in principle.

II. Design

- 10.6. Policy DH1 of the Oxford Local Plan 2036 seeks to ensure that development is of a high-quality design and relates well to the existing house and its surroundings.
- 10.7. Policy DH3 of the Oxford Local Plan 2036 states that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset. For all planning decisions, great weight will be given to the conservation of that asset and to the setting of the asset, where it contributes to that significance or appreciation of that significance. Where a development proposal will lead to less-than-substantial harm to a designated heritage asset, this harm must be weighed against the public benefits of the proposal, which should be identified by the applicant.
- 10.8. Policy DH4 of the Oxford Local Plan 2036 states that where archaeological deposits that are potentially significant to the historic environment of Oxford are known or suspected to exist anywhere in Oxford, planning applications should include sufficient information to define the character, significance, and extent of such deposits as far as reasonably practical. Proposals that will lead to harm to the significance of non-designed archaeological remains or features will be resisted unless a clear and convincing justification through public benefit can be demonstrated to outweigh that harm.
- 10.9. Policy HOS2 of the Summertown and St Margaret's Neighbourhood Plan states that development will be supported where it responds positively to local character and distinctiveness. Proposals should demonstrate that the design and use of development will protect those features identified as making a positive contribution to the character of the area concerned and clearly show how the design guidance has been considered. Proposals that would be harmful to the character of the area as defined in the character assessment will not be supported.
- 10.10. Policy HOS3 of the Summertown and St Margaret's Neighbourhood Plan states that proposals of both traditional and innovative designs will be supported where they respect the local heritage and character of the neighbourhood. Proposals will not be supported where they would result in the loss of green space, in accordance with Policy ENS1 on accessible public green space; or the loss of trees, in accordance with Policy ENC3 on trees.

- 10.11. Paragraph 167 of the NPPF requires local planning authorities to give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights. Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets the proposals would need to be considered in terms of the harm caused to heritage assets and weight attributed to any public benefits arising from the proposals, in line with Policy DH3 of the Oxford Local Plan (2036) and Paragraph 215 of the NPPF.
- 10.12. The application site lies within the setting of the Grade II listed Summertown House, a designated heritage asset, which possesses heritage significance as a surviving example of one of the large villas that were built when Summertown developed as a residential suburb in the early- to mid-19th century. It is arranged over two storeys, is constructed of ashlar limestone with hipped slate roofs, and is in the Classical architectural style.
- 10.13. Summertown House originally benefitted from a spacious private garden. However, its setting is now much changed, with three large blocks of graduate student accommodation having been built to the north, east, and west of the listed building in the 1970s. The proposed development would be sited behind the latter of these accommodation blocks, in the north-western corner of the site. As such, it would have no direct visual relationship with the listed building and would not appear in views of it, which are now primarily experienced from Apsley Road and the forecourt and gardens that front onto Apsley Road and are enclosed by the accommodation blocks. Furthermore, this part of the site already possesses a 'back of house' character, and the development proposal would not affect our understanding of it as part of the historic grounds of the listed building. The affected single-storey building is a 20th-century structure of no heritage interest.
- 10.14. The proposed ASHP enclosure would be finished in dark painted timber, which would match the existing timber detailing on the corner of the North and West block and would be sympathetic to the existing overall appearance of the site. A new set of doors are proposed to the plant room. There would be no objection to this in design terms. As noted above, the current vehicle access to the car park would need to be relocated to allow for the ASHP's and enclosure. The access, in terms of a gate, would be rebuilt with new railings to match the existing in appearance. As a result of this being identical to the existing, officers have no concerns in design terms. The proposed location for the ASHP enclosure would be concealed from public realm and from the nearby listed building of Summertown House and would therefore be a sensible location for the enclosure.
- 10.15. Overall, therefore, Officers do not consider that the proposal would harm the significance of the listed building, Summertown House, or its setting and have no objection to the proposals. Indeed, having regard for the significance of the listed building and its setting, officers consider the north-western corner of the site to be the most appropriate part of the site on which to locate the ASHP enclosure.

- 10.16. The City Council's archaeologist was consulted on the application and raised no objection, noting that the application is too small scale to have any significant archaeological implications.
- 10.17. Subject to the recommended conditions, the proposals would be acceptable in design and in terms of their impact on designated heritage assets and would accord with Policy DH1, DH3 and DH4 of the Oxford Local Plan 2036 and Policies HOS2 and HOS3 of the Summertown and St Margaret's Neighbourhood Plan.
- 10.18. Regard has been paid to paragraph 212 of the NPPF in reaching a decision. When applying the test outlined in paragraph 215, it is considered that the proposal would cause no harm to the significance of the listed building and its setting. Therefore, the proposals would be acceptable in terms of their impact on this designated heritage asset.
- 10.19. Special attention has been paid to the statutory test of preserving the listed building or its setting under Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the development would preserve the setting of the listed building and so the proposal accords with Section 66 of the Act.

III. Impact on Residential Amenity

- 10.20. Policy RE7 states that planning permission will only be granted for development that ensures that the amenity of communities, occupiers and neighbours is protected. Developments must also not have unacceptable unaddressed transport impacts. Where developments do impact standards of amenity then appropriate mitigation measures should be provided where necessary. The factors the City Council will consider in determining compliance with the above elements of this policy include visual privacy, outlook, sunlight, daylight and overshadowing.
- 10.21. The ASHP enclosure would be approximately 3m in height, however, it would be no taller than the existing workshop building adjacent (the new plant room). As a result, it would not be considered to result in any loss of light or overbearing conditions to neighbouring properties, specifically the properties on the south side of Apsley Road whose rear gardens back onto the site. The proposed doors would have no impact in terms of privacy or overlooking as they would be located at ground floor level.
- 10.22. The proposed replacement railings and gate would be the same height as the existing access and in any case would be of a minimal height to not result in any harmful impacts to surrounding neighbouring properties.
- 10.23. Policy RE8 of the Oxford Local Plan 2036 states that planning permission will only be granted for development proposals which manage noise to safeguard or improve amenity, health, and quality of life. Planning permission will also not be granted for development that will generate unacceptable noise and vibration impacts. Planning permission will not be granted for development sensitive to noise in locations which experience high levels of noise, unless it can be

demonstrated, through a noise assessment, that appropriate attenuation measures will be provided to ensure an acceptable level of amenity for end users and to prevent harm to the continued operation of existing uses.

- 10.24. Noise impacts from the proposed ASHP's have been carefully considered to ensure the system operates without causing disturbance to nearby neighbouring properties. A detailed assessment, including an initial noise assessment and subsequent addendum of the equipment's sound levels, operating modes and placement has been undertaken, with consideration given to separation distances, boundary screening, and the acoustic performance of surrounding structures.
- 10.25. The noise impact assessment for the proposed ASHP's demonstrates that, with the specified mitigation measures in place, namely acoustic enclosures and a solid 2.9 metre high fence, the predicted noise emissions are very low. The calculated Specific Sound Level is approximately 26 dB LAeq,Tr, which is considered negligible and unlikely to cause adverse effects. Even after applying corrections for acoustic features, the Rating Level at the nearest residential façades is around 33 dB LA,Tr, remaining below existing background sound levels during both day and night. These results comply with BS4142:2014+A1:2019 guidance and confirm that the ASHP's would have a low impact on surrounding sensitive receptors, making the proposed noise levels acceptable.
- 10.25. As noted, several public comments received also include the submission of their own noise assessment, completed by Apex Acoustics and Evolved Acoustics. However, the objectors and objectors' acoustic assessment focus on noise levels in their gardens. Officers have consulted with the City Council's Environmental Health Officers, as the approach is that the assessment for mechanical plant is assessed 1 metre from the façade of sensitive receptors. Background noise levels measured by all parties are relatively low and the objectors are focusing on a criterion of 10dB below the background which is not what is stated with Policy RE8. RE8 and BS4142 (the assessment used to identify noise impact) look for minimal impact on sensitive receptors which, in Officers view, has been achieved.
- 10.26 The addendum has directly addressed the concerns raised by Apex Acoustics (noise assessment submitted by neighbours) by introducing mitigation measures and providing updated modelling which demonstrates compliance with the relevant standards. This includes acoustic enclosures, and a 2.9 m solid fence which has reduced the predicted noise emissions, as noted above, with the Specific Sound Level now at approximately 26 dB LAeq,Tr and the corrected Rating Level at 33 dB LA,Tr, both of which are below existing background levels during day and night. This aligns with BS4142:2014+A1:2019 guidance and indicates a low impact on sensitive receptors. Furthermore, the updated modelling includes outdoor receptor points, responding to Apex Acoustic's concern about outdoor garden areas being considered. The addendum demonstrates that the noise levels are now acceptable and unlikely to cause adverse effects.

- 10.27 The addendum contrasts with the Evolved Acoustics Technical Note, (submitted on behalf of neighbouring occupiers), which predicts higher levels in gardens and façades (up to 37 dB before penalties and 43 - 47 dB after penalties and uncertainty allowances) and states that the addendum underestimates worst-case garden exposure and does not fully account for tonality, intermittency, or low-frequency noise. While Evolved Acoustics highlights uncertainties in enclosure performance and future impacts, the modelling within the addendum demonstrates that based on the proposed mitigation, the noise emissions are very low and acceptable in planning terms.
- 10.28. In this instance, given the level of objections and contrasting professional opinions, the following condition should be considered as it would validate all noise predictions made. A recommended condition should state that prior to the use of the installation, details shall be submitted to and approved in writing by the Council, of the noise emitted from the proposed installations located at the site. The noise shall not exceed the existing background level at any noise sensitive premises when measured and corrected in accordance with BS4142:2014 +A1:2019 “Methods for rating and assessing industrial and commercial sound,” with all machinery operating together at maximum capacity.” at the nearest and/or most affected noise sensitive premises. The post installation noise assessment shall be carried out to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to use of the development and thereafter be permanently retained. It is considered that subject to the details provided by this condition, the proposed ASHP’s would be acceptable in regard to noise levels and the amenity of surrounding residential properties. A condition is also recommended in regard to anti-vibration of the units.
- 10.29. A number of public comments refer to the possibility of additional ASHP’s being installed on site in the future. Whilst this is acknowledged, this permission is only for 2 no. ASHP’s and any additional units would be subject to a new application with relevant noise assessments. This has been secured via condition to ensure that no additional units are placed on site without prior written consent from the Local Planning Authority.
- 10.30. Subject to conditions, the proposal would be acceptable in regard to impact on residential amenity and would accord with Policies RE7 and RE8 of the Oxford Local Plan 2036.

IV. Flooding and Surface Water Drainage

- 10.31. Policy RE3 of the Oxford Local Plan 2036 states that planning permission will not be granted for development in Flood zone 3b except where it is for water-compatible uses or essential infrastructure; or where it is on previously developed land, and it will represent an improvement for the existing situation in terms of flood risk. Development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.

- 10.32. Policy RE4 of the Oxford Local Plan 2036 states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites.
- 10.33. The site is within Flood Zone 1 and is therefore not at significant risk of flooding. The proposal includes an ASHP enclosure which would not be considered necessary to provide drainage for, given the size of the development.
- 10.34. As a result, the proposal would be acceptable in regard to flooding and drainage and would accord with Policies RE3 and RE4 of the Oxford Local Plan 2036.

V. Trees

- 10.35. Policy G7 of the Oxford Local Plan 2036 states that planning permission will not be granted where development would result in the loss of green infrastructure features such as hedgerows, trees or woodland, where this would have a significant adverse impact upon public amenity or ecological interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated. Planning permission will not be granted for development resulting in the loss or deterioration of ancient woodland or ancient or veteran trees except in wholly exceptional circumstances.
- 10.36. There are no Tree Preservation Orders (TPO's) on site. However, there are a number of mature trees on site which must be considered. There is a very slight encroachment into the Root Protection Areas (RPAs) of two trees identified in the tree survey as T1 (mature oak tree) and T5 (mature poplar tree) (circa 5%) from the proposed service duct trench implications of the proposed scheme. This is very small in scale and is acceptable subject to the mitigations measures as set out in the Arboricultural Method Statement (AMS) of the application.
- 10.37. Officers have no objections to this application, subject to a condition for the work for trenching to be done in accordance with the AMS that is part of the application details, and for an Arboricultural Monitoring Programme (watching brief) condition. This has been conditioned as prior to installation of the ASHP's. It has also been conditioned to be a phased plan, meaning that the application can come forward in phases, noting that only a very small part of the RPA would be encroached.
- 10.38. Subject to these conditions, the proposal would be acceptable in regard to tree impacts and would accord with Policy G7 of the Oxford Local Plan 2036.

VI. Ecology and Biodiversity

- 10.39. Policy G2 of Oxford Local Plan 2036 states that important species and habitats will be expected to be protected from harm, unless the harm can be appropriately mitigated. It also outlines that, where there is opportunity, it will be expected to enhance Oxford's biodiversity. This includes taking

opportunities to include features beneficial to biodiversity within new developments throughout Oxford.

- 10.40. Biodiversity Net Gain (BNG) is a legal requirement for planning permission introduced on 12th February 2024. All applications are required to either provide detailed information proving there will be a biodiversity increase or explain why the requirement does not apply to the development.
- 10.41. This application is considered to be exempt from the BNG requirement (de minimis exemption) as the application site consists entirely of hardstanding or existing buildings and does not impact any existing habitats within or near the application site (impacts less than 25 square metres (5m by 5m) of on-site habitat). As a result, the BNG condition would not apply to this development.
- 10.42. A number of comments have referenced bats in the area. Due to the works proposed, it is not considered that a Preliminary Roost Assessment (PRA) would be necessary in this instance. However, bats can be impacted by external lighting which is therefore relevant to this application in the instance that any additional external lighting is proposed on site. It is therefore recommended that a condition is included that in the event that any external lighting is proposed, details are submitted to Officers prior to its installation.
- 10.43. Subject to recommended conditions, the proposal would be acceptable in regard to biodiversity and ecology and would accord with Policy G2 of the Oxford Local Plan 2036.

VII. Land Quality

- 10.44. Policy RE9 of the Oxford Local Plan 2036 sets out the requirements for applications where proposals would be affected by contamination or where contamination may present a risk to the surrounding environment. These include details of investigations carried out to assess the nature and extent of contamination and possible impacts on the development and future users, biodiversity, and the natural and built environment, and detailed mitigation measures.
- 10.45. 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.
- 10.46. The proposed development is of a small scale with minimal groundworks and is within the existing curtilage of the property. There are no new residential dwellings and no significant landscaping proposed. As a result of the above, the overall contamination risk at the site is considered to be low for the proposed development and no conditions or informatives have been recommended for this application.
- 10.47. A number of public comments have referred to the removal of asbestos from buildings on site prior to planning permission being granted. However,

permission would not be required for the removal. As noted above, these concerns have been passed onto the relevant Council department to investigate further.

- 10.48. The proposal is therefore considered to comply with Policy RE9 of the Oxford Local Plan 2036.

VIII. Highways

- 10.49. The proposal involves a small reduction in the size of the gate providing vehicle access. However, this would be in the same location and there would be no net increase in vehicle parking on site. No objection was received from the Highways Authority.
- 10.50. Due to the small-scale nature of the proposals, a Construction Traffic Management Plan (CTMP) would not be required. Furthermore, no objection was received from the Highways Authority.

11. CONCLUSION

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

Compliance with development plan policies

- 11.4 In summary, the proposed development would support the movement from boilers to renewable energy sources in this location in the context of net zero and climate change, supporting the reduction in carbon emissions and overall energy efficiency improvements, which is supported by the overall objectives

of the Oxford Local Plan 2036 and Policy S1. The proposal would not cause harm to the character or appearance of the surrounding area and would be acceptable in design terms, in compliance with Policy DH1 of the Oxford Local Plan 2036 and Policies HOS2 and HOS3 of the Summertown and St Margaret's Neighbourhood Plan. The proposals would not be detrimental upon any neighbouring occupiers and would comply with Policies RE7 and RE8 of the Oxford Local Plan 2036. The proposals would be acceptable in regard to flood risk and drainage and would comply with Policies RE3 and RE4 of the Oxford Local Plan 2036. The proposals would be acceptable in regard to land contamination and would comply with Policy RE9 of the Oxford Local Plan 2036. The proposals would be acceptable in regard to biodiversity, ecology and trees and would comply with Policies G2 and G7 of the Oxford Local Plan 2036. The proposals would also be acceptable in highway terms.

- 11.5 Therefore officers consider that the proposal would accord with the development plan as a whole.

Material considerations

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

12. CONDITIONS

Time limit

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

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

Development in accordance with approved plans

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

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

Materials

3. The materials to be used in the proposed development shall be as specified in the application hereby approved. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure that the development is visually satisfactory as required by Policy DH1 of the Oxford Local Plan 2036.

Noise Level – Further Details

4. Prior to use of the installation, details shall be submitted to and approved in writing by the Council, of the noise emitted from the proposed two Air Source Heat Pump installations located at the site which shall not exceed the existing background level at any noise sensitive premises when measured and corrected in accordance with BS4142:2014 +A1:2019 “Methods for rating and assessing industrial and commercial sound,” with all machinery operating together at maximum capacity.” at the nearest and/or most affected noise sensitive premises. The post installation noise assessment shall be carried out to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to use of the development and thereafter be permanently retained. No additional Air Source Heat Pumps may be installed on the site without prior written consent of the Local Planning Authority.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from plant/mechanical installations/ equipment. This will maintain the existing noise climate and prevent 'ambient noise creep' in accordance with Policies RE7 and RE8 of the Oxford Local Plan 2036.

Noise – Anti-Vibration

5. Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from plant/mechanical installations/ equipment. This will maintain the existing noise climate and prevent 'ambient noise creep' in accordance with Policies RE7 and RE8 of the Oxford Local Plan 2036.

Arboricultural Method Statement

6. The development shall be carried out in strict accordance with the approved methods of working and tree protection measures contained within the planning

application details unless otherwise agreed in writing beforehand by the Local Planning Authority. The Local Planning Authority shall be informed in writing when any physical measures are in place, or with 5 days prior notice when works identified in the AMS are intended to be conducted, in order to allow Officers to make an inspection prior to the commencement of development or during such notified works.

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

Arboricultural Monitoring Programme

7. Prior to installation of the ASHP's, details of an Arboricultural Monitoring Programme (AMP) have been submitted to and approved in writing by the Local Planning Authority. This can be submitted in phases of development with a plan to show the area that the AMP relates to. The AMP shall include a schedule of a monitoring and reporting programme of all on-site supervision and checks of compliance with the details of the Tree Protection Plan and/or Arboricultural Method Statement, as approved by the Local Planning Authority. The AMP shall include details of an appropriate Arboricultural Clerk of Works (ACoW) who shall conduct such monitoring and supervision, and a written and photographic record shall be submitted to the LPA at scheduled intervals in accordance with the approved AMP.

Reason: To protect retained trees during construction in accordance with Policies G7 and DH1 of the Oxford Local Plan 2036.

External Lighting

8. Where external lighting is to be installed, it should be in accordance with Section 4.29 of the Bat Conservation Trust and Institute of Lighting Professionals Guidance Note 08/23 Bats and Artificial Lighting at Night. Proof of installation (specifications and photo, site visit invitation, etc) shall be provided to the local planning authority prior to operation.

Reason: To enhance biodiversity in Oxford City in accordance with paragraph 187(d) of the National Planning Policy Framework, Sections 40 and 41 of the Natural Environment and Rural Communities Act (2006) as amended and Policy G2 of the Oxford Local Plan 2036.

INFORMATIVES

NPPF

1. In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the

Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.

13.APPENDICES

- **Appendix 1 – Site 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.