

## 17/00584/FUL: Cotuit Hall Old House, Pullens Lane, OX3 0DA

- Meeting of East Area Planning Committee, Wednesday 8 November 2017 6.00 pm (Item 48.)
- View the background to item 48.

Full Minute of this item. Link: <http://mycouncil.oxford.gov.uk/mgAi.aspx?ID=15831>

**Site Address:** Cotuit Hall Old House, Pullens Lane, Oxford, OX3 0DA

**Proposal:** Demolition of single storey lecture hall and refectory buildings. Change of use from Student Accommodation (Sui Generis) to Residential Institution (Use Class C2). Erection of connecting buildings, a new accommodation block at the western end of the site, reconfiguration of the retained buildings, and provision of associated car parking and cycle parking spaces, landscaping, plant, and associated works. (Amended description)

**Officer recommendation:** The Committee is recommended to:

**(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:**

The satisfactory completion of a legal agreement under s.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and

**(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. Finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary; and

3. Complete the section 106 legal agreement referred to above and issue the planning permission.

### **Minutes:**

Councillor Malik stated that although reference was made in the report to taxi drivers, he did not consider that he had a disclosable interest in this application nor did this predetermine or affect his decision.

The Committee considered an application for planning permission for the demolition of a single storey lecture hall and refectory buildings; change of use from Student Accommodation (Sui Generis) to Residential Institution (Use Class C2); erection of connecting buildings, a new accommodation block at the western end of the site; reconfiguration of the retained buildings; and provision of associated car parking and cycle parking spaces, landscaping, plant, and associated works (Amended description) at Cotuit Hall Old House, Pullens Lane, Oxford, OX3 0DA.

The Planning Officer tabled an addendum to the report setting out the relevant paragraphs of the Headington Neighbourhood Plan (HNP) considered in preparing the report and amendments to the report to state these explicitly; the application of policy GSP2 and paragraphs 128-134 of the National Planning Policy Framework.

Hans Andreae, of the Headington Hill Umbrella Group and residents of Harberton Mead, spoke against the application. Michael Crofton-Briggs, representing the Feilden Grove Resident's Association, spoke against the application.

Chris Goddard and Paul Ellis, representing the applicant, spoke in support of the application. Jenny Hepworth and Tony Fretton, also representing the applicant were available to answer questions.

In reaching its decision, the Committee considered all the information put before it including the officer's report and presentation and the addendum tabled and the answers to questions given by officers and the public speakers.

In answer to questions the Committee noted in particular:

- The conservation area in this location was characterised by a green, open aspect with low density development.
- The HNP policies had been taken into account in coming to the recommendation. The conflict with policy HP5, designed to protect residential housing from pressure from student numbers, was mitigated by the agreed affordable housing contribution.
- Those speaking against the application considered that the detrimental impact of intensification of the use and loss of open aspects of the site outweighed any benefits from reduced numbers of movements of students between the EF school sites. The hardstanding and new buildings increased the footprint and the extension to the rear of the site reduced the open space. The size and intensification of what was a large commercial educational site was out of keeping and detrimental to this section of the conservation area.
- The site was considered a valuable green space but no accessible public space was lost. Enhancements to public open space off-site could be secured from the required CIL contribution from the development in the normal way.
- Officers had assessed the proposed loss of 24 specific trees as acceptable given their value to the conservation area and planned replacements.

- The applicants were of the view that their proposal enhanced the existing buildings and reduced nuisance from students moving between sites, thus improving the conservation area. The proposals would create about 10 teaching jobs plus onsite cleaning, catering and gardening work.
- The development did not contravene the policy of no further educational development near Cuckoo Lane as this prevented new uses not changes to existing uses. Use as an educational establishment only would be secured by condition.
- There were no plans to significantly increase the numbers of students on this site but to increase the level of activity and consolidate teaching and living accommodation in one place. The site would also be used for summer language school students.
- A proposed condition set a new restriction of an absolute cap on the number of enrolments at the school across the two sites and a legal agreement was proposed to set a cap on enrolments at the Plater College site. Numbers on-site across both sites at any one time would generally be lower than the number enrolled.
  - Students were instructed that taxis were to drop off and pick up from the end of the lane not coming on -site: however councillors considered it was potentially unsafe for young people to be walking along this dark secluded lane. The school catered for sixth-form age groups ie under-18s.

The Committee in debate noted:

- The design, green roof, living walls and low aspects of the buildings were commended. There was a small change in the overall total activity of students across the two school sites. The school should continue and enhance their supervision and security for students to improve both safety and traffic management on Pullens Lane.
- However the relationships of the new buildings with existing and with surrounding buildings compromised the openness of the area. The intensification of use and increased footprint was detrimental.
- The overall impact did not preserve or enhance the special character of this part of the conservation area but caused harm to the character of the conservation area. While this harm was 'less than substantial' as defined in the NPPF, it was detrimental to the conservation area.
- They were unconvinced that the conflict with policy HP5 was adequately addressed. They were unconvinced that the development adequately complied with the intention of the policies in the HNP relating to the loss of open space, greening the area and maintaining zones of use.
  - There was marginal overall benefit to the public from this scheme.

A proposal to accept the officer's recommendation to grant planning permissions with the conditions and legal agreements as set out in the report was declared lost on being put to the vote.

The Committee concluded that the overall impact of the application before them resulted in harm, albeit less than substantial, to the character of the Headington Hill Conservation Area and that there was insufficient public benefit to outweigh this.

Notwithstanding the officer recommendation for approval and taking into account the comments above, on being put to the vote the Committee agreed to refuse planning permission for the reasons set out below.





**The Committee resolved to refuse planning permission for application 17/00584/FUL for the following reason:**

The proposed development, because of the change of use, associated activities and increased footprint of building on the site, would result in less than substantial harm to the open, quiet, residential character of the Headington Hill Conservation Area. The proposed development would result in less than substantial harm to a heritage asset but it is not considered that the public benefits would outweigh this harm.

The proposal is contrary to the Council's development plan, in particular Local Plan policies HE7, CP1, CP8, Core Strategy policy CS18 and Headington Neighbourhood Plan policies GSP2, GSP4, CIP1, CIP4.

The proposal is also contrary to the guidance set out in paragraphs 128-134 of the National Planning Policy Framework, the Planning Practice Guidance and the Council's Headington Hill Conservation Area Appraisal.

**Supporting documents:**

- [17-00584-FUL Cotuit Hall - report, item 48.](#)  PDF 184 KB
- [17-00584-FUL Cotuit Hall - Appendix 1 Site location plan, item 48.](#)  PDF 268 KB
- [17-00584-FUL Cotuit Hall - Appendix 2 Proposed Block Plan, item 48.](#)  PDF 803 KB
- [17-00584-FUL Cotuit Hall - presentation, item 48.](#)  PDF 8 MB