

## OXFORD CITY PLANNING COMMITTEE

21<sup>st</sup> May 2024

|                            |   |                   |                 |
|----------------------------|---|-------------------|-----------------|
| <b>Application number:</b> | 24/00335/FUL  |                   |                 |
| <b>Decision due by</b>     | 21 <sup>st</sup> May 2024   |                   |                 |
| <b>Extension of time</b>   | 21st June 2024  |                   |                 |
| <b>Proposal</b>            | Demolition of existing office buildings and erection of 1no. laboratory-enabled office building for research and development with ancillary commercial space (all within use Class E). Provision of new access, alterations to existing footpath, motor vehicle and cycle parking, landscaping and services infrastructure. |                   |                 |
| <b>Site address</b>        | 4200 Nash Court, John Smith Drive – see <b>Appendix 1</b> for site plan   |                   |                 |
| <b>Ward</b>                | Temple Cowley Ward  |                   |                 |
| <b>Case officer</b>        | Jennifer Coppock  |                   |                 |
| <b>Agent:</b>              | Mr James Ellis  | <b>Applicant:</b> | Mr. Robin Moxon |
| <b>Reason at Committee</b> | Major development   |                   |                 |

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### 1. RECOMMENDATION

1.1. The Oxford City Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 13 of this report and grant planning permission subject to:

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

1.1.2. **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; and
- respond to comments made by the Environment Agency with regards to groundwater contamination, resolve any concerns or objections and finalise any recommended conditions;
- 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 and Regulatory Services considers reasonably necessary; and

- complete the section 106 legal agreement referred to above and issue the planning permission.

## **2. EXECUTIVE SUMMARY**

- 2.1. This report considers development at Plot 4200 Advanced Research Clusters (ARC) Oxford (previously known as the Oxford Business Park), John Smith Drive which comprises the demolition of the 7no. existing buildings and erection of 1no. three storey building in Research and Development use to accommodate Containment Level 2 (medium risk biological agents and hazards, genetically modified organisms, animals and plants) laboratories and associated offices. Officers consider that the proposed development would respond appropriately to the site context, Local Plan policies and the Oxford Business Park site allocation. The proposal would provide enhanced pedestrian connectivity from Boswell Road through to ARC Oxford and improved bus infrastructure through financial contributions and it is considered that there would be no harm to the highway network as a result of traffic generation. The development would result in a marginal net gain in tree canopy cover through new and retained soft landscaping.
- 2.2. There would be no harm to any identified protected species and the proposal would achieve a Biodiversity Net Gain of 5% (the application was submitted prior to the 10% BNG requirement becoming law as part of the Environment Act). The development would be of a sustainable design and construction, achieving a 45.4% reduction in carbon emissions when set against the 2021 Part L Building Regulations. The scheme would result in a reduction in car parking provision by 77 spaces – from 243 down to 166 bays equating to a mode share of 41.5% which is considered acceptable in this location, in accordance with the objectives of the Oxford Local Plan 2036. 117 cycle parking spaces would be provided, in excess of Local Plan requirements, with further details to be secured by condition. There would be no adverse land contamination, noise pollution, air quality or flood risk and drainage impact as a result of the proposal. The Environment Agency (EA) are yet to comment on the application with regards to ground water contamination due to ongoing resourcing issues, however Officers would liaise with the EA to address any queries and negotiate appropriate conditions prior to granting planning permission.
- 2.3. Subject to addressing comments made by the Environment Agency, the imposition of appropriately worded conditions and a section 106 legal agreement, the development would accord with all policies in the Oxford Local Plan 2036 and NPPF.

### **3. LEGAL AGREEMENT**

3.1. This application is subject to a legal agreement to cover:

- An agreement to enter into a S278 Agreement with the Highways Authority regarding the requirement to provide dropped-kerbs, bollards and double yellow lines at Boswell Road within the vicinity of the pedestrian/cycle route through to ARC Oxford.
- An agreement to reduce car parking numbers by 36 spaces, from 166 to 130 bays within 3 months of the Cowley Branch Line operating a passenger service of 2 trains per hour at peak times between London Marylebone, Oxford City centre and Oxford Cowley.
- A requirement that tenancy agreements shall include the loss of parking spaces, with appropriate clauses inserted into lease agreements to secure their sacrifice.
- £114,142.00 towards the Eastern Arc bus service with agreement/qualification that the County Council will use all reasonable endeavours to procure bus service stops within the north and south of the Campus in locations to be marked on a plan.
- £3,110.00 towards Travel Plan monitoring.
- The provision and implementation of Construction (excluding demolition, site clearance and remediation works) and End User Community Employment and Procurement Plans with the City Council.
- Agreement that the footpath between Boswell Road and ARC shall remain open 24 hours a day, 7 days a week in perpetuity upon completion of the footpath works.
- Agreement to achieve 5% Biodiversity Net Gain within the wider ARC Oxford site (edged blue on the site location plan).

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

4.1. The proposal is liable for CIL totalling £852,980.70.

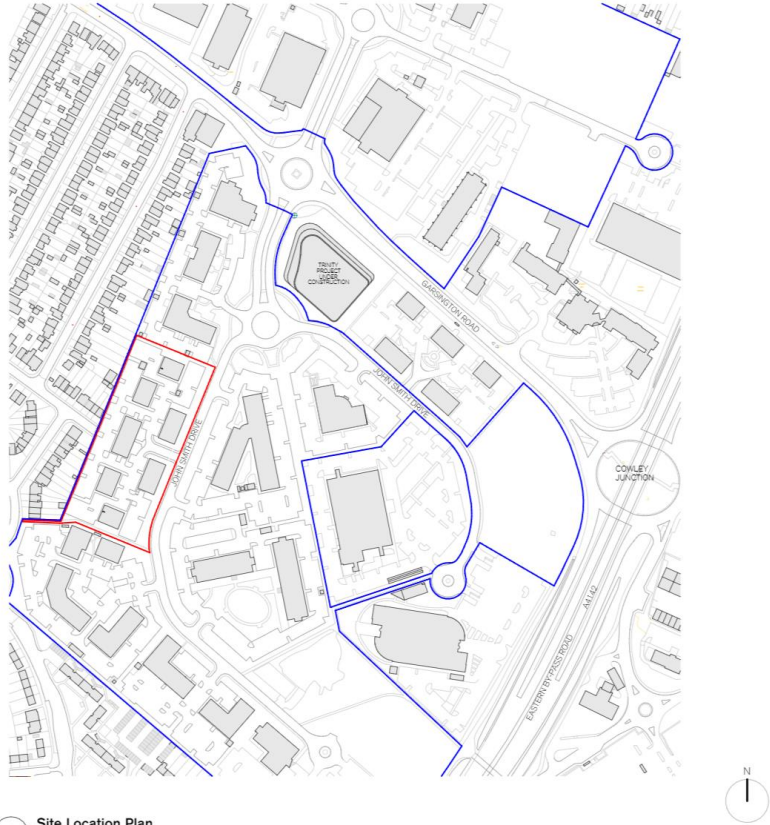
### **5. SITE AND SURROUNDINGS**

5.1. The site comprises a rectangular parcel of land, accessed off John Smith Drive within ARC Oxford and extends to approximately 1.3ha. Built development on site is currently in the form of 7no. two storey office buildings with pitched roofs. Surface parking is laid out throughout the site, interspersed with soft landscaping and bound by trees and hedges. The application site includes an existing private footpath which runs the extent of the southern site boundary and leads out onto Boswell Road. The footpath is currently gated and closed between 9pm and 5am.

5.2. Surrounding built form comprises two and three storey buildings in a range of employment uses. Two storey residential dwellings fronting Phipps, Bailey, Frederick and Boswell Roads lie immediately to the west. Rear elevations sit between 1.5m and 35m from the western site boundary and are positioned approximately 1.4m higher than the application site due to varying ground levels.

5.3. ARC Oxford is a Category 1 Employment Site and as such is a key site for delivering the Local Plan’s aim of managed economic growth to 2036. The Park has been specifically allocated within the Oxford Local Plan 2036 for employment and complimentary uses and the Cowley Branch Line Area of Change sits immediately south of the Eastern By-Pass. These designations are set out below in more detail. The site is not subject to any specific planning policy constraints and lies within flood zone 1 (lowest probability of flooding).

5.4. See site location below:



Site Location Plan  
**Figure 1: Site Location Plan**

**6. PROPOSAL**

6.1. This full application proposes to demolish all existing two storey office buildings and replace them with a three-storey building with a maximum height of 17m. Whilst regrettable, demolition is necessary due to the insufficient floor to ceiling heights within the existing buildings to accommodate laboratories and their mechanical servicing requirements. Further, their structural loading is insufficient and incapable of supporting the required equipment and mechanical plant. As above, the building, with a Gross Internal Area of 9,829 sq. m., would accommodate Containment Level 2 laboratories and offices. Part of the second and third floors would be reserved for

ancillary amenity uses with a roof terrace at third floor for use by tenants and authorised visitors only, details of these uses are yet to be confirmed as the application is speculative with no end user secured at present. Five single storey ancillary buildings to store cycles, lab gases and bins, generators and a sub-station would be located to the north, south and west of the main laboratory building as shown on the submitted drawings.

6.2. The existing footpath to the south of plot 4200, and included within the application site, would be partially widened to create an entrance plaza with enhanced planting, seating and visitor cycle spaces. The gate fronting Boswell Road would be removed allowing 24/7 public access. A spur off the footpath directly to plot 4200 would also be created, providing a short-cut for staff and visitors to the building. This element of the footpath would be gated to provide security.

6.3. 166 vehicular parking spaces, including visitor parking and accessible bays, would be located at surface level. The majority of which would be located to the rear of the building with four of the visitor spaces to the front. This provision would equate to 41.5% of the estimated 400 staff that would be on site at any one time (total capacity would be 500 staff). In terms of cycle parking provision, 117 spaces would be provided for staff and visitors. As above, full details of cycle parking specifications would be secured by condition.

6.4. Please see proposed site plan below at figure 2:

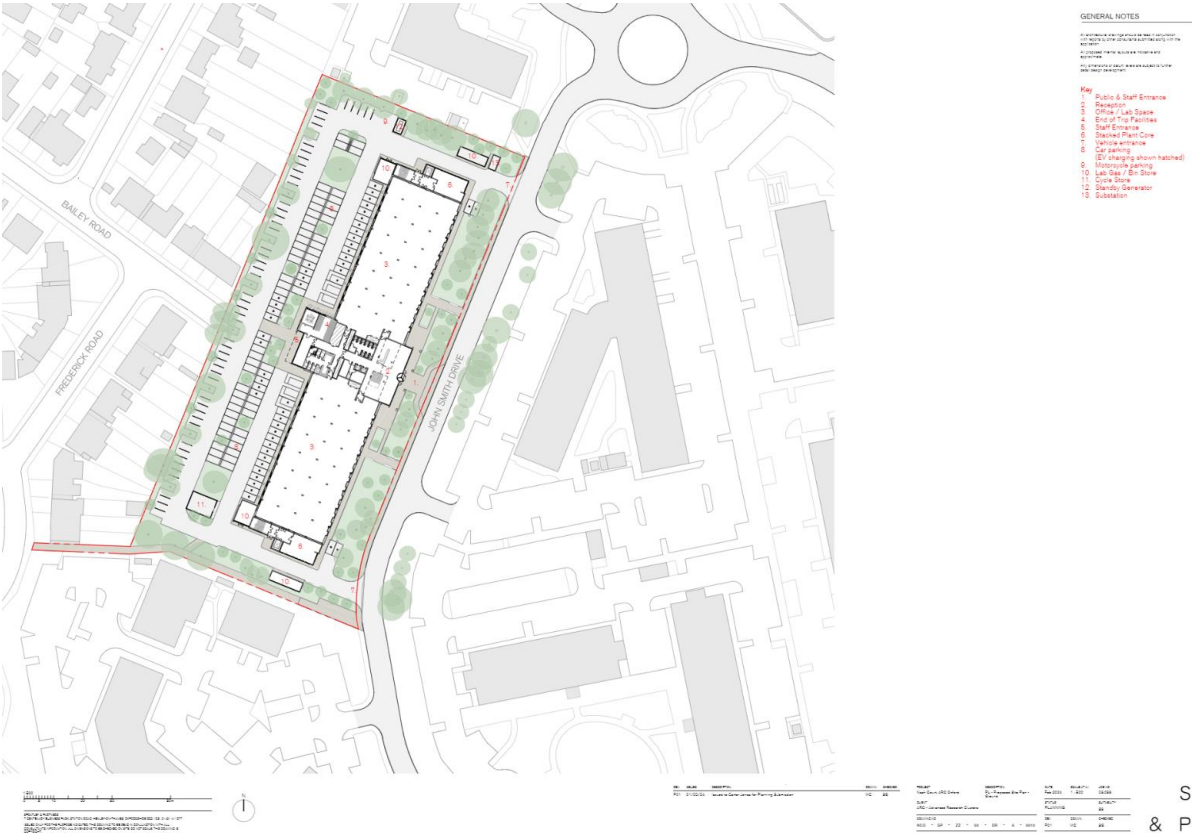


Figure 2: Proposed block plan

## 7. RELEVANT PLANNING HISTORY

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

| <b>Application Ref</b> | <b>Description</b>  | <b>Decision</b>     |
|------------------------|---|---------------------|
| 91/01303/NO            | Demolition of all buildings. Construction of buildings for B1 business use (125,023 square metres) & a hotel (10,451 square metres) incl. new roads, car parking, infrastructure & landscaping (Amended Plans) (Oxford Business Park, Garsington Road). | Approved 27.11.92   |
| 93/00706/NR            | Details of access and landscaping on Garsington Road and some internal site roads. Details of landscaping on Eastern Bypass (part reserved matters of outline approval NO/1303/91)  | Approved 02.02.94   |
| 95/01818/NR            | 7 two storey buildings for business purposes (total 5097 sq. m.) together with car parking (256 spaces including 12 spaces for disabled people) cycle parking, access, landscaping and ancillary (amended plans)  | Approved 12.02.1996 |
| 99/01351/VF            | Variation of condition 1 on permission NO/1303/91 to allow submission of reserved matters application until 26.11.2004.   | Approved 15.10.1999 |
| 04/00215/VAR           | Variation of condition 1 on permission 99/01351/VF to allow submission of reserved matters application until 30.11.2012.  | Approved 02.04.2004 |
| 12/01424/EXT           | Extension to the outline planning permission  | Approved 13.12.2012 |

|  |  |  |
|--|--|--|
|  | 91/01303/NO for Class B1 business use, hotel, associated roads, car parking, infrastructure and landscaping. |  |
|--|--|--|

### Pre-application advice

7.2. Pre-application engagement took place from October 2023 to January 2024. A summary of key amendments made to the proposal during this time is listed below:

- The building has been pulled back from residential rear garden boundaries to the west by an additional 16.3m (total of 33.7m) to ensure the proposal would not lead to overlooking, perceived or otherwise, and reduce any overbearing impact.
- The rear elevation has been carefully articulated and the plant enclosure has been reduced as far as possible, again to mitigate impact on neighbouring amenity.
- Fenestration to the rear has been simplified and reduced to mitigate overlooking and the impact on views from Frederick Road.
- The plant screen materiality was amended to a high-quality bronze coloured metal cladding and extended across the upper storey in order to break down the building mass and meaningfully integrate the plant enclosure into the building design.

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

| Topic                  | NPPF    | Local Plan  | Other planning documents |
|------------------------|---------|---|--------------------------|
| Design                 | 131-141 | DH1 - High quality design and placemaking<br>DH7 - External servicing features and stores |                          |
| Conservation/ Heritage | 195-214 | DH2 - Views and building heights<br>DH3 - Designated heritage assets                      | High Buildings TAN       |
| Housing                | 60-84   | H14 - Privacy, daylight and sunlight  |                          |
| Commercial             | 85-89   | E1 - Employment sites - intensity of uses<br>SP10 - Oxford Business Park                  | Employment Skills TAN    |

|                             |         |   |                       |
|-----------------------------|---------|---|-----------------------|
| <b>Natural environment</b>  | 180-194 | G2 - Protection of biodiversity geodiversity<br>G7 - Protection of existing Green Infrastructure<br>G8 - New and enhanced Green and Blue Infrastructure   |                       |
| <b>Social and community</b> | 118-122 | RE5 - Health, wellbeing, and Health Impact Assessment   |                       |
| <b>Transport</b>            | 108-117 | M1 – Prioritising walking, cycling and public transport<br>M2 – Assessing and managing development<br>M3 – Motor vehicle parking<br>M4 – Provision of electric charging points<br>M5 – Bicycle parking            | Parking Standards SPD |
| <b>Environmental</b>        | 157-179 | RE1 - Sustainable design and construction<br>RE4 - Sustainable and foul drainage, surface<br>RE6 - Air Quality<br>RE8 - Noise and vibration<br>RE9 - Land Quality<br>RE4 - Sustainable and foul drainage, surface | Energy Statement TAN  |
| <b>Miscellaneous</b>        | 7-14    | S1 - Sustainable development<br>RE2 - Efficient use of Land<br>RE7 - Managing the impact of development   |                       |

## 9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 5<sup>th</sup> March 2024 and an advertisement was published in The Oxford Times newspaper on 29<sup>th</sup> February 2024.

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

#### Oxfordshire County Council (Highways)

- 9.2. No objection, subject to conditions.

#### Lead Local Flood Authority (LLFA)

- 9.3. No objection, subject to conditions.

#### Thames Water Utilities Limited

- 9.4. No objection, subject to condition and informative.

#### Thames Valley Police (TVP)



9.5. An initial objection was raised due to concerns around access and security, postal deliveries, car parking and cycle storage. However, following clarification provided by the applicant, the objection was lifted on 3<sup>rd</sup> May 2024 with no conditions recommended.

Oxford Preservation Trust

9.6. No comments received.

Historic England

9.7. No comments to make.

Active Travel England

9.8. Standing advice given.

Environment Agency

9.9. No comments received at time of writing but we are awaiting a response.

**Public representations**

9.10. No public comments have been received.

**10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- a) Principle of development
- b) Design, views and impact on heritage assets
- c) Impact on neighbouring amenity
- d) Health and wellbeing
- e) Highways and parking
- f) Trees and landscaping
- g) Air Quality
- h) Sustainable design and construction
- i) Noise
- j) Land quality
- k) Flood Risk and Drainage
- l) Ecology
- m) Utilities

**a. Principle of development**

10.2. The NPPF sets out a presumption in favour of sustainable development and the Core Principles encourage the efficient use of previously developed land. Policies S1 and RE2 of the Oxford Local Plan 2036 are consistent with this approach. Policy RE2 requires that development proposals must make best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader consideration of the needs of Oxford. The development proposal must have a density appropriate for the proposed use, with an appropriate scale and massing, maximise

the appropriate density with a built form and site layout appropriate to the capacity of the site.

- 10.3. The Oxford Local Plan recognises at paragraph 128 that Oxford has *“one of the highest concentrations of knowledge intensive businesses in the UK. It has the fastest growing and one of the best educated workforces in the country and is the main centre of research and spin outs in the country. The Local Plan supports the growth of these sectors and puts in place measures to manage the effects of success”*. The Oxfordshire Strategic Economic Plan (2017) sets out the long-term vision and ambitions for economic growth in the County, which is that overall by 2030 *“Oxfordshire will be recognised as a vibrant, sustainable, inclusive world leading economy driven by innovation, enterprise and research intelligence”*. The Oxfordshire Local Industrial Strategy (2019) looks to position Oxfordshire as one of the top 3 global innovation ecosystems highlighting the County’s world leading science and technology cluster.
- 10.4. As above, the site forms part of a Category 1 employment site and as such, under the requirements of policy E1 of the Oxford Local Plan 2036, the site is protected for employment floorspace only. Planning permission will be granted for the intensification, modernisation and regeneration for employment purposes of any employment site if it can be demonstrated that the development makes the best and most efficient use of land and does not cause unacceptable environmental impacts and effects. Further, the Park is allocated under policy SP10 for employment and, potentially, other complimentary uses. The policy encourages the promotion of sustainable travel modes to the Park and there is a requirement to mitigate any harm to biodiversity value.
- 10.5. It is therefore considered that intensifying development on the site for business (Use Class E(g)) uses within the research led employment sector, as proposed, is acceptable in principle subject to compliance with all requirements of policies E1, SP10 and the Local Plan as a whole.
- 10.6. The submitted Economic Statement estimates that approximately 115 on-site jobs would be created during the 19-month construction period with 500 jobs created on site once operational, an increase of 150 jobs compared to what the partially vacant site could feasibly support if it were fully operational. According to the Statement, the proposal could create 190 jobs associated with the operational phase (net, on-site and off-site) for residents of Oxford. The Statement also estimates that the economic activity on site would result in up to £38 million of Gross Value Added (GVA) each year, once fully operational.
- 10.7. In addition to the above, the applicant has committed to entering into Construction and End User Community Employment and Procurement Plans (CEPP) which would ensure that local people are employed and local businesses are supported during the construction and operational phases of the development. This would be secured by legal agreement.

## **b) Design, views and impact on heritage assets**

- 10.8. The NPPF makes it clear that the purpose of planning is to help achieve sustainable development (Section 2), and that design (Section 12) and effects on the natural environment (Section 15) are important components of this.
- 10.9. Section 11 of the NPPF notes in paragraph 128 that in respect of development density the considerations should include whether a place is well designed and “the desirability of maintaining an area’s prevailing character and setting...or of promoting regeneration and change”.
- 10.10. Paragraph 135 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) are sympathetic in local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place to create attractive, welcoming and distinctive places and e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public open space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 10.11. Local Plan Policy DH1 requires developments to demonstrate high quality design and placemaking.
- 10.12. In response to the plot’s long and fairly narrow form, the proposed building is long, slender and of a relatively simple form, making an efficient use of the development plot that sits comfortably within the local context. Sufficient vehicular parking is located to the rear, screened by the building, which allows for generous soft landscaping to the front, providing a key place-making element that will respond to forthcoming development on the Park (currently being discussed at pre-application stage). As set out in more detail below, the building is stepped away from the western boundary which adjoins residential properties, thereby mitigating harm to neighbouring amenity.
- 10.13. Internal amenity space has been positioned over the entrance which forms the highest part of the building, legibly marking the entry point to the building. Again, this increased bulk is positioned away from the western edge so as to avoid impacting adjacent residential properties, demonstrating a well thought out and effective design.
- 10.14. The upper storey of the proposed building is further stepped back from residential neighbours, with smaller windows and clad in bronze coloured metal, differentiating it from lower floors helping the upper storey to read as a roof top. This approach to the scale, massing and materiality (to be secured by condition) enables a comfortable transition between the commercial typology of the Park and the neighbouring 2-3 storey dwellinghouses.

10.15. The retention and enhancement of the existing footpath through to Boswell Road allows sufficient permeability for the site, as well as the main access from John Smith Drive.

10.16. In conclusion, it is considered that this is a thoughtful and well considered proposal that maximises efficiency of the site whilst achieving an appropriate and comfortable quantum of development. The relatively simple form and façade design sits comfortably within both the residential and commercial site contexts. This is a quality design that reflects the wider step change of ARC Oxford and would be a welcome addition to the campus.





**Figure 3: Proposed east (front) and west (rear) elevations**

10.17. As required by Local Plan policy DH2, the City Council will seek to retain significant views both within Oxford and from outside. Policy DH3 requires development to respond positively to the significant character and distinctiveness of heritage assets.

10.18. Oxford's historic built environment, including its central core and surrounding townscape, is intrinsically linked to its landscape setting. The city's character has been influenced by its physical and topographical environment, which has three fundamental elements:

- River meadows – these flat open areas permeate the city north to south.
- Wooded farmland, estates & hills – these high and nearby hills form a natural green backdrop and 'amphitheatre' to the east and west of the city.
- Alluvial lowland & vale farmland – these areas of lower lying hills are predominant to the north and south of the city and signal the location of the rivers.

10.19. Oxford's historic built environment features an architectural history that comprises:

- Medieval historic core, originating from C9th Saxon burgh, built on a raised gravel terrace at the confluence of the rivers which contains a cluster of tall buildings of exceptional architectural significance that form its iconic skyline

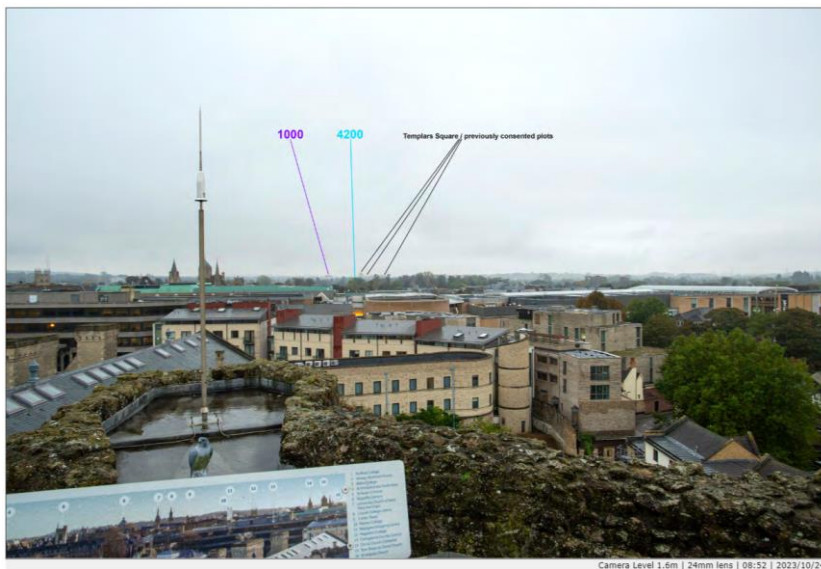
and are collectively known as the 'dreaming spires'. The historic core is designated as Oxford's Central Conservation Area.

- Surrounding outlying villages of medieval origins, designated as individual conservation areas, which have been subsumed by later C19 and C20 development.
- C19 suburban expansion which subsumed the outlying villages and forms, which the poet Matthew Arnold termed "Oxford's base & brickish skirt".
- C20 expansion including the industrial development of the Cowley Motor Works to the south of the city.

10.20. The landscape and built environment elements identified above and their interrelationship with one another and the intrinsic connection of Oxford's historic development to its landscape setting is fundamental to the significance of the city's Central Conservation Area and can be appreciated from a number of views, both from viewpoints outside of the city looking in (i.e. view cones) and from high level viewpoints within the city looking out.

10.21. At the southern edge of the city, the east and west containing hills fall away to a much lower ridgeline with the backdrop of the Chiltern Hills beyond, which signals the river route and is where the areas of C20 expansion have taken place below and beyond the lower ridge line. The ability to visually appreciate the location, extent and forms of the hills and ridgelines that surround the city is essential to understanding its historic development and heritage significance.

10.22. Any new, tall building development that extends above the ridgeline along the southern edge has the potential to disrupt and detract from the setting of Oxford's historic built environment and its Central Conservation Area, as well as affect the setting of other heritage assets. Notwithstanding this, the south-eastern suburbs, within which the site sits, are an 'Area of Greater Potential' which is less constrained by heritage considerations and therefore has the potential for growth in the form of tall buildings, as outlined in the High Buildings TAN. The High Buildings TAN identifies that buildings taller than 15m high at the Business Park would skyline in views from St Mary's Tower. In correlation with the TAN, the submitted TVIA views suggest that the uppermost parts of the proposed development would be visible from the towers of St Mary's (Grade I), and St George's (Grade I). However, in both of these views the built form would not break the far horizon line of the Chiltern Hills nor the lower ridgeline, which it would sit just below. The TVIA views indicate that the development would not be visible from Carfax Tower (Grade II), which was also tested.



**Figure 4: verified views of the proposed building from St Mary's Tower and St George's Tower.**

10.23. It is considered that the proposed development would be a modest addition to the Conservation Area's wider setting to the south that would result in a very low level of less than substantial harm to the Central Conservation Area. It is not considered that the development would adversely affect the ability to appreciate the historic and architectural special interest of any of the individual spires that make up the City's iconic skyline; and whilst the development would result in a change to the settings of the Oxford Stadium and Temple Cowley Conservation Areas it would not cause harm to these designated heritage assets.

10.24. When determining an application affecting a Conservation Area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended and Chapter 16 of the NPPF which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the

area. Paragraph 205 requires great weight to be given to conserving a designated heritage asset.

- 10.25. Paragraph 206 of the NPPF states that, *'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.'* Paragraph 208 continues that *'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'*.
- 10.26. In accordance with Section 66 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.
- 10.27. In terms of considering the planning balance of public benefits against harm to designated heritage assets, NPPF paragraph 206 states that there should be a clear and convincing justification for the harm, whilst paragraph 208 weighs the harm against public benefits including the optimum viable use.
- 10.28. In terms of providing a clear and convincing justification for the harm, the application has been developed following pre-application discussions with officers on the design, including an explanation of the space requirements for lab buildings. As widely understood now, the demand for high quality lab enabled office space within this part of the 'Golden Triangle' is outstripping supply making it difficult for Oxford to realise its potential as a global leader. As such officers consider that sufficient evidence has been provided to justify the overall height and form of the building.
- 10.29. In terms of public benefits, National Planning Practice Guidance states that public benefits that flow from a development could be anything that delivers economic, social, or environmental objectives. They need to flow from the development and should be of benefit to the public at large and not just a private benefit, although benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.
- 10.30. The applicant has set out a list of public benefits in the supporting Planning Statement. Officers consider the most valid to be as follows:
- 10.31. Economic: The proposed development would strengthen the provision of lab-enabled office space within Oxford, further strengthening its position as a world leader for the Research and Development sector.
- 10.32. As set out above, during the construction phase (19 months), the proposal would result in the creation of 115 jobs per annum. A net total of 90 jobs per annum associated with on- and off-site construction would be created for residents of Oxford, equivalent to 145 jobs over the construction period. The construction phase would contribute just over £5 million in GVA per annum to the local economy, or just over £8 million over the construction period.



- 10.33. During the operational phase, the proposal has the capacity to create a total of 500 on site jobs (150 more than the existing site could create if at full capacity). A net total of 190 on and off-site jobs would be allocated to Oxford residents (as secured by the CEPP). The operational phase would contribute £38 million in GVA per annum to the local economy.
- 10.34. *Social:* As outlined above, the proposed development would lead to far reaching economic benefits within the City with the applicant also committed to providing and implementing a CEPP which would ensure that employment in the construction and operational phases is made available to local candidates, particularly those within deprived areas and with disadvantages backgrounds that would typically not be considered, or have the opportunity to apply, for jobs within the life science sector.
- 10.35. The proposal would deliver enhanced landscaping, connectivity and legibility through improvements to the footpath adjacent to plot 4200.
- 10.36. *Environmental:* The scheme would provide a 5% Biodiversity Net Gain in line with Local Plan requirements, as detailed below in the relevant sections.
- 10.37. The development would result in a reduction in on-site car parking spaces and a sufficient number of cycle parking spaces for staff and visitors.
- 10.38. Taking these benefits into account, and whilst giving great weight to the conservation of the setting of the Conservation Area and listed buildings, it is considered that the very low level of less than substantial harm caused to the setting of the Central Conservation Area is outweighed by the public benefits that the proposal would bring with it.
- 10.39. In light of the above, it is considered that the proposal accords with policies DH1, DH2 and DH3 of the Oxford Local Plan 2036 and the NPPF.

### **c) Impact on neighbouring amenity**

- 10.40. H14 of the Oxford Local Plan 2036 requires new development to provide reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy RE7 requires the amenity of neighbours to be protected with regards to visual privacy, outlook, sunlight, daylight and overshadowing and impacts of the construction phase. Policy RE8 seeks to control nuisance from noise.
- 10.41. The windowless side elevation of 75 Bailey Road, which is located closest to the site, would sit approximately 26m from the proposed building. 2 Frederick Road and 55 Phipps Road (the next closest residential dwellings) would sit 48m and 69m away from the proposed building respectively. As above, due to ground level differences, the application site sits approximately 1.4m below neighbouring dwellings. The closest two-storey office building within ARC Oxford would sit approximately 32m north of the proposed building. The two storey office buildings to the east and south of the site would sit 45m and 26m from the proposed building respectively.

#### *Privacy*

- 10.42. Given the significant distances between the proposed development and surrounding residential properties and, whilst appreciating that the proposed building is up to 7m

taller than the existing buildings on site, the proposal would be set away from neighbours by an additional 18m than the existing, it is considered that the proposal would not materially compromise neighbouring privacy. The same can be said for the adjacent commercial uses although the impact on amenity of non-residential occupiers and visitors is given less weight than that of residential neighbours. With regards to overlooking, amendments were made to reduce fenestration as well as the introduction of fins during the pre-application stage to successfully reduce glazing to ensure that residential neighbours would not feel overlooked during operational hours.

*Overbearing*

10.43. Again, the separation distances would mitigate the potential for the proposed building to have an overbearing impact on residential and commercial neighbours. In addition, officers are mindful that ARC Oxford has been subject to a long-standing allocation for employment use within the current and previous Local Plans and therefore reasonable intensification of the application site is expected within this context. Please see figure below of a local verified view from Bailey Road.



**Figure 4: Verified view from Bailey Road**

*Daylight/ sunlight*

10.44. The submitted Daylight, Sunlight and Overshadowing Report demonstrates that all neighbouring windows would meet the BRE criteria for Vertical Sky Component (VSC) and Annual Probable Sunlight Hours (APSH) values. Further, all surrounding residential gardens would receive at least 2 hours of sunlight on 21st March and so would meet the BRE guidelines. As such, neighbouring properties should not be adversely affected by the development. It is important to note that the surrounding commercial outdoor spaces are not required to adhere to this guidance.

### *Construction phase*

- 10.45. In order to protect the amenity of neighbours during the construction process, conditions would be imposed requiring the submission of a Demolition Method Statement, Construction Management Plan and a Construction Traffic Management Plan prior to the commencement of development. The Plans would identify the steps and procedures that would 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 construction vehicle access to the site.
- 10.46. Taking all of the above into account, it is concluded that the proposed development fully complies with policies RE7, RE8 and H14 of the Oxford Local Plan 2036.

### **e) Health and wellbeing**

- 10.47. Local Plan policy RE5 seeks to promote strong, vibrant and healthy communities and reduce health inequalities. The application has been supported by a Health Impact Assessment (HIA) which considers the health impacts of the proposed development based on the NHS London Healthy Urban Development Unit (HUDU) Rapid Health Impact Assessment (HIA) as required by policy RE5.
- 10.48. Inclusive design has been considered both internally and externally throughout the scheme with wheelchair accessibility and flexibility available. Further, and as set out above, the existing footpath from Boswell Road to the Park would be enhanced with the removal of gates, the addition of a welcome plaza with seating area and new soft landscaping. This would provide a much more welcoming and unrestricted entrance to the Park for the public to use.
- 10.49. As above, the scheme would provide employment locally in both the construction and operational phases and the applicant has committed to entering into a Community Employment and Procurement Plan (CEPP) which would form part of the S106 legal agreement.
- 10.50. In light of the above, and the contents of this report as a whole, it is considered that the proposed development would comply with policy RE5 of the Oxford Local Plan 2036.

### **f) Highways and parking**

- 10.51. Oxford has the ambition to become a world class cycling city with improved air quality, reduced congestion and enhanced public realm. Road space within the city is clearly limited and to achieve its ambition there is a need to prioritise road space and promote sustainable modes of travel. For non-residential development, the presumption will be that vehicle parking will be kept to the minimum necessary to ensure the successful functioning of the development. Policies M1, M2, M3, M4 and M5 of the Oxford Local Plan 2036 seek to deliver these objectives.
- 10.52. 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 Management Plan are required for a development of this type and size. These would be secured by planning conditions.

#### *Sustainability*

10.53. The site is located within a densely populated area of the City with a large number of residents within walking and cycling distance to ARC Oxford. The site is considered sustainable, however, there are some improvements required in order to make active and sustainable travel to the site the preferred choice.

10.54. The site is well connected by bus, with nearby stops close to the site on Garsington Road, Hollow Way and Barns Road. However, these services mainly serve the City centre and do not offer a great level of service to other parts of the City. As a large number of staff would be expected to travel to the site by bus, it is essential that a better level of service connecting the site to other parts of the City is in place before the site is operational. Therefore, financial contributions towards the new 'eastern arc' bus service – connecting the site with Marston, Headington and North Oxford - have been requested and would be secured by legal agreement. As the Planning Committee is aware, it is currently anticipated that the Cowley Branch Line will be operational in 2028. A new station is proposed adjacent to the Tesco Supermarket to the east of ARC Oxford which would further enhance the sites sustainability.

#### *Access*

10.55. Pedestrian access to the plot would be via the existing central vehicular access off John Smith Drive which would be stopped up.

10.56. Vehicular access is proposed via two priority junctions off John Smith Drive, located at the northern and southern boundary of the site, which provide an internal road link through the site. As above, the existing vehicular access located at the centre of the plot would be stopped up with a drop-off bay created in its place. The submitted swept path analysis drawings demonstrate that service vehicles could access the site while passing a standard sized car on the access roads with sufficient visibility splays. The proposed vehicular access is therefore considered acceptable.

#### *Vehicular and cycle parking*

10.57. As set out above, the site is currently served by 243 car parking bays. The application proposes a reduction in car parking provision by 77 spaces to 166 bays (including 6 visitor spaces). It is estimated that the proposed building would be occupied by a maximum of 500 members of staff, with approximately 400 on site at any one time. This would equate to a mode share of 41.5% with a commitment, secured within the S106, to reduce car parking further to a 31% mode share once the Cowley Branch Line is operational at two trains per hour during peak times. This strategy is considered acceptable, particularly given that the proposal would result in a reduction in parking in this sustainable location in line with the requirements of Local Plan policy M3.

10.58. 117 cycle parking spaces would be provided for staff and visitors throughout the site, including 8 spaces for cargo and accessible bicycles. 59 (34 stacked and 25 hoops) would be located within a secure shelter to the rear of the building, adjacent to and

connected to the rear reception. 52 (20 stacked and 32 hoops) sheltered stands would be located within the car park. 3 external hoops would be located to the front of the building as well as 3 hoops at the entrance plaza of the footpath to Boswell Road. This level of provision is in excess of Local Plan requirements and therefore welcomed by Officers. Details of the cycle parking stands would be conditioned to ensure convenience and high quality.

#### *Traffic generation*

- 10.59. The submitted trip generation figures demonstrate a significant increase in staff travelling sustainably to the site and is therefore accepted by the Highways Authority. Given that car parking provision would reduce from the existing number, it is not considered that there would be an impact on the highway network or local junctions and as such, it is not considered that capacity assessments are required.
- 10.60. In light of the above, it is considered that the proposed development complies with Local Plan policies M1, M2, M3, M4 and M5.

#### **g) Trees and landscaping**

- 10.61. Policy G7 of the Oxford Local Plan 2036 requires that any unavoidable loss of tree canopy cover should be mitigated by the planting of new trees or introduction of additional tree cover. Policy G8 continues that development proposals affecting existing Green Infrastructure features should demonstrate how these have been incorporated within the design of the new development where appropriate.
- 10.62. The proposed development would result in the loss of 20 early-mature or semi-mature category B individual trees from the central core of the plot. To mitigate this loss, a broad palette of new tree species would be planted, creating a strong character and structure to the development. A range of predominantly native and some non-native species are proposed, offering wildlife benefits with seasonal colour for visual amenity in the landscape.
- 10.63. The Council's Green Spaces TAN requires a Tree Canopy Cover Assessment (TCCA) to be submitted for various types of applications. For major non-residential developments, it needs to be demonstrated that there would be no net loss in canopy cover compared with a no development baseline scenario + 25 years. The projection calculations of the tree canopy cover assessment show a tree canopy cover uplift at 25 years, with a 17sq. m. canopy cover increase within the development. This provides a tree canopy cover of 39.4% of the site area, which is a 0.1% canopy cover increase of the developed site over the site without development.
- 10.64. All trees are proposed to be planted in soft landscaped beds; these are of reasonably generous proportions for the semi-mature nursery stock sizes proposed to provide an immediate impact at planting. However, planting pit sizes need to extend beyond and below proposed hard surfaces for parking-bays to have reasonable confidence that trees would have sufficient rooting volume to attain their intended potential sizes; sizes which underpin the TCCA assumptions for compensation of canopy cover loss. A condition would be attached, requiring an amended tree planting strategy to be submitted prior to commencement of development to ensure compliance with TAN9 and Local Plan policy G7.

10.65. In light of the above, the proposals are considered to meet the requirements under Local Plan policies G7 and G8 and the Green Spaces TAN.

#### **h) Sustainable design and construction**

10.66. The Council is committed to tackling the causes of climate change by ensuring developments use less energy and assess the opportunities for using renewable energy technologies. As such, policy RE1 of the Oxford Local Plan 2036 requires schemes to incorporate a number of sustainable design and construction principles.

10.67. Policy RE1 requires developments for new build non-residential development of over 1,000sq. m. to achieve at least a 40% reduction in carbon emissions from a 2013 Building Regulations (or future equivalent legislation) compliant base case. As the Planning Committee will be aware, the new 2021 building regulations were introduced in June 2022 and form the basis of the submitted Energy Statement. Policy RE1 also requires that non-residential development achieves BREEAM Excellent accreditation.

10.68. The proposal has adopted a fabric first approach with insulation and highly sustainable glazing, natural ventilation and the use of brise-soleil and deep window reveals to reduce solar gain. In terms of renewable energy systems, Air Source Heat Pumps (ASHPs) for both heating and cooling and 1,212sq. m. of roof mounted PV solar panels to generate 212 MWh electricity would be installed within the building.

10.69. The scheme would achieve a 45.4% reduction in carbon emissions when set against Part L of the 2021 building regulations. It is anticipated that the scheme would achieve BREEAM Excellent. Conditions requiring compliance with the approved Energy Statement and certification of BREEAM Excellent would be attached to the planning permission to ensure compliance with local policy.

10.70. In light of the above, it is considered that the proposal complies with the requirements of policy RE1 of the Oxford Local Plan 2036.

#### **i) Air quality**

10.71. Policy RE6 of the Oxford Local Plan 2036 requires new development to mitigate its impact on air quality and minimise or reduce exposure to poor air quality.

10.72. The application site is located within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council for exceedances of the annual mean NO<sub>2</sub> air quality objective (AQO);

10.73. The submitted air quality baseline desk assessment demonstrates that current air quality levels at the application site are below relevant air quality objectives for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations. Therefore, the location of the application site is considered suitable for its intended use without mitigation.

10.74. As above, the development would be all-electric and as such, there would be no emissions associated with energy provision. 29% of parking bays would be provided with Electric Vehicle charging, slightly in excess of the Local Plan requirement of 25%. Details of this infrastructure would be conditioned along with the requirement

for adequate ducting to be provided at 100% of spaces to enable additional charging points should demand dictate, in accordance with Local Plan policy M4.

- 10.75. As set out within the submitted Transport Assessment and Air Quality Assessment (AQA), it is anticipated that there would be no more than 10 additional Heavy-Duty Vehicles on any one road link on any given day during the construction phase and therefore it is unlikely that significant impacts on air quality would occur during this time. During occupation, the proposal would result in a reduction in vehicle trips from the existing use of the site, providing a betterment.
- 10.76. The impacts of demolition and construction work on dust soiling and ambient fine particulate matter concentrations have been assessed within the AQA, which identified that there is a medium risk of dust soiling impacts due to the proximity of existing receptors to the proposed development. The sensitivity of the area for human health was classified as “low risk”. The risk of dust causing a loss of local amenity and increased exposure to PM10 concentrations has been used to identify appropriate dust mitigation measures. Provided these measures are implemented and included within a dust management plan, as required by condition, the residual impacts are considered to be not significant.
- 10.77. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE6, subject to suggested conditions set out below.

#### **j) Noise**

- 10.78. Policy RE8 of the Oxford Local Plan 2036 requires new developments to manage noise in order to safeguard or improve amenity, health, and quality of life for local communities.
- 10.79. The proposed mechanical plant noise levels criteria have been adequately predicted at the identified receptors taking into consideration distance losses, surface acoustic reflections and, where applicable, screening provided by the building.
- 10.80. Based on the results of the submitted Noise Assessment, noise limits for the proposed plant have been adequately calculated and demonstrate that the noise criteria of the proposed plant strategy would meet the Local Authority criteria during the operating period and should not have an adverse impact on the nearest sensitive receivers.
- 10.81. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE8, subject to conditions set out below.

#### **k) Land Quality**

- 10.82. 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, meaning the contamination poses an unacceptable risk to human health or the environment, under Part 2A of the Environmental Protection Act 1990. In accordance with policy RE9 of the Oxford Local Plan 2036, a Phase 1 Desk Study and contaminated land questionnaire was submitted as part of the application.

- 10.83. As demonstrated in the submitted site investigation and risk assessment, no major ground contamination risks were identified on site. No significant ground gas or groundwater risks were identified although, it is apparent that there are locations of the site that were not fully investigated due to various issues including access restrictions and concrete obstructions below ground. The site investigation data set is therefore considered incomplete for the characterisation of contamination risks across the whole site. It is therefore considered necessary, as acknowledged by the applicant, to undertake an element of further site investigation post demolition of the existing buildings. This would include a further ground gas risk assessment in the area of the former gravel pit identified to the south of the site.
- 10.84. The Environment Agency (EA) has been consulted for their comments on potential groundwater contamination given the historic car manufacturing use of the site. Due to the current under resourcing of the EA, comments are not expected after the publication of this report. Any conditions that are recommended by the EA would be attached to the planning permission which would not be issued until EA comments have been received.
- 10.85. It is considered that, subject to conditions suggested by the EA and those set out below, the proposed development would comply with Local Plan policy RE9.

### **I) Flood Risk and Drainage**

- 10.86. Local Plan policy RE3 requires applications for development within flood zones 2 and 3 and sites over 1ha in flood zone 1 to be accompanied by a Flood Risk Assessment (FRA) demonstrating that the proposed development will not increase flood risk on or off site; and safe access and egress in the event of a flood can be provided; and details of the necessary mitigation measures to be implemented have been provided.
- 10.87. As above, the application site lies wholly within flood zone 1 (lowest probability of flooding) and extends to less than 1ha. Therefore, the application has not been accompanied by an FRA in line with policy and guidance. To ensure that the proposed development does not lead to an increased flood risk, the drainage systems would be regularly inspected and maintained. An allowance for an additional 40% climate change induced rainfall has been included in the 100 year calculations to ensure that the effect of potential higher rainfall rates are mitigated to below pre-development conditions. Taking into account the proposed drainage measures, it is considered that there would be no increase in flood risk to off-site receptors now and in the future.
- 10.88. Local Plan policy RE4 requires all development proposals 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 runoff should be managed as close to its source as possible.
- 10.89. The submitted Drainage Strategy sets out that, surface water would be discharged utilising infiltration from cellular tanks and permeable paving. In the event that the volume of run-off exceeds the capacity of the infiltration systems, an over-flow system would redirect excess water to the existing surface water sewer at John Smith Drive. Foul water is proposed to be discharged into the existing foul sewer system located along the southwestern boundary of the site.



10.90. In light of the above, and subject to the conditions set out at section 13, it is considered that the proposal would comply with policies RE3 and RE4 of the Oxford Local Plan 2036.

### **m) Ecology**

10.91. Local Plan policy G2 states that development that results in a net loss of sites and species of ecological value will not be permitted. On sites where there are species and habitats of importance for biodiversity that do not meet criteria for individual protection, development will only be granted where a) there is an exceptional need for the new development and the need cannot be met by development on an alternative site with less biodiversity interest; and b) adequate onsite mitigation measures to achieve a net gain of biodiversity are proposed; and c) offsite compensation can be secured via legal obligation. Compensation and mitigation measures must offset the loss and achieve an overall net gain for biodiversity of 5% or more from the existing situation and for major development this should be demonstrated using a biodiversity calculator.

10.92. No significant ecological constraints have been identified within the application site. Potential impacts on protected species are limited to impacts on nesting birds if any vegetation removal is undertaken during the nesting season. Suitable mitigation is proposed, in addition to enhancements in the form of 3 new bird boxes. Further habitat enhancements include 4 insect boxes and 2 hedgehog domes, all to be secured by condition.

10.93. Officers have calculated that the proposed development would result in an increase of 4.35 habitat units (+70.35%), therefore meeting the Local Plan requirement of a 5% Biodiversity Net Gain (BNG). This is acceptable given that the application was submitted prior to the national requirement to achieve 10% BNG coming into force (12<sup>th</sup> February 2024). The proposed net gain is driven by the proposed on and off-site tree planting and biodiverse roof and will be secured by legal agreement.

10.94. In light of the above, and subject to the imposition of the conditions set out below, it is considered that the proposed development would comply with policy G2 of the Oxford Local Plan 2036.

### **n) Utilities**

10.95. Local Plan Policy V8 requires developers to explore existing capacity (and opportunities for extending it) with the appropriate utilities providers.

10.96. The applicant team is currently engaging with 'Power On' regarding wider power requirements for the Park, with future development in mind. A new sub-station and power supply would be provided at plot 4200, with power loads of 2147kVa being applied for. A 11kV high voltage supply would be provided to the boundary of plot 4200 by an approved district network operator with their high voltage ring main unit housed within an external GRP enclosure, annotated as 'sub-station' (no.13) on the proposed site plan.

- 10.97. There is no requirement for a gas supply to the development. On plot below ground infrastructure would be required to enable laboratory gases delivered to the site to be fed into the building.
- 10.98. The applicants are yet to enter into dialogue with Thames Water, however no objections have been made to the application with regards to network capacity, or surface and foul water drainage.
- 10.99. It is proposed that BT provision could be taken from the existing network off John Smith Drive. Provision would be required for incoming fibres and potentially phone lines for any tenants. It is proposed that cable ducts are put in place but the responsibility to source connections would lie with the tenants.
- 10.100. In light of the above, it is considered that the proposed development complies with policy V8 of the Oxford Local Plan 2036.

## **11. PLANNING OBLIGATIONS**

11.1. It is considered that the following matters should be secured through a section 106 legal agreement:

- An agreement to enter into a S278 Agreement with the Highways Authority regarding the requirement to provide dropped-kerbs, bollards and double yellow lines at Boswell Road within the vicinity of the pedestrian/cycle route through to ARC, Oxford.
- An agreement to reduce car parking numbers by 36 spaces, from 166 to 130 bays within 3 months of the Cowley Branch Line operating a passenger service of 2 trains per hour at peak times between London Marylebone, Oxford City centre and Oxford Cowley.
- A requirement that tenancy agreements shall include the loss of parking spaces, with appropriate clauses inserted into lease agreements to secure their sacrifice.
- £114,142.00 towards the Eastern Arc bus service with agreement/qualification that the County Council will use all reasonable endeavours to procure bus service stops within the north and south of the Campus in locations to be marked on a plan.
- £3,110.00 towards Travel Plan monitoring.
- The provision and implementation of a Construction (excluding demolition, site clearance and remediation works) and End User Community Employment and Procurement Plans with the City Council.
- Agreement that the footpath between Boswell Road and ARC shall remain open 24 hours a day, 7 days a week in perpetuity upon completion of the footpath works

- Agreement to achieve 5% Biodiversity Net Gain within the wider ARC Oxford site (edged blue on the site location plan).

## **12. CONCLUSION**

- 12.1. Officers consider that the proposed development would respond appropriately to the site context and Local Plan policies and Oxford Business Park site allocation.
- 12.2. 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.
- 12.3. 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.
- 12.4. 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.
- 12.5. Officers consider that the proposed development would respond appropriately to the site context, Local Plan policies and the Oxford Business Park site allocation. The proposal would provide enhanced pedestrian connectivity and improved wider transport infrastructure through financial contributions and it is considered that there would be no harm to the highway network as a result of traffic generation. The development would result in a net gain in tree canopy cover through new and retained soft landscaping.
- 12.6. There would be no harm to any identified protected species and the proposal would achieve a Biodiversity Net Gain of 5%. The development would be of a sustainable design and construction, achieving a 45.4% reduction in carbon emissions when set against the 2021 Part L Building Regulations. The reduction in car parking provision is considered acceptable in accordance with the objectives of the Oxford Local Plan 2036 and adequate cycle parking would be provided, with further details to be secured by condition. The scheme would result in a very low level of less than substantial harm to the setting of the Central Conservation Area due to its limited impact on views out to the rolling eastern hills. However, Officers consider that the public benefits that would derive from the proposed development would outweigh the harm caused. There would be no adverse land contamination, noise pollution, air quality or flood risk and drainage impact as a result of the proposal.

12.7. Subject to addressing comments made by the Environment Agency, the imposition of appropriately worded conditions and a section 106 legal agreement, the development would accord with all policies in the Oxford Local Plan 2036 and NPPF.

12.8. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out at section 13 of this report and the satisfactory completion (under authority delegated to the Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers.

### 13. 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.

#### *Approved plans*

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

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policies S1 and DH1 of the Oxford Local Plan 2016-2036.

#### *Materials*

3. Prior to installation, large scale sample panels of the following shall be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved sample panels which, where feasible, shall remain on site for the duration of the development works:
  - a) All new reconstituted stone/ GRC, brick, terracotta tiles, metal cladding, spandrel panels and metalwork trims demonstrating the colour, texture, mortar, reflectivity and joints.
  - b) All new hard landscaping.
  - c) Boundary treatments
  - d) Street furniture.
  - e) Lighting.

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

### *Plant equipment*

4. Prior to installation, large scale details (1:50) of the design, size and finished appearance of all visible mechanical plant shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details upon installation.

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

### *Signage*

5. Prior to the installation of any external signage, large scale (1:20) details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure high quality design in accordance with policy DH1 of the Oxford Local Plan 2036.

### *Solar panels*

6. Prior to installation, large scale (1:20) drawn details and specifications of the proposed solar PV panels shall be submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

### *Biodiverse roof*

7. Prior to installation, a detailed maintenance plan from the suppliers for the proposed biodiverse roof shall be submitted to and approved in writing by the Local Planning Authority. The Biodiverse roof shall be provided in accordance with the approved details prior to occupation and maintained thereafter.

Reason: To ensure the longevity of this new green infrastructure and design quality in accordance with policies G8 and DH1 of the Oxford Local Plan 2036.

### *Lighting strategy*

8. Prior to the installation of external lighting, a comprehensive lighting strategy, including means to control light spillage and glare from both internal and external light sources, to meet the general standards of BS5489-1:2020, serving the entire scheme shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall also:

- a. Identify those areas/ features that are particularly sensitive for bats and that are likely to cause disturbance in or around breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b. Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

Only the approved details shall be carried out, and they shall be retained thereafter, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure a sympathetic appearance of the proposed development and enhance the safety and amenity of residents in accordance with policies RE7 and DH1 of the Oxford Local Plan 2036 and to comply with the Conservation of Habitats Regulations 2017 (as amended) and The Wildlife and Countryside Act 1981 (as amended).

*Phased contaminated land assessment*

9. Prior to the commencement of the development, except for demolition, a phased risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Land Contamination Risk Management (LCRM) procedures for managing land contamination. Each phase shall be submitted to and approved in writing by the Local Planning Authority.

Phase 1 desk study has been submitted and approved.

Phase 2 shall include a further element of intrusive investigation to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals in those areas of the site that have not yet been investigated.

Phase 3 requires that a remediation strategy, validation plan, and/or monitoring plan be submitted to and approved by the local planning authority to ensure the site will be suitable for its proposed use.

Reason: To ensure that any ground 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.

*Land quality – remedial works*

10. The development shall not be occupied until any approved remedial works

have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

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.

*Land quality – unexpected contamination*

11. 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 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. Proposed new landscaped areas must only include clean, pre-tested soils that are suitable for use.

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

*Noise levels*

12. The noise emitted from the proposed installations located on site shall not exceed the existing background level at any noise sensitive premises when measures and corrected in accordance with BS4142:2014 +A1:2019 'Methods for rating and assessing industrial and commercial sound' with all machinery operating together at a maximum capacity.

Reason: To ensure that the amenities of future occupiers and neighbours are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

*Anti-vibration isolators*

13. Prior to first occupation, plant and equipment on site 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 amenities of future occupiers and neighbours are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

### *Construction works*

14. Construction and demolition works and associated activities at the development, audible beyond the boundary of the site, shall not be carried out other than between the hours of 07:00-18:00 Monday to Friday daily, 08:00-13:00 on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the amenities of neighbours are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

### *Notice of site works*

15. At least 21 days prior to the commencement of any site works, all occupiers surrounding the site shall be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works shall be made available for enquiries and complaints for the entire duration of the works and updates of work shall be provided regularly. Any complaints shall be properly assessed as quickly as possible.

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

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

Reason: To ensure that the amenities of neighbours are protected in accordance with policies RE7 of the Oxford Local Plan 2036.

### *Piling Method Statement*

16. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority, in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact/ cause failure of local underground sewerage utility infrastructure.

### *Landscape surface design – tree roots*

17. No development shall take place until details of the design of all new hard surfaces and edges, including sectional drawings and a method statement for their construction if within Root Protection Areas (BS.5837) shall first have



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

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

*Landscape proposals – implementation*

18. The landscaping proposals 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.

Travel Plan.

*Landscape proposals – reinstatement*

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

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

*Landscape management plan*

20. 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 by the Local Planning Authority.

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

*Underground services – tree roots*

21. 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.

*Tree Protection Plan*

The development hereby approved shall be carried out in strict accordance with the Tree Protection Plan (dwg. no. 05879 TPP Rev A 2.5.24 02/05/2024).

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

*Arboricultural Method Statement*

22. The development hereby approved shall be carried out in strict accordance with the Arboricultural Method Statement (Plot 4200, ARC Oxford 05.12.2023) unless otherwise agreed in writing by the Local Planning Authority.

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

*Arboricultural Monitoring Programme*

23. The development hereby approved shall be carried out in strict accordance with the Arboricultural Monitoring Programme (Macgregor Smith Rev T1, April 2024) unless otherwise agreed in writing by the Local Planning Authority.

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

*Tree planting strategy*

24. Prior to commencement of development, excluding demolition, an amended tree planting strategy shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure new trees will attain their intended potential sizes in compliance with TAN9 and policy G7 of the Oxford Local Plan 2036

### *BREEAM*

25. Prior to first occupation of the development, the full BREEAM assessment, confirming the achievement of a level of Excellent shall be provided to and receipt thereof confirmed in writing by the Local Planning Authority.

Reason: To ensure the development incorporates sustainable construction and operational measures in compliance with policy RE1 of the Oxford Local Plan 2036.

### *Energy Statement*

26. The development shall be implemented in strict accordance with the approved Energy Statement (Clancy Consulting 31.01.2024 Rev. P2). The development shall not be occupied until 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 that the proposed development sufficiently incorporates sustainable design and construction principles in accordance with policies S1 and RE1 of the Oxford Local Plan 2036.

### *Construction Environmental Management Plan (CEMP)*

27. Prior to the commencement of development an updated Construction Environmental Management Plan (CEMP), including the complete list of site specific dust mitigation measures and recommendations that are identified at Appendix C of the submitted Air Quality Assessment, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.

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

### *EV Charging*

28. Prior to installation, details of the Electric Vehicle charging infrastructure that is proposed to be installed on-site shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include the following:
- Location of EV charging points
  - Charging points to cover at least 25% of the total parking provision
  - Appropriate cable provision to prepare for increased demand in future years.

The electric vehicle infrastructure shall be formed and laid out in accordance with approved details before the development is first occupied and shall remain in place thereafter.

Reason: To contribute to improving local air quality in accordance with policies M4 and RE6 of the Oxford Local Plan 2036.

*Construction Environmental Management Plan (Biodiversity)*

29. Prior to the commencement of development (including demolition, ground works and vegetation clearance) a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following:
- a. Risk assessment of potentially damaging construction activities;
  - b. Identification of “biodiversity protection zones” in respect of protected and notable species and habitats;
  - c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on biodiversity during construction (may be provided as a set of method statements) and biosecurity protocols;
  - d. The location and timing of sensitive works to avoid harm to biodiversity features;
  - e. Contingency/emergence measures for accidents and unexpected events, along with remedial measures;
  - f. Responsible persons and lines of communication;
  - g. The role and responsibilities on site of a qualified ecological clerk of works (ECoW) or similarly competent person if required, and times and activities during construction when they need to be present to oversee works; and
  - h. Use of protective fences, exclusion barriers and warning signs;

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent harm to species and habitats within and outside the site during construction in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), The Wildlife and Countryside Act 1981 (as amended) and Policy G2 of the Oxford Local Plan 2036.

*Landscape and Ecological Management Plan (LEMP)*

30. Prior to first occupation, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:
- a. Description and evaluation of features to be managed, both on and off-site;
  - 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; and
- 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 will be implemented in accordance with the approved details.

Reason: To facilitate the delivery of biodiversity net gain in accordance with Policy G2: Protection of biodiversity and geo-diversity of the adopted Oxford Local Plan 2036 and to ensure compliance with the Wildlife and Countryside Act 1981.

#### *Ecological Enhancements*

31. Prior to first occupation, details of ecological enhancement measures including at least three bird nesting devices and two hedgehog domes shall be submitted to and approved in writing by the Local Planning Authority. Details must include the proposed specifications, locations, and arrangements for any required maintenance. The approved devices shall be fully constructed under the oversight of a suitably qualified ecologist prior to occupation of the approved development. Any new fencing will include holes suitable for the safe passage of hedgehogs. The approved devices and fencing holes shall be maintained and retained in perpetuity unless otherwise approved in writing by the local planning authority.

Reason: To enhance biodiversity in Oxford City in accordance with paragraph 174 of the National Planning Policy Framework.

#### *Vision splays*

32. The approved vision splays as shown in drg. no. 332610670-5500-001 P03 at appendix B of the Transport Assessment (Stantec, February 2024) shall be provided as an integral part of the construction of the accesses and shall not be obstructed at any time by any object, material or structure with a height exceeding 0.6 metres above the level of the access they are provided for.

Reason: To ensure highway safety in accordance with policy M2 of the Oxford Local Plan 2036.

*Pedestrian/ cycle access*

33. Prior to first occupation of the development hereby approved, details of the pedestrian and cycle link improvements between John Smith Drive and Boswell Road shall be submitted to and approved in writing by the Local Planning Authority. These improvements must include:
- Low level lighting throughout the footpath
  - CCTV
  - Removal of gates and cycle barriers at Boswell Road and John Smith Drive

The pedestrian and cycle link improvements must thereafter be constructed as approved and retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority

Reason: To promote sustainable modes of transport in accordance with policy M1 of the Oxford Local Plan 2036.

*Car park management plan*

34. Prior to first occupation of the development hereby approved, a Car Park Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall stipulate the number of spaces and areas available on site for both staff and visitors and how parking will be allocated, monitored and enforced. It shall also include a plan showing the proposed layout including parking bay dimensions which shall be 5m by 2.5m with 6m aisles, in line with the Oxfordshire County Council Street Design Guide.

Reason: To ensure adequate car parking provision is made, but that does not cause an increase in the trip rate approved as part of the planning permission in accordance with policy M2 and M3 of the Oxford Local Plan 2036.

*Cycle parking*

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

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

### *Construction Traffic Management Plan*

36. Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall identify;

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
- The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc.
- Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Any temporary access arrangements to be agreed with and approved by Highways Depot.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak hours.

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

### *Travel Plan*

37. Prior to first occupation of the development, a full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To promote sustainable modes of transport in accordance with policy M2 of the Oxford Local Plan 2036.

### *SuDS*

38. Prior to first occupation of the development hereby approved, the approved drainage system shall be implemented in strict accordance with the approved detailed design set out below:

- Flood Risk Assessment and Drainage Strategy (Baynham Meikle Rev 1.3, April 2024)

Reason: To ensure that the principles of sustainable drainage are incorporated into the scheme in accordance with policy RE4 of the Oxford Local Plan 2036.

### *Surface water drainage*

39. Prior to the commencement of development, excluding demolition, a detailed surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to substantial completion of the development and shall be retained thereafter. The scheme shall include:

- A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;
- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Comprehensive infiltration testing across the site to BRE DG 365 (if applicable)
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details;
- Consent for any connections into third party drainage systems.

Reason: To ensure that the principles of sustainable drainage are incorporated into the scheme in accordance with policy RE4 of the Oxford Local Plan 2036.

### *SuDS as built and maintenance plan*

40. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- a) As built plans in both .pdf and .shp file format;



- b) Photographs to document each key stage of the drainage system when installed on site;
- c) Photographs to document the completed installation of the drainage structures on site;
- d) The name and contact details of any appointed management company information.

Reason: To ensure that the principles of sustainable drainage are incorporated into the scheme in accordance with policy RE4 of the Oxford Local Plan 2036.

**INFORMATIVES:**

1. The site is liable for CIL £852,980.70.
2. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/ minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.
3. All species of bats and their roosts are protected under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended). Please note that, among other activities, it is a criminal offence to deliberately kill, injure or capture a bat; to damage, destroy or obstruct access to a breeding or resting place; and to intentionally or recklessly disturb a bat while in a structure or place of shelter or protection. Occasionally bats can be found during the course of development even when the site appears unlikely to support them. In the event that this occurs, work should stop immediately and advice should be sought from a suitably qualified ecologist. A European Protected Species Mitigation Licence (EPSML) may be required before works can resume.
4. All wild birds, their nests and young are protected under The Wildlife and Countryside Act 1981 (as amended). Occasionally nesting birds can be found during the course of development even when the site appears unlikely to support them. If any nesting birds are present then the buildings works should stop immediately and advice should be sought from a suitably qualified ecologist.

**14. APPENDICES**

- **Appendix 1 – Site location plan**

**15. HUMAN RIGHTS ACT 1998**

15.1. 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.

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

- 16.1. 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.