

I write to object in the strongest possible terms to Christ's College's current application 26/02109/FUL. This current application seeks to simply replace the planning permission 25/02161/FUL now subject to Judicial Review, with no additional information or amendments. The only change is in the covering statement.

It is profoundly shocking, given the Judicial Review, that the new application makes no attempt to remedy the failings it highlights, and that both the College Master, in his covering letter to the current application, and the College Bursar in his letter of 11 June 2026 to Councillors, attribute the problems solely due to failings of the Council's process. Neither they nor the application address serious issues identified in the Grounds of Judicial Review, in summary:

- (Ground 1) Inadequate weight given to the heritage harm identified by Historic England arising the bulk and overall massing of the proposal
- (Ground 2) The extent of harm to designated heritage assets
- (Ground 3) 'Optimum viable use' wrongly claimed as a public benefit in support of the application
- (Ground 4) The existence of less harmful alternative forms of development.

These Judicial Review Grounds endorse, and reinforce, concerns I raised in points 1, 2, 4, 5, 6 and 7 of my objection to 25/02161/FUL (see below), submitted after having seen the officer report and recommendation. I concluded "Both the application and the officer report have very significant failings. The submitted justification does not address significant policy requirements. The officer's identified balance between the applicant and the public is seriously flawed in favour of the application. I urge the Committee to refuse the applications."

My objection to 25/02161/FUL, reiterated and amplified

I hereby reiterate my objection to 25/02161/FUL contained in points 1-11 below, *now cross-referenced to the Judicial Review grounds and amplified in italics.*

1. The balance between private and public benefits is heavily weighted towards the College and its students; benefits to the public realm are marginal at best. *See Judicial Review Grounds 2 and 3.*

The Covering Statement's claims (3.11-3.17) regarding "minor beneficial impact" to the listed buildings and conservation area, and lack of heritage harm to be balanced against public benefit, stretch credulity far beyond any possible limits. There are undeniable heritage harms, as noted by Historic England and detailed by Alec Forshaw in his Heritage Statement for CLAG.

The "public benefit" side of the balance is woefully lacking. "Optimum Viable Use" is not a public benefit in this context (Judicial Review Ground 3).

There is no basis whatever for the application to claim either preservation or enhancement of the Conservation Area. Detailing, articulation, and the provision of a stone bench are no more than fig-leaves to the fundamental harm to the Conservation Area caused by the overbearing height and bulk of the proposal.

2. What improvements have been achieved in the public interest during negotiations have benefitted the listed building, but not the conservation area and the public realm. The primary, public, impacts of the proposed height and bulk have not been resolved. *See Judicial Review Grounds 1 and 2.*

3. The (25/02161/FUL officer) report's assessments of Local Plan Policy implications are highly questionable. Why are Criteria a) and b) of Policy 10 considered "not applicable" when this proposal has major impacts on the pedestrian route between the city centre and Grafton, prioritised under this Policy? The access implications for users of this route displaced by construction works are not considered. A detailed transport plan is essential, as Cllr Bick said during the DCF, to resolve these key issues now.

The access implications of construction management are a matter of considerable public interest and should form part of the current application.

The application's Access statement still does not even mention access implications for the public using Christ's Lane. The new application specifically omits the Construction Management Plan which was approved, without public consultation, under Condition 3 of 25/02161 - but is that approval valid given the agreement to quash that permission? This needs clarifying.

4. I strongly disagree with the way officers have followed the applicant's interpretation of Policy 60 (Tall Buildings). The Historic Core Street Analysis for Drummer St and Christ's Lane

(not mentioned in either the application or the officer report, *a very serious flaw in both*) identifies key views in both directions along the Lane which would be severely impacted by the proposal. *See Judicial Review Ground 2.*

The application's single viewpoint looking towards St Andrew's St seriously fails to present the full canyon impact of the proposal, as seen by a pedestrian or wheelchair user moving along the Lane, on key views identified in the Appraisal. A single "verified view" in each direction is totally inadequate representation of the impacts and issues created, over a significant distance, by a building of the proposed height and bulk.

5. It is beyond belief to describe the heritage impacts of the bulk and height of the building, coupled with the loss of sky component, as "neutral" (*let alone "minor beneficial", as now claimed*). Contrary to the applicant's claims, the additional height along part of the Lane would dominate the whole Lane and views into and from St Andrew's St. *See Judicial Review Ground 2.*

The new application should have, but has not, remedied the previous serious omission of the Council's Historic Core Conservation Area Appraisal Street Analysis for Drummer Street and Christ's Lane.

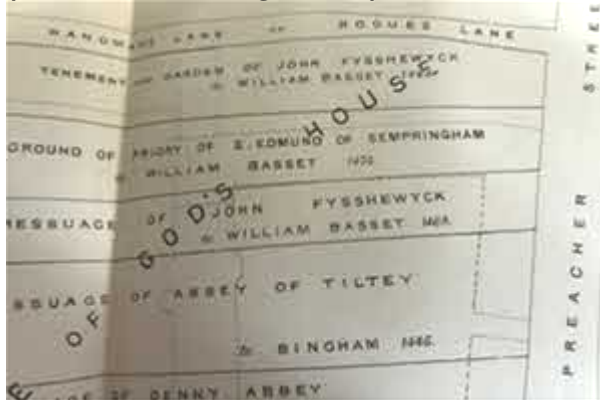
6. The key issues of height and bulk arise from the applicant's choice to omit the previously approved basement. What consideration has been given to meeting the College's revised needs within the height and bulk of the approved scheme with basement? *See Judicial Review Ground 4.*

Both the approved Mather scheme, and the Create Streets illustration, show ways in which the College's needs might be met while minimising height and bulk. The clear message of the Judicial Review is that both the College as applicant and the Council as Local Planning Authority have so far failed, and now need, to be mindful of and give weight to potential alternative options, which neither applicant nor authority have yet done.

7. The claimed archaeological benefits of omitting a basement are highly questionable. The likelihood is very low of there being any remains of decisive significance requiring preservation in situ rather than by record.

The site (as evidenced in Willis and Clark vol 4) was a tenement and garden in medieval times, and Bath Court appears to have been a garden for much of its history. *See Judicial Review Ground 2.*

*The site in medieval times...
Clark vol 4)
(tenement and garden)*



...and in 1886 (from Willis &

*(*still predominantly garden)*



8. The sustainability argument for omitting the basement advances only one part, saving carbon, of the environmental pillar of sustainability, rather than taking a holistic approach in keeping with current policy and best practice. Considering the social pillar, the application demonstrably fails in its lack of consideration for the public, particularly in relation to access needs along Christ's Lane. Adverse economic impacts on the public realm are already happening, with the impending closure of Starbucks. The application is also inadequate in its failure to consider heritage as an integral element of social and environmental sustainability, particularly so given UNESCO's 2010 recognition of Culture as the 4th pillar of sustainability, and the best practice requirements in BS EN 16883:2017 ("Guidelines for improving the energy performance of historic buildings") for all 4 pillars of sustainability to be considered together.

9. There seems to have been a collective loss of corporate memory in relation to this proposal. Both the application and the report fail to note the priority given by the Council in 2004 to avoiding canyonisation of the reopened Christ's Lane, and the College's subsequent failure to deliver the landscape / public art improvements to its Christ's Lane frontage which were promised at that time.

Contrary to what the Master said in the recent public meeting, the College itself did not object to the redevelopment of Bradwell's Court, but was a partner in the project. As part of the redevelopment project the College was going to provide landscaping to its unsightly wall to Christ's Lane, but failed to deliver this. See para 8.24 of the officer report on the

redevelopment application C/04/0632/FUL for Bradwells Court and the reopening of Christs Lane.

10. The architects have treated the Christ's Lane frontage as an edge to the College, comparable to other College frontages facing car, cycle and pedestrian routes. But Christ's Lane is different *in character and function*. It is a wholly pedestrian public route, experienced over a longer time (it takes me 1 minute 20 sec to walk), which needs to be considered as far more than an edge.

Christ's Lane needs to be considered as a space, not an edge, to be experienced, by day and by night, at pedestrian pace, with interest provided at a variety of scales and distances

(see, e.g., Thomas Heatherwick's "Humanise rule" - "A building should be able to hold your attention for the time it takes to pass by it":

"In order to pass the test this rule sets, a building must be interesting from three distances:

- 1 City distance of over 40 metres,*
- 2 Street distance of around 20 metres,*
- 3 Door distance of about 2 metres"*

("Humanise", Thomas Heatherwick, Penguin 2023).

11. From long involvement as a council officer with the development of proposals, and with facilitating panel discussions, I am very well aware that sometimes proposals develop momentum within which key issues can become overlooked. It is my impression that this has happened here, in relation to the lack of consideration given to impacts on the public.

Further to the above and the grounds for Judicial Review:

Inadequate weight given to heritage harm (Ground 1)

The Covering Statement's claims (3.11-3.17) regarding "minor beneficial impact" to the listed buildings and conservation area, and lack of heritage harm to be balanced against public benefit, stretch credulity far beyond any possible limits. There are undeniable heritage harms, as noted by Historic England and detailed by Alec Forshaw in his Heritage Statement for CLAG. These should be given full weight.

Extent of harm to heritage assets (Ground 2)

There is no basis whatever for the application to claim either preservation or enhancement of the Conservation Area. Detailing, articulation, and the provision of a stone bench do not offset the harm caused by the overbearing height and bulk of the proposal.

Balancing Heritage Harms, and the Conservation Area (Ground 2)

Historic England's balance between identified heritage harms may have led them to conclude "no objection", but does not give sufficient weight to the demonstrable significant harm to the Conservation Area. (My points 4-6 above).

This is understandable, because Historic England's statutory role in this case relates to the Grade I listed buildings, and not to the Conservation Area. The latter is a local designation for which the Council as Local Planning Authority has statutory responsibilities: for designating, protecting, and enhancement.

The Council as Local Planning Authority has every right to reach a different, fully justified conclusion to that reached by Historic England on the wider balance of Heritage Harms, taking into account not only impacts on the Conservation Area but also the planning merits of quality of experience of the public realm, and its own policies including the Conservation Area Appraisal Street Analyses and Local Plan policies (including Policy 10 cited in 3 above),

These issues and balances are precisely what both the applicant should have explored, and the Council now must consider, more exhaustively than was done for 25/02161, in relation to Judicial Review Ground 2.

'Optimum viable use' wrongly claimed as a "public benefit" (Ground 3)

This Judicial Review Ground contradicts a key plank of the application's potential balance between public benefit and heritage harm. It is telling that, rather than addressing this issue, the Covering Statement (3.11-3.17) attempts to get round it by re-framing actual heritage harm as claimed public benefit.

Existence of alternative less harmful forms of development (Ground 4)

The clear message of Judicial Review Ground 4 to both College and Council is to pursue alternative options. Both the approved Mather scheme and the Create Streets illustration show alternative potential

ways of achieving the College's aims which are less harmful than the present proposal.

The College's unwillingness to review its position, and its submission of the current application, both directly flout Ground 4 of the Judicial Review.

Conclusion

This application repeats the content of 25/02161/FUL while making no attempt to remedy its substantive failings highlighted in the Judicial Review Grounds. For its part, the Council needs to take on board all 4 Grounds of the Judicial Review, and revise its consideration accordingly.

The application does not begin to address the serious issues raised in the Judicial Review, which reinforce my objections to the previous identical scheme. I urge the Committee to refuse the applications.

21 July 2026

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