

Agenda



Planning - Oxford City Planning Committee

This meeting will be held on:

Date: **Tuesday 10 August 2021**

Time: **6.00 pm**

Place: **Assembly Room - Oxford Town Hall**

For further information please contact:

Catherine Phythian, Committee and Members' Services Officer, Committee Services Officer

☎ 01865 252402

✉ DemocraticServices@oxford.gov.uk

Members of the public can attend to observe this meeting and.

- may register in advance to speak to the committee in accordance with the [committee's rules](#)
- may record all or part of the meeting in accordance with the Council's [protocol](#)

Information about speaking and recording is set out in the agenda and on the [website](#)

Please contact the Committee Services Officer to register to speak; to discuss recording the meeting; or with any other queries.

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All public papers are available from the calendar link to this meeting once published

Committee Membership

Councillors: Membership 11: Quorum 5: substitutes are permitted.

Councillor Colin Cook (Chair)	Osney & St Thomas;
Councillor Nigel Chapman (Vice-Chair)	Headington Hill & Northway;
Councillor Evin Abrishami	Donnington;
Councillor Mohammed Altaf-Khan	Headington;
Councillor Lizzy Diggins	Carfax & Jericho;
Councillor Laurence Fouweather	Cuttesslowe & Sunnymead;
Councillor Alex Hollingsworth	Carfax & Jericho;
Councillor Jemima Hunt	St Clement's;
Councillor Lucy Pegg	Donnington;
Councillor Ajaz Rehman	Lye Valley;
Councillor Louise Upton	Walton Manor;

Apologies and notification of substitutes received before the publication are shown under *Apologies for absence* in the agenda. Those sent after publication will be reported at the meeting. Substitutes for the Chair and Vice-chair do not take on these roles.

*Decisions come into effect after the post-meeting councillor call in period expires, or after a called-in decision is reconsidered, **and** the Head of Planning Services has issued the formal decision notice.*

Agenda

Pages

Planning applications - background papers and additional information

To see representations, full plans, and supplementary information relating to applications on the agenda, please [click here](#) and enter the relevant Planning Reference number in the search box.

Any additional information received following the publication of this agenda will be reported and summarised at the meeting.

1 Apologies for absence and substitutions

2 Declarations of interest

3 **21/01053/RES: Oxford North (Northern Gateway) Land Adjacent To A44, A40, A34 And Wolvercote Roundabout, Northern By-Pass Road, Wolvercote, Oxford, OX2 8JR**

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Site address: Land Bounded By A34 And A44 And A40, And Land South Of The A40, Oxford, OX2 8JP – see **Appendix 1** for site plan

Proposal: Reserved matters approval for earthworks, attenuation ponds, substations, services and areas of permanent and temporary landscaping. 18/02065/OUTFUL.

Recommendation:

The Oxford City Planning Committee is recommended to:

1. **Approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission; and
2. **defer the approval of details pursuant to the following conditions relating to planning application**

*Decisions come into effect after the post-meeting councillor call in period expires, or after a called-in decision is reconsidered, **and** the Head of Planning Services has issued the formal decision notice.*

18/02065/OUTFUL, as submitted under application reference 18/02065/CND, to the Head of Planning Services separately from this application:

- Conditions 4a and 32 – Construction Traffic Management Plan (CTMP) relating to the earthworks and construction of the link road.
- Condition 20a and 48 – Construction Environmental Management Plan (CEMP) relating to the construction of the link road and the works comprised as part of this application.
- Condition 40 – Soil resource plan relating to the works comprised as part of this application.
- Condition 44 – Surface water drainage scheme relating to the construction of the link road and the works comprised as part of this application.
- Condition 56 – Phase 3 risk assessment for contamination relating to the construction of the link road and the works comprised as part of this application.

3. Agree to delegate authority to the Head of Planning Services to:

- Finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary; and
- Finalise the informatives to be attached to the planning permission as the Head of Planning Services considers reasonably necessary and;
- Approve the reserved matters application; and
- Defer the approval of details of required by condition under application 18/02065/CND.

4 21/01495/FUL: 65 Owens Way, Oxford, OX4 2GG

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Site address: 65 Owens Way, Oxford, OX4 2GG

Proposal: Formation of 1no rear dormer in association with a loft conversion and insertion of 3no rooflights to front elevation.

Reason at Committee: The applicant is an employee of Oxford City

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Council.

Recommendation:

The Oxford City Planning Committee is recommended to:

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

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

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

5 19/02816/FUL: Land Between 45 And 51 Hill Top Road, Oxford, Oxfordshire

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Site address: Land between 45 And 51 Hill Top Road, Oxford

Proposal: Demolition of existing garage and erection of 1 x 4-bed dwelling and 1 x 5-bed dwelling (Use Class C3). Provision of amenity space, car parking and bin and cycle stores. Associated landscaping and boundary treatments (amended plans)

Reason at Committee: This application was called in by Councillors Hayes, Chapman, Tanner, Clarkson, Munkonge and Lygo due to concerns around car parking, amenities, neighbouring amenities, and the use of the site.

The application was previously considered at West Area Planning Committee on 9 February 2021 where the committee resolved to grant planning permission subject to a legal agreement. The application has been brought back to committee as the applicant has not agreed to enter into the legal agreement.

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Recommendation:

The Oxford City Planning Committee is recommended to:

1. **refuse the application** for the reason given in paragraph 1.1.2 of the report and delegate authority to the Head of Planning Services to:

- finalise the reason for refusal including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

The recommended reason for refusal is as follows:

1.2.1. The application site is already subject to an extant permission for the erection of a single dwellinghouse (19/02817/FUL), which, if implemented, would be located to the rear of the site. The two dwellings proposed as part of this application would be located to the front of the site and therefore the implementation of this permission would mean that it would not be impossible to implement permission 19/02817/FUL. Therefore, although the proposed development would be acceptable if implemented on its own, the Council has no way to prevent all three dwellings associated with the planning permissions 19/02816/FUL and 19/02817/FUL; the implementation of both permissions would give rise to an unacceptable arrangement on the site which would include an adverse impact on residential amenity and an overdevelopment of the site and failing to accord with Policies RE1, DH1, H14 and H16 of the Oxford Local Plan 2036 or paragraph 127 of the NPPF. The applicant has refused to enter a legal agreement where they agree to only implement one permission and therefore this application must be refused.

6 Minutes

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Recommendation: to approve the minutes of the meeting held on Tuesday 13 July 2021 as a true and accurate record.

7 Forthcoming applications

Items currently expected to be considered by the committee at future meetings are listed for information. This is not a definitive list and applications may be added or removed at any point. These are not for discussion at this meeting.

*Decisions come into effect after the post-meeting councillor call in period expires, or after a called-in decision is reconsidered, **and** the Head of Planning Services has issued the formal decision notice.*

19/02601/FUL: Frewin Quad, New Inn Hall Street, Oxford, OX1 2DH	
20/00549/LBC: Town Hall, St Aldate's, Oxford, OX1 1BX	
20/00934/FUL: Land To The Rear Of The George Inn, 5 Sandford Road, Littlemore, Oxford, OX4 4PU	
20/01276/FUL: Land At Jericho Canal Side And Community Centre, 33A Canal Street, Oxford, OX2 6BX	
20/01277/LBC: Land At Jericho Canal Side And Community Centre, 33A Canal Street, Oxford, OX2 6BX	
20/01535/FUL: McDonalds, 298 London Road, Headington OX3 8DJ	Called in
20/02450/FUL: Meadow Larkins, Larkins Lane, Oxford, OX3 9DW	
20/02455/LBC: Meadow Larkins, Larkins Lane, Oxford, OX3 9DW	
20/02651/FUL: 152 Godstow Road, Oxford, OX2 8PG	
20/03218/FUL: 244 Barns Road, Oxford, OX4 3RW	
21/00110/FUL: The Clarendon Centre, Cornmarket Street, Oxford, OX1 3JD	
21/00300/FUL: 17, 17A, 17B And 19 Between Towns Road, Oxford, OX4 3LX	
21/00335/FUL: Aldi, Botley Road, Oxford, OX2 0HA	
21/00502/FUL: Rear Of 10 - 28 Marshall Road, Oxford, OX4 2NR	
21/00675/FUL: 91 Lime Walk, Oxford, OX3 7AD	
21/00672/FUL: 4 Bladon Close, Oxford, OX2 8AD	Called in
21/00676/VAR: Site Adjacent Randolph Court, Churchill Drive, Oxford, OX3 7NR	
21/00778/FUL: 78-81 Magdalen Road, Oxford, OX4 1RF	
21/01185/FUL: Site Of Blocks C F G H J K L And M, Clive Booth Hall, John Garne Way, Oxford, OX3 0FN	
21/01261/FUL: St Hilda's College, Cowley Place, Oxford, OX4 1DY	
21/01217/FUL: Land To The West Of Mill Lane, Marston, Oxford, OX3 0QA	
21/01347/FUL: University Of Oxford Old Road Campus, Roosevelt Drive, Oxford, OX3 7FY	
21/01388/FUL: 1 Court Place Gardens, Oxford, OX4 4EW	
21/01405/FUL: 1 & 3 Jack Straw's Lane and 302 304 & 312 Marston Road, Oxford	
21/01449/FUL: Land South West Of St Frideswide Farm, Banbury Road, Oxford	
21/01743/VAR: Rhodes House, South Parks Road, Oxford, OX1 3RG	
21/01319/FUL: 226 Godstow Road, Land To The Rear Of, Oxford, OX2 8PH	Called in
21/01695/FUL: Thornhill Park, London Road, Headington, Oxford, OX3 9RX	

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Oxford City Council, Town Hall, St Aldate's Oxford OX1 1BX

21/01176/FUL: Former Dominion Oils Site, Railway Lane, Oxford, OX4 4PY	
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8 Dates of future meetings

Future meetings of the Committee are scheduled at 6.00pm on:

2021	2022
7 September	25 January
12 October	15 February
9 November	8 March
7 December	12 April

*Decisions come into effect after the post-meeting councillor call in period expires, or after a called-in decision is reconsidered, **and** the Head of Planning Services has issued the formal decision notice.*

Information for those attending

Recording and reporting on meetings held in public

Members of public and press can record, or report in other ways, the parts of the meeting open to the public. You are not required to indicate in advance but it helps if you notify the Committee Services Officer prior to the meeting so that they can inform the Chair and direct you to the best place to record.

The Council asks those recording the meeting:

- To follow the protocol which can be found on the Council's [website](#)
- Not to disturb or disrupt the meeting
- Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being recorded.
- To avoid recording members of the public present, even inadvertently, unless they are addressing the meeting.

Please be aware that you may be recorded during your speech and any follow-up. If you are attending please be aware that recording may take place and that you may be inadvertently included in these.

The Chair of the meeting has absolute discretion to suspend or terminate any activities that in his or her opinion are disruptive.

Councillors declaring interests

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". The matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

Procedure for dealing with planning applications at Area Planning Committees and Planning Review Committee

Planning controls the development and use of land in the public interest. Applications must be determined in accordance with the Council's adopted policies, unless material planning considerations indicate otherwise. The Committee must be conducted in an orderly, fair and impartial manner. Advice on bias, predetermination and declarations of interests is available from the Monitoring Officer.

The following minimum standards of practice will be followed:

1. All members of the Committee will have pre-read the officers' report. Committee members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful. (In accordance with the guidance at 24.15 (Planning Code of Practice) in the Council's Constitution).
2. At the meeting the Chair may draw attention to this procedure. The Chair may also explain who is entitled to vote.
3. The sequence for each application discussed at Committee shall be as follows:
 - (a) the planning officer will introduce it with a short presentation;
 - (b) any objectors may speak for up to 5 minutes in total;
 - (c) any supporters may speak for up to 5 minutes in total;
 - (d) speaking times may be extended by the Chair, provided that equal time is given to both sides. Any non-voting City Councillors and/or Parish and County Councillors who may wish to speak for or against the application will have to do so as part of the two 5-minute slots mentioned above;
 - (e) voting members of the Committee may raise questions (which shall be directed via the Chair to the lead officer presenting the application, who may pass them to other relevant officers and/or other speakers); and
 - (f) voting members will debate and determine the application.
4. In determining an application Committee members should not:
 - (a) rely on considerations which are not material planning considerations in law;
 - (b) question the personal integrity or professionalism of officers in public;
 - (c) proceed to a vote if minded to determine an application against officer's recommendation until the reasons for overturning the officer's recommendation have been formulated including the reasons for refusal or the wording of any planning conditions; or
 - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

Public requests to speak

Members of the public wishing to speak must notify the Committee Services Officer by noon on the working day before the meeting, giving their name, the application/agenda item they wish to speak on and whether they are objecting to or supporting the application. Notifications can be made via e-mail or telephone, to the Committee Services Officer (details are on the front of the Committee agenda).

Written statements from the public

Any written statement that members of the public or Councillors wish to be considered should be sent to the planning officer by noon two working days before the day of the meeting. The planning officer will report these at the meeting. Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to give proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material consideration arising. Any such material will not be displayed or shown at the meeting.

Exhibiting model and displays at the meeting

Applicants or members of the public can exhibit models or displays at the meeting as long as they notify the Committee Services Officer of their intention by noon two working days before the start of the meeting so that members can be notified.

Recording meetings

This is covered in the general information above.

Meeting Etiquette

All representations should be heard in silence and without interruption. The Chair will not permit disruptive behaviour. Members of the public are reminded that if the meeting is not allowed to proceed in an orderly manner then the Chair will withdraw the opportunity to address the Committee. The Committee is a meeting held in public, not a public meeting.

This procedure is detailed in the Annex to part 24 of the Council's Constitution as agreed at Council in January 2020.

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Oxford City Council Planning Committee

Application number:	21/01053/RES		
Decision due by	22 nd July 2021		
Extension of time	TBC		
Proposal	Reserved matters approval for earthworks, attenuation ponds, substations, services and areas of permanent and temporary landscaping. 18/02065/OUTFUL.		
Site address	Land Bounded By A34 And A44 And A40, , And Land South Of The A40, Oxford, OX2 8JP – see Appendix 1 for site plan		
Ward	Wolvercote		
Case officer	Michael Kemp		
Agent:	Mr Robert Linnell	Applicant:	Thomas White Oxford Ltd
Reason at Committee	The proposals are major development		

1. RECOMMENDATION

1.1. The Planning Committee is recommended to:

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

1.1.2. **defer the approval of details pursuant to the following conditions relating to planning application 18/02065/OUTFUL, as submitted under application reference 18/02065/CND, to the Head of Planning Services separately from this application:**

- Conditions 4a and 32 – Construction Traffic Management Plan (CTMP) relating to the earthworks and construction of the link road.
- Condition 20a and 48 – Construction Environmental Management Plan (CEMP) relating to the construction of the link road and the works comprised as part of this application.
- Condition 40 – Soil resource plan relating to the works comprised as part of this application.
- Condition 44 – Surface water drainage scheme relating to the

construction of the link road and the works comprised as part of this application.

- Condition 56 – Phase 3 risk assessment for contamination relating to the construction of the link road and the works comprised as part of this application.

1.1.3. **Agree to delegate authority** to the Head of Planning Services to:

- Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary; and
- Finalise the informatives to be attached to the planning permission as the Head of Planning Services considers reasonably necessary and;
- Approve the reserved matters application; and
- Defer the approval of details of required by condition under application 18/02065/CND.

2. EXECUTIVE SUMMARY

2.1. This report considers a reserved matters planning application relating to hybrid full/outline planning application 18/02065/OUTFUL for the redevelopment of a 26ha site, comprising three parcels of land adjoining the A40 and A44 to the north west of Wolvercote referred to as 'Oxford North'. Permission was granted in March 2021 for a mix of uses including 87,300sqm of Class B1 employment space, 480 homes and a series of access alterations to the A40 and A44, including the provision of a link road across the central parcel of the site.

2.2. This reserved matters planning application relates to a series of series of enabling works required to facilitate early phases of development on the Central and Canalside parcels of land, including Phase 1a of the development, for which detailed planning permission was granted.

2.3. The enabling works include the provision of below ground drainage and surface level SuDS features, including the provision of two attenuation ponds along the northern edge of the central parcel of the development site. The siting of the ponds in this position would align with the site masterplan approved under application 18/02065/OUTFUL. The submitted drainage strategy is assessed as offering a viable means to manage surface water drainage and the acceptability of the drainage scheme has been confirmed by the County Council as Local Lead Flood Authority. The drainage strategy is therefore considered to comply with Policies RE3 and RE4 of the Oxford Local Plan.

2.4. Three substations are proposed on the site, which are required in order to serve the commercial buildings approved under phase 1a of the hybrid planning permission. The substations are necessary to provide electrical services for the approved buildings and are sited in a position which is considered non-obtrusive in visual and amenity terms and are therefore compliant with Policy V8 of the Oxford Local Plan.

- 2.5. The proposals include earthworks involving the movement of 60,000m³ of earth through cut and fill, including the removal of a large quantity of earth from the Canalside parcel of the site (19,000m³) and the transfer of material to the central parcel of land. This is in part to form platforms to facilitate development of buildings and landscaping on the central parcel of the site which benefit from detailed planning permission, including the three commercial buildings, the link road between the A40 and A44, the temporary car park and Community Park. The enabling earthworks will also be necessary for further phases of the development on the Central and Canalside parcels of the site which would be addressed under future reserved matters applications. Temporary landscaping is proposed, including the reseeded sections of the site where earth has been removed and deposited, which will mitigate the visual impact of the works. Two hedges are also proposed within the Eastside part of the site, which will provide screening of the site from the adjoining residential properties to the east.
- 2.6. In amenity terms, officers are satisfied that appropriate measures are included within the submitted CEMP to ensure that there would not be undue harm to the amenity of neighbouring properties by virtue of noise disturbance or dust generation arising from construction activities associated with the development proposed under this planning application and under the detailed planning consent on the Central parcel of the site.
- 2.7. The submitted CTMP ensures that all traffic for the initial construction phases, including the earthworks would access the site via either the A40 or A44 and would not use surrounding residential roads including Godstow Road and no traffic would be permitted to use Joe Whites Lane. The CTMP also includes appropriate measures to manage vehicle movements associated with the transfer of soil materials between the Canalside and Central parcels of the site.
- 2.8. For the reasons outlined within the report officers recommend approval of the reserved matters planning application. The approval of the details pursuant to the following conditions relating to planning application 18/02065/OUTFUL will be dealt with separately under submission 18/02065/CND but have been included because of their relevance to the reserved matters application;
- Conditions 4a and 32 – Construction Traffic Management Plan (CTMP) relating to the earthworks and construction of the link road.
 - Condition 20a and 48 – Construction Environmental Management Plan (CEMP) relating to the construction of the link road and the works comprised as part of this application.
 - Condition 40 – Soil resource plan relating to the works comprised as part of this application.
 - Condition 44 – Surface water drainage scheme relating to the construction of the link road and the works comprised as part of this application.
 - Condition 56 – Phase 3 risk assessment for contamination relating to the construction of the link road and the works comprised as part of this application.

3. LEGAL AGREEMENT

3.1. The legal agreement relating to hybrid planning permission 18/02065/OUTFUL would be unaltered. The Section 106 agreement covers subsequent reserved matters applications on the site and the proposals would not conflict with the terms of the agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The development would not alter the terms of the CIL agreement relating to planning application 18/02065/OUTFUL.

5. SITE AND SURROUNDINGS

5.1. The application site comprises selected parcels of a wider 26-hectare area of predominantly grazing farmland located in the north of Oxford, just inside the ring road which was subject of planning application 18/02065/OUTFUL.

5.2. Planning approval was granted on 23rd March 2021 for planning permission 18/02065/OUTFUL, this followed a resolution to grant planning permission made by members of the Planning Review Committee held on 16 December 2019 and the completion of the Section 106 agreement. The description of development is listed below:

Hybrid planning application comprising: (i) Outline application (with all matters reserved save for "access"), for the erection of up to 87,300 m² (GIA) of employment space (Use Class B1), up to 550 m² (GIA) of community space (Use Class D1), up to 2,500 m² (GIA) of Use Classes A1, A2, A3, A4 and A5 floorspace, up to a 180 bedroom hotel (Use Class C1) and up to 480 residential units (Use Class C3), installation of an energy sharing loop, main vehicle access points from A40 and A44, link road between A40 and A44 through the site, pedestrian and cycle access points and routes, car and cycle parking, open space, landscaping and associated infrastructure works. Works to the A40 and A44 in the vicinity of the site. (ii) Full application for part of Phase 1A comprising 15,850 m² (GIA) of employment space (Use Class B1), installation of an energy sharing loop, access junctions from the A40 and A44 (temporary junction design on A44), construction of a link road between the A40 and A44, open space, landscaping, temporary car parking (for limited period), installation of cycle parking (some temporary for limited period), foul and surface water drainage, pedestrian and cycle links (some temporary for limited period) along with associated infrastructure works. Works to the A40 and A44 in the vicinity of the site. (Amended plans and additional information received 19.06.2019)

5.3. The application site to which planning application 18/02065/OUTFUL relates falls into three, fan-shaped parcels of land which run adjacent to the A44 and A40 trunk roads, converging at Wolvercote roundabout. The northern boundary of the site is formed by a raised section of the A34 road. The eastern boundary of the site is formed by a section of railway line. The south-western boundary is formed by Joe White's Lane bridleway (National Cycle Route 5) and the fields to the west that lead down to the Oxford canal and separate the site from much of the settlement of Wolvercote.

5.4. The masterplan for planning application 18/02065/OUTFUL refers to three parcels of land as the following:

- East: the parcel to the east of the A44, south of the Peartree Park and Ride and west of the railway line
- Central: the largest parcel, to the west of the A44 and to the north-east of the A40
- Canalside: the parcel to the south-west of the A40 and the north-east of Joe White's Lane

5.5. In terms of topography, the Central parcel is undulating with a high point to the north-west dropping to a low point to the north-east adjacent to the A44. The Canalside parcel of the site slopes down from the A40 to Joe White's Lane. The East parcel gradually slopes up from the boundary with the Park and Ride towards the south-east of the parcel where a ridge and furrow landform is clearly apparent.

5.6. The land is used predominantly as agricultural grazing land and therefore there are relatively few trees for the land area subject of this application; vegetation is mostly confined to the hedgerows of the field boundaries. The area has been assessed as having low landscape quality and historic integrity.

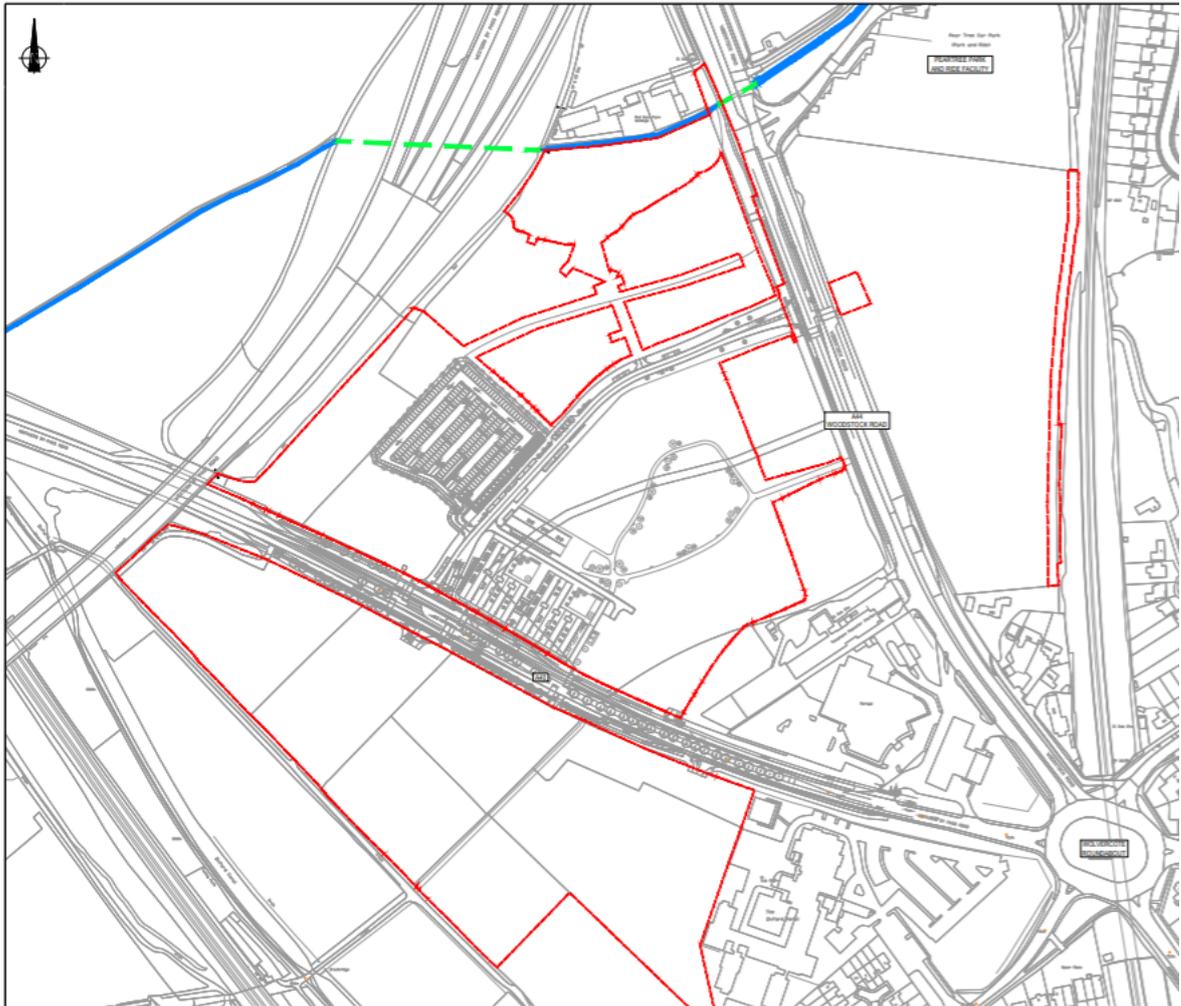
5.7. The site itself is of relatively low ecological value, although it lies less than 500 metres from the internationally protected Oxford Meadows Special Area of Conservation (SAC). The Oxford Meadows SAC is made up of four Sites of Special Scientific Interest (SSSI). These are Cassington Meadows SSSI, Pixey and Yarnton Meads SSSI, Wolvercote Meadows SSSI and Port Meadow with Wolvercote Common and Green SSSI. There are two reasons for this designation; the first is that the lowland hay meadows have benefited from the survival of traditional management, which has been undertaken for several centuries and exhibits good conservation structure and function. The second reason is that Port Meadow is the larger of only two known sites in the UK for a particular plant, the creeping marshwort (*Apium repens*).

5.8. The site forms a setting to Wolvercote with Godstow Conservation Area and the historic Goose Green, a registered common and an important open space in the area. Both lie to the south-west of the site, with the Conservation Area boundary taking in the field in the south-west of the application site.

5.9. The parcel of land to the north of the application site, but within the AAP area adjoining the Peartree interchange is Red Barn Farm. This does not contain any residential accommodation and is currently occupied by TRAX, an organisation that runs courses for young people.

5.10. This planning application relates to development predominantly within the central and western (Canalside) of the wider site area relating to application 18/02065/OUTFUL. For this reason the red line site area covers selected parcels of land where development would be taking place and excludes other areas of the wider site, which would be unaffected by the works including much of Eastern parcel of land with the exception of a strip of land adjacent to the railway

line where it is proposed that a new hedge would be planted. The site location plan below shows the various parcels of land to which this permission relates:



6. PROPOSAL

- 6.1. This reserved matters planning application relates a series of series of enabling works required to facilitate early phases of development on the Central and Canalside parcels of land, including Phase 1a of the development, for which detailed planning permission has already been granted.
- 6.2. The enabling works include the provision of below ground drainage and surface level SuDS features, including the provision of two attenuation ponds along the northern edge of the central parcel of the development site. The siting of the ponds in this position would align with the site masterplan approved under application 18/02065/OUTFUL and will facilitate discharge of water into the adjoining watercourse to the north of the site.
- 6.3. Three substations are proposed on the site, which are required in order to serve the commercial buildings approved under phase 1a of the hybrid planning permission.

6.4. The proposals include a series of earthworks involving the movement of 60,000m³ of earth through cut and fill, including the removal of a large quantity of earth from the Canalside parcel of the site (19,000m³) and the transfer of material to the central parcel of land. This is in part to form a platform to facilitate development and landscaping on the central parcel of the site which benefits from detailed planning permission, including the three commercial buildings, the link road between the A40 and A44, the temporary car park and Community Park. It will also be used for further phases of the development on the Central and Canalside parcels of the site which would be addressed under future reserved matters applications. Temporary landscaping is proposed, including the reseeded sections of the site where earth has been removed and deposited, this will mitigate the visual impact of the works.

6.5. Two hedges are also proposed within the Eastside part of the site, which will provide screening of the site from the adjoining residential properties to the east.

6.6. In addition details have been submitted under application reference 18/02065/CND to discharge a number of conditions relating to planning application 18/02065/OUTFUL, these documents also relate to the proposals within this reserved matters application and so have been included for information purposes:

- A Construction Traffic Management Plan (CTMP) which relates to the construction of the A44/A40 link pursuant to conditions 4a and 32 of the Hybrid Planning Permission 18/02065/OUTFUL.
- A surface water drainage plan pursuant to condition 44 of 18/02065/OUTFUL.
- A Construction Environmental Management Plan (CEMP) pursuant to condition 20a and 48 of 18/02065/OUTFUL.
- A Soil Resource Plan pursuant to condition 40 of 18/02065/OUTFUL.
- A Phase 3 Risk Assessment for Contamination pursuant to Condition 56 of 18/02065/OUTFUL.

6.7. The assessment of these aspects of the submission are detailed in the relevant sections below.

7. RELEVANT PLANNING HISTORY

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

<p>18/02065/OUTFUL - Hybrid planning application comprising:</p> <p>(i) Outline application (with all matters reserved save for "access"), for the erection of up to 87,300 sqm (GIA) of employment space (Use Class B1), up to 550 sqm (GIA) of community space (Use Class D1), up to 2,500 sqm (GIA) of Use Classes A1, A2, A3, A4 and A5 floorspace, up to a 180 bedroom hotel (Use</p>
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Class C1) and up to 480 residential units (Use Class C3), installation of an energy sharing loop, main vehicle access points from A40 and A44, link road between A40 and A44 through the site, pedestrian and cycle access points and routes, car and cycle parking, open space, landscaping and associated infrastructure works. Works to the A40 and A44 in the vicinity of the site.

(ii) Full application for part of Phase 1A comprising 15,850 sqm (GIA) of employment space (Use Class B1), installation of an energy sharing loop, access junctions from the A40 and A44 (temporary junction design on A44), construction of a link road between the A40 and A44, open space, landscaping, temporary car parking (for limited period), installation of cycle parking (some temporary for limited period), foul and surface water drainage, pedestrian and cycle links (some temporary for limited period) along with associated infrastructure works. Works to the A40 and A44 in the vicinity of the site. (Amended plans and additional information received 19.06.2019)

Approved 23rd March 2021

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Wolvercote Neighbourhood Plan
Design	126 - 136	DH1,	
Conservation/ Heritage	189 - 208	DH3, DH4, DH5	
Natural environment	174 - 182	G1, G2, G7	GBS1, GBS2, GBS5, GBC1, GBC3
Transport	104 - 113	M1, M2	COC1, CHC2
Environmental	174 - 182	RE3, RE4, RE5, RE6, RE7, RE8, RE9	BES2, BES3, BES4
Miscellaneous		V8	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 30th April and an advertisement was published in the Oxford Times newspaper on 29th April 2021.

Statutory and non-statutory consultees

Oxfordshire County Council

Highways

- 9.2. Initial response raised concerns in relation to the construction access routes to the site from the A40 and A44. Further clarification was required in respect of vehicle routing, tracking and contractor parking on site during construction. The County Council has confirmed that these matters are addressed within the revised CTMP and raise no objection to the operations proposed within this application on highway safety grounds.
- 9.3. The County Council has advised that the CTMP provides acceptable measures with regarding to managing the highways impact of the development during the phases of the development proposed within this reserved matters application and the first phase of development (1A) already benefitting from detailed planning permission.

Drainage

- 9.4. Whilst the overall drainage strategy was supported as this was consistent with the strategy proposed under the hybrid planning application, further detail was requested in terms of drainage calculations, maintenance details and modelling of the adjoining watercourse.
- 9.5. The County Council have advised that the updated details prepared in respect of the Reserved Matters application are satisfactory and allow for appropriate drainage of the site and also allow for the discharge of condition 44 of the hybrid planning permission as applied for under discharged of conditions application 18/02065/CND.

Environment Agency

- 9.6. Do not wish to comment.

Thames Water

- 9.7. No comments.

Natural England

- 9.8. No comments.

Network Rail

- 9.9. No response received following consultation.

Historic England

- 9.10. No response received following consultation.

Highways England

9.11. Having reviewed the application we do not offer an objection to the proposal. However, we do advise that the proposal to change the debris screen at the entrance to the culvert under the A34 is not permitted as the debris screen is a Highways England Asset. We would be happy to discuss with the applicant how any issues can be addressed.

9.12. In addition we request that where practicable the construction trips are minimised during the busy weekday peak hours to reduce any potential impact that they could have on the highway network.

Canals and Rivers Trust

9.13. The trusts drainage team have raised no objection to the principle of the proposals.

Cherwell District Council

9.14. No response received following consultation.

Public representations

9.15. Wolvercote Neighbourhood Forum objected to the application for the following reasons:

- Concerns relating to Highways England's initial letter stating that permission was not sought to drain into the existing drainage network.
- Concern that sewer system would be overwhelmed by surface water and sewage and contaminated water would enter the canal.
- There is no evidence of independent assessment of the attenuation ponds' efficacy. The modelling needs to take into account the effects of climate change over both the construction period and the expected occupancy of houses and offices.
- The statement that swales will provide 'paths to enable the public to walk round' and provide 'increased amenity and biodiversity opportunities is not an acceptable argument for their acceptance. The amenity claim simply draws attention to the biodiversity already lost by site clearance and is an inadequate contribution to the unconvincing proposals that the development will provide a net benefit.
- It is proposed to move 20,000 cubic metres of soil from the canal side to the central area. The claim in The Health Impact Assessment that there was engagement and consultation is not accurate.
- The explanation given is entirely to do with setting up a development platform in the central area without importing material from elsewhere. This is of no benefit to the development of the canal side but causes huge disruption and potential ecological damage to this area, as well affecting adversely the traffic on A40 and A44. There should be an examination of

whether a development platform could be set up without the damage to the canal side.

- TWO undertook to protect the ancient hedge alongside Joe White's Lane. Whether or not any earth movement is to take place in this area, the hedge must be protected with robust fencing set at a distance from the hedge so that the roots of trees and the ditch alongside it are not adversely affected.
- Concern regarding pollution from HGV movements related to construction operations.
- The proposed timetabling of construction work and of deliveries to the site is a matter of concern to local residents who will be affected by noise, pollution and traffic congestion and disruption for several years. Particular concern about construction works starting at 7.30am.
- Delivery access must be prevented from Godstow Road and Joe Whites Lane. Delivery vehicles must not use Wytham.

9.16. Comments were received from Leyla Moran MP, which request that the Council ensure that the views of local residents are considered and that the Council responds to public concerns. It is asked that particular attention is paid to water drainage issues, the access road arrangements and noise levels during the ground works stage.

9.17. Ward Councillor Liz Wade has submitted a comment in objection to the application. The points of objection are summarised below:

- Construction vehicles should have limited site access: suggestion: 9.30 a.m.- 3.30 p.m. Mondays to Fridays and 9.30 a.m. -1 p.m. on Saturdays. This is to modify traffic congestion on the approach roads to the Wolvercote Roundabout, in particular from the A40, A44 and A34 Western by-pass. For Delivery vehicles, the proposal in the CEMP is that they deliver between 9.30 a.m. - and 3.30 p.m. on weekdays only. This is line with the suggestion above for construction vehicles. Construction work should be limited to the same hours as construction vehicles.
- Amount of development on site: the proposal is to move 20,000 cubic metres of earth from Canalside to Central. This would permanently change the gentle slope of Canalside into a steep hillside, which would be unstable and might need shoring up. The effect of earth-moving on watercourses is unknown but, before excavation, Canalside drained into marshy ground on its west side near the canal. This could become a bigger problem. The plan to dig attenuation ponds at the north end of Canalside and of Central shows that the watercourse problem is recognised but hydrology reports should be obtained to reassure residents that it will be contained, and it should be regularly monitored
- Effect on traffic: the A40, A44 and A34 are the three major artery roads into north and north-east Oxford. They will inevitably be impacted by this

development but every effort must be made to protect traffic movement, particularly at peak hours.

- Flooding risk at the north end of Central and the west side of Canalside is a real likelihood, particularly given the removal of old hedgerows and grazing meadows. Disposal of surface water is still unresolved.
- Local ecology/biodiversity: given the Bill presently before Parliament, the developers should raise the standard for biodiversity to at least 10%. They make the point that neither site can be expected to contribute any biodiversity at this stage but a cogent plan for the short/medium/long term would reassure the community. Protective planting and HERAS fences along the hedge on the eastern side of Joe White's Lane will be vital.
- Noise and Disturbance: where there has to be construction beyond normal working hours (suggested to be 8 a.m. - 6 p.m. weekdays, 8a.m. - 1 p.m. Saturdays) then a system should be established urgently to provide information to residents, both by regularly leafleting and on a one off basis. A condition should be imposed that Wolvercote City Councillors should also be advised by email at the same time. The relevant roads are Godstow Road (Jury's Inn and Nos 5-30); Rawson Close; Goose Green Close; Millway Close; Lakeside (Odd Nos 1-59); Linkside (Odd Nos 1-19).

9.18. A total of 39 letters of objection have been received in objection to this planning application. The main points of objection are summarised below under the following categories:

Biodiversity

- Hedgerow clearance has taken place, which caused disturbance to local residents.
- The overall assessment of the site impact on the environment, biodiversity, people and other factors are not accurate.
- It is proposed to move 20,000 cubic metres of soil from the Canalside to the Central area of the site. This is grossly disruptive to soil structure, carbon storage, soil flora and fauna, erosion resistance, catchment quality, and of course to the species dependent on the soil-based ecosystem.
- There is no protection in place or proposed for remaining trees and hedgerow root systems.
- Concern regarding loss of habitats as a result of works to the hedgerow and grassland which have been carried out.
- The effect of pollution on neighbouring SSSIs is not properly considered.

Highways

- Works to the A40 have taken place before consultation has ended. Concerns were expressed that these works were not authorised.
- Highways England have objected to the use of their drainage assets.
- Concern regarding increase in traffic and pollution.
- There are no adequate provisions for wheel washing and safe disposal of the resulting effluent.
- The delivery vehicle standards promised in "9.2 Specification for delivery vehicles" are meaningless, as they are unenforceable: the UK is not bound by EU standards after Brexit.
- Ultrafine particles (UFP's) are extremely hazardous to public health. Concerns regarding release during construction works.
- There is no mechanism to police mechanical wear on vehicles.
- Traffic projects modelled by TWO in respect of air quality are inaccurate.
- There are no proposals in place to prevent, or to mitigate the effects of, oil and fuel spillage from tanks proposed to be refilled on the site.
- Construction access to the site must be provided from the A40 only and not via Joe Whites Lane.
- Haulage and construction vehicles used should be zero/low emission electric vehicles to minimise the environmental impact, as well as ancillary plant like generators, compressors and pumps, a solar array panel could be provided to charge all the electric vehicles coming on site.

Drainage/Flood Risk

- Works to modify the central parcel of the site have already commenced.
- Concern regarding potential sewage pollution in the Canal.
- The attenuation pond and swale proposals and modelling have not been assessed by an independent third party and show no evidence that the statutory climate change resilience measures required are in place.
- The measures proposed are not credible with regard either to water quality or flooding risk even over the ten-year lifetime of the construction phases, let alone over the next 20-30 years.
- None of the water quality protections are in fact enforceable as there is no mechanism proposed for adequate monitoring nor for sanctions or mitigations that might be required in the event of a breach of conditions.

- Water-carrying capacity and carbon storage capacity are both being lost at this site in this phase. There are no mitigations proposed in the near or medium-term for loss of carbon storage.

Amenity

- The impact on noise levels and pollution levels due to the increase traffic during the site building and afterwards has been underestimated.
- Concern regarding impact of the development on the community of people living alongside the canal including the formation of a 1.8 metre wide cycleway through the canal side community.
- The early planting on the Eastside section of the site should include a line of taller native trees to provide over storey screening above typical hedge height to reflect the request of Linkside residents.
- Concerns that the development would increase flood risk due to increased surface water run-off.

Other

- The Canals and River Trust have not at the time of writing commented on the application.
- The layout of the central section of the site has been altered as part of the plans.
- Local people are unanimously opposed to the development.
- Concern regarding the height of the buildings and potential visibility from Port Meadow.
- The proposals are an overdevelopment of the site.
- The destruction of the soil quality in this phase is in violation of climate change resilience measures required by the NPPF.
- Concern regarding the impact of the development on the character of Wolvercote as the size and use of the buildings would be inappropriate.
- Office buildings are no longer required due to recent changes in patterns of working.
- Existing buildings should be reused or repurposed as opposed to constructed on greenfield sites.
- Concern regarding impact of development on local services and facilities.

- An archaeological survey should be carried out on the site as Roman remains have been found in Kidlington and Linkside Avenue and Yarnton is a major prehistoric site.
- The Health Impact Assessment undertaking by the applicants is incomplete and inadequate.
- The design does not do justice to reflect the architectural heritage of neither Oxford nor the Cotswolds.

Officers Response to Public Comments

9.19. Matters raised within the public comments are covered within the relevant sections of the report, where this relates to the specific elements applied for under this reserved matters application.

9.20. A number of matters cited above relate to points agreed under the hybrid planning permission or matters which would be dealt with under subsequent reserved matters applications involving the development of parcels of land not covered under the detailed planning permission. This includes the principle of uses on the site, building design and heights, wider biodiversity impacts associated with the overall scope of development and archaeological impacts. Such matters relating to the overall scope of development on the site have either already been determined under the hybrid planning permission or would be determined under later reserved matters applications.

9.21. It is noted that a number of members of the public have mentioned that Highways England have objected to the application. As noted in the statutory consultees section of this report that this objection has since been removed. Likewise Canals and River Trust have also commented on the application raising no objection.

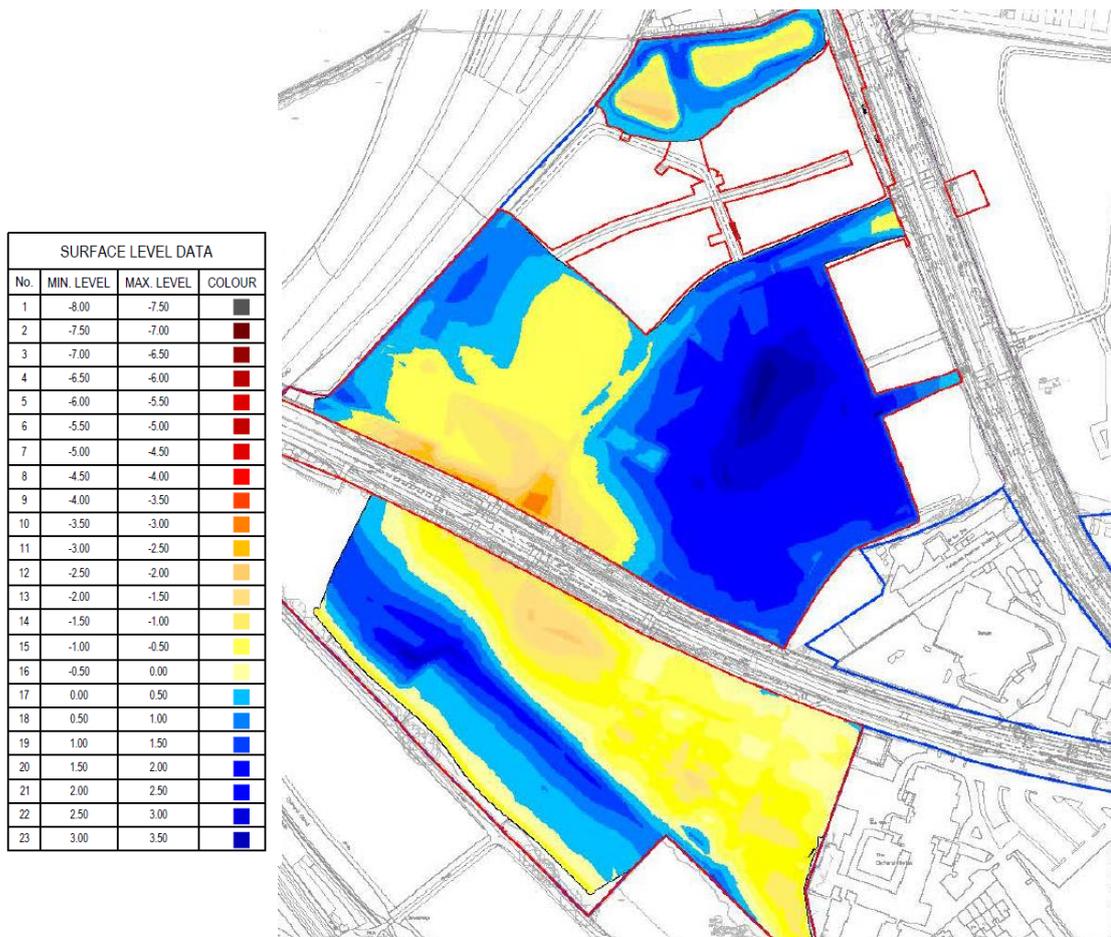
10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Drainage/flood risk
- Neighbouring amenity
- Highways
- Trees
- Archaeology
- Ecology
- Land Quality

Principle of development

- 10.2. Planning permission was granted in March 2021 under hybrid outline/full permission 18/02065/OUTFUL for the redevelopment of the 30ha site at Oxford North to include a mix of uses including 87,300sqm of Class B1 employment space, 480 homes and a series of access alterations to the A40 and A44, including the provision of a link road across the central parcel of the site.
- 10.3. The detailed element of planning application 18/02065/OUTFUL for which full permission was granted is referred to as Phase 1a. This comprises three buildings (the Red Hall and two workspace buildings), areas of landscaping, temporary car and cycle parking and a series of highways works including the formation of a temporary junction onto the A44, a cycleway along the western edge of the A44, the formation of temporary paths to Peartree Park and Ride and Oxford Canal as well as the comprehensive remodelling of the A40.
- 10.4. This application is submitted as the first subsequent reserved matters application with the intention of facilitating future development on the Central and Canalside parcels of land which will be brought forward as early phases of the development. Phase 1a will be the first phase of development and the earthworks proposed, which will consist of the removal of earth from the Canalside part of the site and subsequent transfer to the Central parcel of the site will be required in order to commence work on Phase 1a.
- 10.5. The submitted proposals for site drainage include the addition of below ground pipes and two attenuation ponds located adjacent to the northern boundary of the central development parcel aligns with the drainage proposals submitted under planning application 18/02065/OUTFUL. The site wide masterplan made provision for the siting of the two attenuation ponds in the same location as proposed within this reserved matters application. The proposed development would therefore not conflict with the overall layout and site masterplan already consented under the hybrid planning permission.
- 10.6. The earthworks involve the transfer of approximately 60,000m³ of earth through a cut and fill process. This involves the removal of approximately 19,000m³ of earth from the canalside parcel of the site (south of A40) to the Central parcel of the site (between the A40 and A44). The redistribution of earth through the cut and fill process is best demonstrated on drawing No.48201/EWK/111 Rev C, which as shown below:



10.7. The yellow and amber sections of the drawing above show sections of the site where there would be a reduction in the existing site levels through removal of existing soil. The maximum depth of cut would be 3 metres. The light and dark blue sections show areas where the site levels would increase through additional fill. The maximum depth of fill on site would be 3 metres. Areas shaded in white would be unchanged. The distribution of cut and fill corresponds to the existing site topography, which is uneven across both the canalside and central parcels. The above drawing also shows the area of excavation relating to the two attenuation ponds in the northern section of the site.

10.8. As noted in the above sections, this development is required to facilitate the works permitted under the hybrid planning permission by forming development platforms for the commercial buildings, link road, temporary car parking and landscaping which would form Phase 1a of the development as well as the Canalside park to the south of the A40. The earthworks proposed in this application would also avoid the need to transfer additional soil material to the site or remove material for landfill, thereby reducing vehicle movements and preventing waste.

10.9. Condition 40 of the hybrid planning approval requires that a Soil Resource Plan is submitted alongside each phase of the development, including enabling works. The Soil Resource Plan condition is required in order to outline

procedures for soil recovery and to ensure that a suitable soil profile is reinstated following completion of development. A topsoil strip would be undertaken prior the commencement of earthworks, materials will be stored in temporary stockpiles before being reused for landscape purposes. The Soil Resource Plan submitted in support of this application identifies the measures for the removal and reuse of soil on site, including identification of where topsoil import is required to carry out landscaping in line with the requirements of condition 40 of the hybrid planning permission. The details submitted within the Soil Resource Plan for this phase of development are considered to be acceptable. The details submitted in accordance with condition 40 of the hybrid planning approval (insofar as it relates to the current phase of enabling works) can be partially approved under application 18/02065/CND independently from this reserved matters application.

10.10. The substations proposed within this application consist of three, 2.4 metre high rectangular utilitarian green structures. These structures would be sited in less prominent locations, two of which would be sited to the east of the two southernmost employment buildings and a single substation, which would be sited in the north west corner of the temporary car park. The substations would be necessary in order to ensure adequate electricity supply would be provided to the employment buildings. It is therefore considered that the siting of the substations are necessary in accordance with Policy V8 of the Oxford Local Plan. It is considered that the siting of the substations be unobtrusive in practical and visual amenity terms.

10.11. For the reasons stated above officers consider that the principle of development is acceptable as this facilitates the delivery of planning permission 18/02065/OUTFUL which would deliver significant planning benefits economically and in terms of local housing provision.

Environmental Impact Assessment

10.12. An Environmental Statement (ES) was prepared as part of hybrid planning application 18/02065/OUTFUL, which covered in outline all development across the Oxford North site, including the basis of the enabling works proposed under this Reserved Matters application.

10.13. This Reserved Matters application would constitute a 'subsequent application' under Regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such the likely significant effects of the proposed development need to be considered.

10.14. The proposals submitted under this reserved matters application do not deviate from the parameters of the hybrid planning permission and the fundamental details outlined within the previously submitted Environmental Statement. Officers conclude that the development would not give rise to any new or different significant effects to those identified and assessed previously within the ES prepared under application 18/02065/OUTFUL.

Drainage

10.15. Policy RE3 of the Oxford Local Plan states that planning applications for development within Flood Zone 2, 3, on sites larger than 1 ha in Flood Zone 1 and, in areas identified as Critical Drainage Areas, must be accompanied by a Site Specific Flood Risk Assessment (FRA) to align with National Policy. The FRA must be undertaken in accordance with up to date flood data, national and local guidance on flooding and consider flooding from all sources. The suitability of developments proposed will be assessed according to the sequential approach and exceptions test as set out in Planning Practice Guidance. Planning permission will only be granted where the FRA demonstrates that:

- e) the proposed development will not increase flood risk on site or off site; and*
- f) safe access and egress in the event of a flood can be provided; and*
- g) details of the necessary mitigation measures to be implemented have been provided.*

10.16. Policy RE4 of the Oxford Local Plan states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites.

10.17. Policy BES4 of the Wolvercote Neighbourhood Plan requires that all proposed developments should demonstrate that they do not decrease rain water infiltration. Developments that demonstrate that they increase infiltration (where it is geologically possible), or reduce run-off to watercourses, will be supported. All run off water should be infiltrated into the ground using permeable surfaces (SUDS), or attenuation storage, so that the speed and quantity of run off is decreased.

10.18. The site layout includes the provision of SuDS features which will provide volumetric storage of surface water for the central parcel of the site. This will include 2 attenuation basins located in the north corner of the central parcel of the site adjacent to the boundary with Red Barn Farm which will provide volumetric storage of surface water. Permeable paving will also be used for the majority of roads and hard surfaces within the development.

10.19. Surface water runoff will discharge into the existing drain and watercourse which adjoins the northern boundary of the central section of the site. The watercourse ultimately discharges into the Oxford Canal to the west of the site. Highways England had raised an initial objection to the use of this existing drain and culvert as these are highways assets. Following discussion with HE it has since been accepted that as the development would not significantly increase run off then there would not be a detrimental impact on the ditch and outfall and the initial objection from HE has since been withdrawn.

10.20. The surface water drainage plan outlines a programme for the regular maintenance of the swales, piped drainage systems and attenuation basins. This includes regular inspection to be carried out by the management company, alongside where necessary the cutting of grass and the removal of litter and other debris in order to ensure that the systems are fully functioning.

- 10.21. Oxfordshire County Council, as Local Lead Flood Authority submitted an initial objection as additional details were required relating to flood modelling accounting for 20% and 40% climate change allowance. Upstream and downstream modelling was also required for the adjoining watercourse to demonstrate that there would not be a risk of upstream or downstream flooding. Additional microdrainage calculations were also required. The requested details have now been provided and Oxfordshire County Council are satisfied that the submitted drainage scheme is viable and will appropriately manage the disposal of surface water.
- 10.22. Canal and River Trust have been consulted regarding the development proposals, which result in additional discharge into the Oxford Canal via the existing watercourse. The drainage team at the Canal and River Trust have reviewed the submitted details and have advised that they do not object to the proposals.
- 10.23. Taking the above matters into consideration, it is considered that the proposals represent appropriate measures for the management of surface water drainage associated with the initial phases of development on this site. The details provided alongside this application and accord with the provisions of Policies RE3 and RE4 of the Oxford Local Plan. The details submitted in accordance with condition 44 of the hybrid planning approval (insofar as it relates to the current phase of enabling works) can be partially approved under application 18/02065/CND independently from this reserved matters application.

Visual Impact

- 10.24. The formation of two attenuation ponds in the northern part of the central parcel of the site aligns with the overall site masterplan approved under planning application 18/02065/OUTFUL, which included the provision of SUD's features within this area of the site. The basins are designed to appear as natural pond features, rather than hard engineered drainage infrastructure. The ponds would be surrounded by landscaping and wetland grass and would provide ecological value. This area of the site would be publically accessible from the remainder of the site, to allow maintenance access but also to allow members of the public to access what could be an attractive space in the site.
- 10.25. The site masterplan includes the provision of the Canalside Park along the western boundary of the site between the residential element of the scheme and Joe Whites Lane, a public right of way to the west of the site. The earthworks are intended to create a rising landscape from west to east which will eventually form a public park, the details of which will be submitted under a future reserved matters application relating to the residential element of application 18/02065/OUTFUL. A swale will be created along the western edge of the site, which aligns with the drainage strategy for the site.
- 10.26. Following completion of the earthworks on the central parcel of the site, a reseeded of the landscape is proposed. The lower sections of the Canalside parcel of the site which would form the future Canalside Park as outlined within the landscape masterplan would also be reseeded. This will be necessary to ensure that the site is acceptable in visual terms during the intervening period

between the works and the commencement of development of the various plots on the site.

10.27. In order to mitigate the visual impact of the development in views from the east, two hedgerows would be planted on the Eastside parcel of the site (East of the A44), 13.8 metres to the west of the railway track. The hedgerow would be 0.6 metres high when first planted and it is envisaged that this would grow to a height of 1.2 to 1.5 metres after a period of 5 to 7 years.

10.28. The earthworks are necessary to facilitate future stages of development approved under permission 18/02065/OUTFUL and align with the overall site masterplan agreed under the hybrid planning application. The temporary landscaping measures to reseed sections of the site following completion of the earthworks, alongside the planting of the eastern boundary are considered necessary in order to mitigate the impact of the development in visual terms in accordance with Policy DH1 of the Oxford Local Plan.

Heritage

10.29. A section of the Canalside parcel of the site located to the north of Joe Whites Lane falls within the Wolvercote with Godstow Conservation Area, whilst the majority of the site, including the Canalside and Central parcels would be considered to be within the setting of the Conservation Area.

10.30. Policy DH3 of the Oxford Local Plan specifies that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance, character and distinctiveness of the heritage asset and locality. For all planning decisions for planning permission affecting the significance of designated heritage assets (including Listed Buildings and Conservation Areas), great weight will be given to the conservation of that asset and to the setting of the asset where it contributes to that significance or appreciation of that significance).

10.31. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

10.32. For development within or affecting the setting of Conservation Areas, the NPPF requires special attention to be paid towards the preservation or enhancement of the Conservation Area's architectural or historic significance. Paragraph 199 of the NPPF requires that: "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

- 10.33. The site is also within the wider setting of the Grade II listed Manor Farm, a 17th Century stone farmhouse located to the south west, adjoining Godstow Road.
- 10.34. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.35. The wider impact of the redevelopment of the land at Oxford North on the Wolvercote with Godstow Conservation Area and the heritage assets identified above was considered in depth by officers at the time which application 18/02065/OUTFUL was determined. This assessment considered the relative harm to the setting and significance of the Conservation Area, which was deemed to be moderate less than substantial harm. In terms of the setting of the Grade II listed Manor Farm it was considered that whilst the setting of the farmhouse had been eroded by residential development and non-residential development including the Jury's Inn hotel, there would be further harm arising from the loss of agricultural land on the Oxford North site which forms part of the wider setting which contributes to the significance of this building, furthermore the approved development would also be of a significant scale. This harm to the setting of the Grade II listed building was identified as less than substantial and at the lower end of this classification.
- 10.36. The identified harm to heritage assets was balanced against the significant package of public benefits delivered by the proposed development, including the provision of 480 homes and significant economic benefits deriving from the provision of 87,300sqm of employment space. A conclusion was reached that the benefits arising from the development would outweigh the moderate less than substantial harm to the Wolvercote with Godstow Conservation Area.
- 10.37. In terms of the proposals associated with this application, the main impact on the setting of the Conservation Area would be as a result of the earthworks, particularly on the Canalside section of the site, which partly falls within the Conservation Area, or is visible from within the Conservation Area from Joe Whites Lane to the south east. The earthworks and the formation of the swale along the southern section of the site are required to facilitate development and landscaping on this parcel of the site and the central parcel and therefore align with the proposals permitted under application 18/02065/OUTFUL. It is therefore considered that the development proposed under this application within the Canalside part of the site would not result in additional harm to the setting of the Conservation Area beyond the moderate level of less than substantial harm previously identified. The development would also not result in any additional harm to the setting of the Grade II listed Manor Farmhouse. The earthworks within the central parcel of the site and drainage works are unlikely to be perceived in public views from the Conservation Area and the overall impact would likely be negligible in heritage terms. The reseeded of the site where earthworks have occurred will mitigate the visual impact of these temporary works softening the impact on the setting of the Conservation Area.

- 10.38. Accounting for the nature of the works and their alignment with planning application 18/02065/OUTFUL, it is considered that the development would result in a moderate level of less than substantial harm to the setting and significance of the Wolvercote with Godstow Conservation Area and a low level of less than substantial harm to the setting of the Grade II listed Manor Farm. In assessing the development in accordance with the balancing exercise required under Paragraph 202 of the NPPF, the identified less than substantial harm to these heritage assets would in officer's view be outweighed by the multiple economic benefits and provision of housing arising from the development which the works would facilitate (as set out in full in the committee report to the West Area Planning Committee dated 28th September 2019).
- 10.39. The application was previously accompanied by an archaeological evaluation which failed to identify any significant archaeological remains. The submitted proposals are unlikely to have any significant archaeological implications and it is a condition of the original planning permission that the development is carried out in accordance with the agreed recommendations of the previously submitted Written Scheme of Investigation (WSI). Officers therefore consider that there would be no conflict with Policy DH4 of the Oxford Local Plan.

Impact on neighbouring amenity

- 10.40. The nearest residential properties to the areas of the site where significant works are proposed are located to the south east at Goose Green Close and Rawson Close and to the south of the Oxford Canal and railway line at Elmthorpe Road and Rosamund Road and Nos. 396 to 400 Woodstock Road adjacent to the Wolvercote Roundabout.
- 10.41. Policy RE7 of the Oxford Local Plan states that Planning permission will only be granted for development that:
- a) Ensures that the amenity of communities, occupiers and neighbours is protected; and b) does not have unacceptable transport impacts affecting communities, occupiers, neighbours and the existing transport network; and c) provides mitigation measures where necessary.*
- 10.42. Policy RE8 of the Oxford Local Plan also requires that planning permission will not be granted for development that will generate unacceptable noise and vibration impacts. Identifying and mitigating the impact of construction works in terms of air pollution and noise is also required under Policies BES2 and BES3 of the Wolvercote Neighbourhood Plan.
- 10.43. The amenity impacts arising from the development would be indirect impacts associated with temporary construction activities, most notably noise disturbance and dust generation. Direct amenity impacts arising from the siting of buildings and the impact of traffic generation during the operational phases of the development were addressed when the hybrid planning application was determined and would be assessed further under subsequent detailed reserved matters applications. To address matters arising from the construction phase of the proposals submitted under this application the applicants have submitted a Construction Environmental Management Plan (CEMP).

- 10.44. The residential properties at Goose Green Close, which are nearest the site are approximately 50 metres from the site boundary, though this is a small section of the site and the majority of the earthworks proposed would be taking place on the opposite side of the Jurys Inn Hotel or on the parcel of land adjoining Joe Whites Lane approximately 130 metres from the properties. The potential implications of the earthworks include noise and dust generation, matters which are addressed within the submitted CEMP. It is considered that the nature of construction activities and relative distance to existing properties would not result in unacceptable noise disturbance to existing occupiers.
- 10.45. It is noted that concerns have been raised regarding construction hours, which are listed within the CEMP as being between 7.30am and 18.00pm (Mondays to Fridays) and 8am to 13.00pm (Saturdays) with no works permitted on Sunday or Bank Holidays. The Council's Environmental Health Officers have advised that this falls within standard hours of operation and noise limits will be dictated by Environmental Health legislation relating to permissible noise levels.
- 10.46. A range of measures are listed within the CEMP to mitigate potential impacts associated with dust generation, this includes measures to control dust generation from construction vehicles, suppression measures and ongoing monitoring. The Council's Air Quality Officer has confirmed that the CEMP includes all the site specific dust mitigation measures to be applied at a "Medium Risk" site. Consequently this would ensure compliance with Policies RE6 and RE7 of the Oxford Local Plan.
- 10.47. It is noted that concerns have been raised regarding the impact of the development on properties in Linkside Avenue and Lakeside to the north east of the site. In the case of the properties in Lakeside these houses would be over 220 metres from the central parcel of the site where substantial construction works would be undertaken and in the case of the properties at Lakeside, these dwellings would be over 300 metres from the central parcel of the site and would be separated by a field to the east of the A44, a section of dual carriageway road and a railway line. Additionally two hedges would be planted along the eastern boundary of the Eastside field adjacent to the railway track, which would provide visual screening of the works. The substantial separation distance between the dwellings in Lakeside and Linkside Avenue means that the development is unlikely to result in significant harm in amenity terms so far as these properties are concerned.
- 10.48. As noted within the Construction Traffic Management Plan (CTMP). Construction vehicles would access the site via the A40 and A44 and would not use predominantly residential streets surrounding the site such as Godstow Road, therefore ensuring that the residual amenity impact associated with Construction Traffic would be very low in so far as this relates to surrounding residential properties.
- 10.49. The CEMP requires that notification is provided to local businesses and residents with regards to the construction operations proposed. This includes leafletting of neighbouring households prior to the commencement of work, alongside the publication of regular newsletters. The CEMP also notes that

opportunity will be afforded for liaison meetings with local residents with regards to the works.

10.50. In summary, it is concluded that the amenity impact of the earthworks would not result in significant harm to the amenity of surrounding residential occupiers or surrounding land uses as the supporting technical reports including the CTMP and CEMP provide measures to address residual impacts associated with construction including noise, construction traffic and dust generation. The development is considered to accord with Policies RE6, RE7 and RE9 of the Oxford Local Plan. The details submitted in accordance with conditions 20a and 48 of the hybrid planning approval (insofar as it relates to the current phase of enabling works) can be partially approved under application 18/02065/CND independently from this reserved matters application.

Transport

10.51. The application is accompanied by a Construction Traffic Management Plan (CTMP) relating to the site enabling works proposed, this is also required under conditions 5 and 47 of planning permission 18/02065/OUTFUL. It should be noted that there is no requirement to provide the CTMP as part of this reserved matters application, though this is required as a pre-commencement planning condition. The submitted CTMP relates to both the earthworks and drainage operations proposed within this application as well as the construction of the link road, temporary parking, landscaping and employment buildings approved under the detailed planning permission. As stated within the CTMP, the document has been developed in conjunction with the CTMP for the A40 improvement works which are currently underway and it is expected that there would be some overlap in terms of the works proposed in this application and the A40 works.

10.52. The A40 improvement works have commenced on site, however the new junctions approved under the planning permission are unlikely to be available for use by construction vehicles at the time when development commences on the enabling works. Until such time that the new junctions from the A40 are complete, construction traffic will utilise existing field access points from the A40 and A44 to access the central parcel of the site and the field gates adjacent to the A40 to access the Canalside parcel of the site through the existing OCC construction access. No construction access would be permitted into the site via Godstow Road or Joe Whites Lane.

10.53. The main impact of the works from a transport perspective would be as a result of the movement of haulage lorries delivering surfacing materials and transporting soil between the Canalside and Central sites. The movement of materials from Canalside to the Central parcel of the site would only be undertaken outside of peak hours, between 9.30am and 15.30pm, these vehicles would follow a prescribed route and movements which would be controlled through a manual signal controlled junction. Wheel washing facilities are proposed and would be required to avoid transfer of mud onto the highway. Vehicle movements would be strictly limited to principal routes into the site via the A40, A44 and A34 and there would be no requirement for construction traffic to use minor routes such as Godstow Road.

10.54. Oxfordshire County Council raised an initial objection regarding vehicle routing and the use of the construction access points. It was noted that construction traffic would be unable to turn right at the canalside junction adjacent to the existing A40 works compound to the east of the A34 as the highways works to the A40 involve the siting of a central island in the road. Clarification was sought on how this would be overcome, it was clarified that vehicles would need to turn left on the road continuing to the Eynsham roundabout when heading in an eastward direction from this access point, this would be until such time as the signal controlled junctions are operational at which point construction traffic would be able to cross between the Canalside and Central Parcels. Vehicles travelling in a west direction along the A40 from the opposite access point to the central parcel would be required to use the Wolvercote roundabout. Adequate vehicle tracking has now been provided for all construction access points to demonstrate movement by large construction vehicles.

10.55. An objection was also raised by the County Council regarding a lack of detail provided in respect of measures for contractor parking and measures to encourage sustainable travel to the site for contractors. Further detail has been provided within the updated CTMP in respect of both contractor parking and measures to facilitate sustainable travel to the site by walking, cycling, public transport and other measures including minibus travel and car sharing. The County have agreed that the measures adequately address initial concerns in relation to the submitted CTMP.

10.56. It is considered that the proposals make adequate provision for access to the site during the duration of the works proposed within this application and within phase 1a of the hybrid permission. The details submitted are considered to be acceptable and would comply with Policy M2 of the Oxford Local Plan. The details submitted in accordance with conditions 4a and 32 of the hybrid planning approval (insofar as it relates to the current phase of enabling works) can be partially approved under application 18/02065/CND independently from this reserved matters application.

Trees

10.57. The proposals would not involve the removal of any additional trees or vegetation which were not previously indicated for removal under the hybrid planning permission and there would be no conflict with the landscape strategy consented under the hybrid planning permission. Protective fencing will be established around retained hedgerows and trees and the development will be required to be carried out in accordance with condition 41 of permission 18/02065/OUTFUL which requires that development is carried out in accordance with the approved tree protection measures identified in the submitted Environmental Statement.

Biodiversity

10.58. It is a condition of the hybrid planning permission for Oxford North that updated biodiversity surveys must be carried out as part of any reserved matters application. An updated survey report has been submitted alongside this served

matters application in line with this requirement following consultation with the City Councils Ecologist.

10.59. The scope of the additional surveying includes surveys for the following species:

- Great crested newt
- Reptiles
- Water vole and otter
- Bats
- Badger

10.60. The updated survey work recorded no evidence of reptiles or great crested newt.

10.61. The report found that no badger activity had been recorded on the site in 2020 or 2021. Previously a badger sett had been identified on the site and was active in 2018. Monitoring of the set started in July 2020 and is ongoing with weekly monitoring, it is concluded that the set is now disused as whilst a badger was identified on the site in July 2020, there has been no evidence of digging or use of the sett.

10.62. The report finds minor changes to the suitability of trees on the site to support roosting bats, these being the trees along the southern boundary adjoining Joe Whites Lane which are retained. One tree in the field to the east of the A44 is now identified as being of moderate rather than low quality. Tree 22 supports a bat roost of low conservation value, though this was unchanged since 2016.

10.63. It is noted within the public representations that reference is made to the Oxford North development as a whole failing to achieve a 10% net gain in biodiversity. The matter of biodiversity net gain was addressed at the time at which hybrid planning permission was granted. This is not a matter to be determined under this planning application as Condition 52 of the approved planning permission does not require the submission of details of ecological enhancements for reserved matters applications which relate to enabling works. The applicant would be expected to provide details of ecological enhancements for the subsequent phases and sub-phases of the development at which point this will be assessed in terms of percentage net gain achieved. It should also be noted that the target of 10% cited is not currently a statutory requirement as the Environment Bill 2020 has not been afforded assent. The updated survey report has been reviewed by the Council's Ecologist who has confirmed that the recommendations are appropriate.

10.64. The original hybrid planning application was accompanied by an Environmental Statement which included an assessment of the impact of the development on the nearby Wolvercote Meadows SAC. Paragraph 180 (b) of the NPPF states that development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the

site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest. Likewise Policy G2 of the Oxford Local Plan states that planning permission will not be granted for any development that would have an adverse impact on sites of national or international importance, namely SAC's and SSSI's.

10.65. In assessing the impact of the development as proposed under the hybrid planning application, officers concluded that the scheme will have no likely significant effect on the Oxford Meadows SAC or other statutory sites of nature conservation importance, subject to a number of ecological conditions. The proposals within this reserved matters application do not deviate from the general scope of operations permitted under hybrid planning permission 18/02065/OUTFUL. Officers therefore conclude that the development proposed under this planning application would not have a significant effect on the Oxford Meadows SAC, consequently there would be no conflict with Paragraph 180 of the NPPF or Policy G2 of the Oxford Local Plan.

10.66. In summary further to the assessment carried out previously by officers under planning application 18/02065/OUTFUL it can be concluded that the development would not result in the harm to protected species contrary to Policy G2 of the Oxford Local Plan and Policy GBS5 of the Wolvercote Neighbourhood Plan.

Contamination

10.67. As required under Policy RE9 of the Oxford Local Plan planning applications where proposals would be affected by contamination or where contamination may present a risk to the surrounding environment, must be accompanied by a report which details the nature and extent of any contamination and includes means of mitigating risk posed by site contamination. The submission of a land contamination report is also required under condition 56 of the hybrid planning permission.

10.68. Site wide reports were previously prepared as part of the hybrid planning application submitted in 2018 which identified that the risk from site contamination was very low. The updated contamination report prepared by Stantec as submitted similarly concludes that the risk associated with contamination remains very low. Consequently no mitigation or remediation measures are required. These findings are supported by the Council's Land Quality Officer. The submitted CEMP includes a range of measures to prevent pollution resulting from construction activities including appropriate measures for the disposal of waste and fuel storage, including the management of risks associated with any fuel spillage. These measures have been reviewed by appropriate consultees including the Council Land Quality and Environmental Health officers. Officers therefore consider that the development would comply with Policy RE9 of the Oxford Local Plan.

10.69. The details submitted within the Remediation Strategy and Validation Plan for Phase 1, Oxford North are therefore considered to be acceptable in mitigating any land contamination risks on site. The details submitted in accordance with condition 56 of the hybrid planning approval (insofar as it relates to the current

phase of enabling works) can be partially approved under application 18/02065/CND independently from this reserved matters application.

11. CONCLUSION

- 11.1. On the basis of the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes it clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. In the context of all proposals paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development. This means approving development that accords with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 11.3. The proposals submitted under this reserved matters application, namely the cut and fill earthworks, substations and drainage infrastructure including the formation of attenuation ponds are required in order to facilitate development approved under hybrid planning permission 18/02065/OUTFUL by providing platforms for future buildings approved under the detailed planning element, as well as the approved link road and public open space. The works will also facilitate future development to be submitted under subsequent reserved matters applications on the Central and Canalside parcels of the site. The proposals include reseeded of the areas of the site where earthworks have taken place in order to mitigate the temporary visual impact of the works.
- 11.4. The submitted drainage strategy aligns with details previously submitted under planning application 18/02065/OUTFUL in terms of the general approach to addressing surface water drainage and in terms of the location and nature of the proposed SuDS features, which consist of two attenuation ponds located along the northern boundary of the site. The County Council have confirmed that the submitted drainage strategy is appropriate and offers a viable means for the management of surface water which would comply with Policies RE3 and RE4 of the Oxford Local Plan.
- 11.5. In amenity terms, officers are satisfied that appropriate measures are included within the submitted CEMP to ensure that there would not be undue harm to the amenity of neighbouring properties by virtue of noise disturbance or dust generation arising from construction activities associated with the development proposed under this planning application and under the detailed planning consent on the Central parcel of the site. The development is therefore considered to comply with Policies RE6, RE7 and RE9 of the Oxford Local Plan.

11.6. The submitted CTMP ensures that all traffic for the initial construction phases, including the earthworks would access the site via either the A40 or A44 and would not use surrounding residential roads including Godstow Road and no traffic would be permitted to use Joe Whites Lane. The CTMP also includes appropriate measures to manage vehicle movements associated with the transfer of soil materials between the Canalside and Central parcels of the site. It is therefore considered that the proposals are compliant with Policy M2 of the Oxford Local Plan.

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

12. CONDITIONS

Approved Plans

1. The development referred to shall be constructed strictly in complete accordance with the specifications in the application and the submitted plans.

Reason: To avoid doubt as no objection is raised only in respect of the deemed consent application as submitted and to ensure an acceptable development as indicated on the submitted drawings.

Time Limit

2. 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.

CTMP and CEMP

3. The development permitted shall be carried out in accordance with the construction traffic management, air quality and environmental management measures outlined within the submitted Construction Traffic Management Plan (CTMP) and Construction Environmental Management Plan (CEMP) Rev 4 prepared by Stantec reference 48201/001 dated 26 July 2021.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles and air quality on the surrounding network, road infrastructure and local residents, particularly at peak traffic times, in accordance with policies RE6, RE7, RE8 and M2 of the Oxford Local Plan 2036.

Drainage

4. The development shall be carried out in accordance with the measures identified for the management of surface water drainage and maintenance of drainage features as outlined in the following documents:

- 'Central Area Detailed Surface Water Drainage Scheme' Ref 48201/2012/003 Rev E prepared by Stantec dated July 2021
- 'Central Area Detailed Surface Water Maintenance Plan' Ref 48201/2012/005 prepared by Stantec dated June 2021.

The approved measures shall be implemented as approved and completed prior to first occupation of the buildings permitted under planning permission 18/02065/OUTFUL.

Reason: To prevent an increase in flood risk in accordance with policies RE3 and RE4 of the Oxford Local Plan 2036.

Land Contamination

5. The development shall be carried out in accordance with the recommendations outlined within the 'Remediation Strategy and Validation Plan for Phase 1, Oxford North ref: 48201/3504/R002/Rev1 dated May 2021.

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.

Soil Resource Plan

6. The development shall be carried out in accordance with the recommendations outlined in the Oxford Northern Gateway Phase 1 Soil Resource Plan ref TOHA/20/4170/CS/SRP prepared by Tim O'Hare Associates dated 6th January 2021.

Reason: In the interests of amenity and to ensure proper cultivation of gardens / horticultural amenity areas in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2036.

13. APPENDICES

- **Appendix 1** – Site location plan
- **Appendix 2** – Officers report to the West Area Planning Committee for 18/02065/OUTFUL

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

21/01053/RES – Appendix 1 – Proposed Site Plan



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WEST AREA PLANNING COMMITTEE

24 September 2019

Application number: 18/02065/OUTFUL**Decision due by** 20 November 2018**Extension of time** 30 September 2019 for committee resolution**Proposal** Hybrid planning application comprising:

(i) Outline application (with all matters reserved save for "access"), for the erection of up to 87,300 m² (GIA) of employment space (Use Class B1), up to 550 m² (GIA) of community space (Use Class D1), up to 2,500 m² (GIA) of Use Classes A1, A2, A3, A4 and A5 floorspace, up to a 180 bedroom hotel (Use Class C1) and up to 480 residential units (Use Class C3), installation of an energy sharing loop, main vehicle access points from A40 and A44, link road between A40 and A44 through the site, pedestrian and cycle access points and routes, car and cycle parking, open space, landscaping and associated infrastructure works. Works to the A40 and A44 in the vicinity of the site.

(ii) Full application for part of Phase 1A comprising 15,850 m² (GIA) of employment space (Use Class B1), installation of an energy sharing loop, access junctions from the A40 and A44 (temporary junction design on A44), construction of a link road between the A40 and A44, open space, landscaping, temporary car parking (for limited period), installation of cycle parking (some temporary for limited period), foul and surface water drainage, pedestrian and cycle links (some temporary for limited period) along with associated infrastructure works. Works to the A40 and A44 in the vicinity of the site.
(Amended plans and additional information received)

Site address Oxford North (Northern Gateway) Land Adjacent To A44, A40, A34 And Wolvercote Roundabout, Northern By-Pass Road – see **Appendix 1** for site plan

Ward Wolvercote Ward

Case officer Nadia Robinson

Agent Mr Robert Linnell, Savills **Applicant:** Thomas White (Oxford) Ltd

Reason at Committee Major application

1. RECOMMENDATION

1.1. West Area 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 **appendix 3** of this report and grant planning permission, subject to:

- the receipt of a formal response from Highways England raising no objection to the application;
- 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;
- the agreement of appropriate arrangements with Oxfordshire County Council and the applicant about the use of Community Infrastructure Levy payments; and

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

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary;
- 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 Acting Head of Planning Services considers reasonably necessary;
- complete the Section 106 legal agreement referred to above; and
- issue the planning permission.

2. EXECUTIVE SUMMARY

2.1. This report considers a hybrid planning application for a 26-hectare site in the north of Oxford comprising an outline application with all matters reserved except access, and a detailed or 'full' application for part of the overall site.

2.2. The site, referred to in the application as 'Oxford North', falls into three, fan-shaped parcels of land to the north and north-west of the Wolvercote roundabout through which run the A44 and A40. The northern boundary of the site is formed by an elevated section of the A34. The site forms the most part of the 'Northern Gateway' which is a site allocated in the Core Strategy and which has its own Area Action Plan (AAP).

- 2.3. The Northern Gateway is a key strategic site which has been allocated in the Core Strategy for 90,000 square metres of employment space for the knowledge economy – science and technology, research, bio-technology and spin-off companies from the universities and hospitals. One of the objectives of the Oxfordshire Local Enterprise Partnership (OxLEP) Strategic Economic Plan for Oxfordshire 2016 is to deliver flagship gateway developments and projects that stimulate growth; Northern Gateway is identified as such a project. The site allocation also includes up to 500 housing units and other related uses that would support the employment use.
- 2.4. The red line of the planning application does not include all of the AAP area. Peartree Park and Ride, the Peartree services, the existing built form in the south of the site (garage, service station, BT station and hotel) and two parcels of land (in the south-west owned by Oxford City Council, and in the north owned by Merton College) are not included within the red line.
- 2.5. The planning application follows a constructive and collaborative period of pre-application discussions between the City Council and the applicant beginning in 2014, with close involvement from the County Council and Highways England.
- 2.6. In order to assist the Northern Gateway site to come forward for development, £5.9 million of Local Growth Fund money was allocated to improve transport in the north of the city by OxLEP. It has been agreed this will be used to complete the A40 works that form part of this planning application, with the work to be carried out by the County Council.
- 2.7. Oxford City Council applied for £10 million of Homes England's Housing Infrastructure Funding (HIF) (Marginal Viability) to use for infrastructure to support delivery of housing at Northern Gateway. The funding will be used at the start of the development, should permission be granted, to provide the infrastructure, such as internal roads, needed to deliver homes on site.
- 2.8. The application is a hybrid application comprising an outline application for the whole site, and a detailed application for an element within the overall site. All matters, except for access, are reserved from the outline application. This means that development of the rest of the site, besides the detailed application, would come forward as reserved matters applications with details of the appearance, landscaping, layout and scale. The full details of what is included in the application are set out in **section 6** of this report.
- 2.9. In summary, the outline application seeks permission for 87,300 square metres of employment space and 480 residential units. This falls just short of the overall AAP allocation because the site red line omits two parcels of land (in the south-west owned by Oxford City Council, and in the north owned by Merton College) that could accommodate the shortfall. The application also includes significant works to the A40 and A44 to calm traffic speeds and transform them into urban boulevards with upgraded

cycle and bus lanes. It also details the access proposal from these two main roads to the three parcels of development land.

- 2.10. The detailed part of the application is for a parcel of land in the centre of the site, close to the A40, on which is proposed three employment buildings totalling 15,850 square metres: two Workspace buildings clad in clay tiles with gabled open ends facing the A40 are proposed as well as building known as the Red Hall which is proposed as an incubator space for small enterprises and hub of the development. The adjacent link road between the A40 and A44, and the central park known as The Green are also proposed in detail. The whole of the A40 improvement works are included in the detailed application, as well as a temporary junction from the link road onto the A44.
- 2.11. The application falls within the parameters of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and is Environmental Impact Assessment (EIA) development. The application was submitted with an Environmental Statement which was supplemented with further information at the request of the City Council. Having assessed the submitted application, officers are satisfied that the Environmental Statement and further information provided complies with the 2011 EIA Regulations and that sufficient information has been provided to assess the environmental impact of the proposal.
- 2.12. The report sets out that, taken as a whole, the proposals align with the vision of AAP and accord with the Development Plan. The key issues are summarised below.
- 2.13. The quantum of Affordable Housing proposed is 35 per cent with a tenure split of 80 per cent social rented and 20 per cent intermediate housing. This follows a detailed and thorough period of viability appraisal between the Council's viability consultants and the applicant's viability consultants to seek to improve value and viability of the scheme and maximise the quantum of Affordable Housing the development can afford. As set out in **section 10b** of this report, the applicant's proposal of 35 per cent Affordable Housing at a 80:20 tenure mix is the maximum that the development could reasonably support. The legal agreement would include a review mechanism so that, if the development proves to be more viable than expected, this can be captured for the benefit of Affordable Housing.
- 2.14. Transport and highways issues are central to the scheme. Extensive consultation with the County Council and Highways England has been carried out to get the highways proposals right. These are based on robust and heavily tested traffic modelling to predict the impact of development. The approach has been conservative; this modelling does not include some planned improvements as part of demand management measures the County Council is undertaking. The 'humanising' of the A40 and A44, low levels of car parking for the employment uses and the various upgrades to bus, cycle and pedestrian infrastructure are anticipated to support a shift towards sustainable transport.

- 2.15. Less than substantial harm has been identified to two heritage assets (the setting of both Wolvercote with Godstow Conservation Area and the Manor and Church Farmhouses), at low and moderate levels respectively. The assessment is set out in **section 10d**. The balancing exercise required by the NPPF for less than substantial harm to heritage assets concluded that the public benefits of the development significantly outweigh the harm. As such, the proposal would meet the test of paragraph 196 of the NPPF and would accord with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.16. The outline application sets the design parameters, based on the AAP Design Code, while the full application provides more detailed proposals for one parcel of development within these parameters. The illustrative masterplan and details within the Design and Access Statement: Masterplan demonstrate the proposal's high-quality urban design. The overall landscape proposals and public spaces further assure that the development would be well-designed. The proposals have been reviewed on three occasions by the Oxford Design Review Panel (ODRP) and have received support from the panel, particularly in respect of the site-wide masterplanning and the architecture of the Red Hall and Workspace buildings.
- 2.17. A fundamental part of the energy strategy for the proposed scheme is a site-wide energy sharing loop network. High efficiency water to water heat pumps would provide space heating and cooling for all buildings, as well as domestic hot water. These heat pumps will be linked to the site-wide energy sharing loop connected to ground source energy boreholes. The proposed energy loop network is innovative and offers a low carbon energy solution with no harmful air quality impact. BREEAM Excellent is being targeted for the buildings in the detailed part of the application, which is welcome.
- 2.18. The report considers the material planning considerations and concludes with a summary of the economic, social and environmental impacts. In reaching a recommendation, officers have weighed up the benefits and dis-benefits of the proposed development relative to all material considerations discussed in this report. Overall, the proposed development would bring significant public benefits that accord with these three strands of sustainable development, as set out in the NPPF.
- 2.19. Having taken into account the provisions of the Development Plan, the policies in the NPPF, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval subject to the planning conditions set out in **appendix 3** and a Section 106 legal agreement whose Heads of Terms are set out in **appendix 4**.

3. LEGAL AGREEMENT

3.1. This application is subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure the following planning obligations:

- **Affordable Housing:** on-site provision, Affordable Housing adjustment, viability review
- **Public realm:** public open space, children's play space, public art, management plan
- **Transport and highways:** corridor works – A44 and A40, on-site infrastructure, Peartree interchange improvements, car parking management plan, travel plans, travel plan monitoring contribution (£6,000), variation of Traffic Regulation Order in relation to crossings to create safe routes to school (£5,000), contribution for local bus service enhancements (£2.88 million) – all financial contributions to be index-linked to maintain the real value of the payments
- **Other financial obligations:** carbon offset contribution should targets not be reached, off-site biodiversity enhancements
- **Restricted use:** employment space for occupiers within relevant knowledge economy sector
- **Employment initiatives:** community employment plans
- **Non-financial obligations/other:** notices, housing mix, accessibility, energy loop, health and sustainability, sustainable drainage, facilitating comprehensive development, mortgagee's consent, interest
- **Oxford City Council obligations:** spending of contributions, CIL agreement with Oxfordshire County Council, infrastructure in lieu of CIL, external funding, seeking contributions, neighbouring land obligations
- **Oxford City Council fees:** monitoring costs, legal fees

3.2. The Heads of Terms of the legal agreement, under the above headings, are set out in more detail in **appendix 4**, with some individual items discussed under the relevant part of **section 10** of this report.

3.3. A separate agreement, which is referred to within the Section 106 legal agreement, is to be made between the City and County Councils regarding the use of CIL money for infrastructure to reflect the City Council's City Executive Board (CEB) resolution to apply CIL receipts generated from future strategic scale development at Northern Gateway/Oxford North in order to fund investment in highways/transport infrastructure provision to support the delivery of the Northern Gateway strategic site allocation. The applicant will be funding through the planning agreement works directly and proportionately related to the development. CIL will be used to fund additional works that benefit development in the wider allocation area, and the community at large.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The full element of this hybrid planning proposal is liable for CIL of £456,955.50 (plus indexation) at current rates.
- 4.2. Should permission be granted for this hybrid application, later phases of development will come forward for approval as reserved matters applications. These reserved matters applications, if approved, would be liable for CIL as separate chargeable developments. The exact amount of CIL payable for all phases of development will depend on the floor area and uses of each reserved matters application and this is not yet known. However, an estimate has been made that development of the whole site as envisaged would be liable for £11.7 million of CIL.
- 4.3. As noted above, CEB resolved in November 2018 to apply CIL receipts generated from future strategic scale development at Northern Gateway/Oxford North in order to fund investment in highways/transport infrastructure provision to support the delivery of the Northern Gateway strategic site allocation.
- 4.4. The items of infrastructure that are to be funded by the CIL generated from the development are:
- commuted sums for the maintenance of the A44 and A40 by the Highways Authority
 - a financial contribution towards the cost of a scheme to improve Peartree interchange
 - funding for the creation of Controlled Parking Zones in Upper and Lower Wolvercote and Yarnton
- 4.5. There are a number of items that are likely to be eligible for infrastructure payments (in lieu of CIL payments) under the provisions of Regulation 73A of the CIL Regulations if the City Council decides to permit such an approach. Such payment-in-kind arrangements enable developers, users and authorities to have more certainty about the timescale over which certain infrastructure items will be delivered. This is infrastructure that is not “necessary” to make the development acceptable in planning terms. The following infrastructure is proposed to be delivered directly by the developer:
- the parts of the A44 works that provide a wider public benefit, such as the northbound bus lane, landscaping and tree planting, street furniture, drainage
 - two road crossings to provide safe routes to Wolvercote Primary School

- 4.6. Other infrastructure that would be appropriate to be CIL funded, should there be sufficient funds remaining from CIL receipts, include the following. A final decision on the expenditure of these funds will be made in due course:
- cost of expanding Wolvercote Primary School
 - Special Educational Needs financial contribution
 - contributions to off-site footpath and cycle links including, cycle routes on Woodstock Road, canal towpath improvements, enhancement of Joe White's Lane, cycle route improvements to Oxford Parkway via Five Mile Drive and Banbury Road
 - contribution towards the provision of an enhanced Peartree Park and Ride facility with additional spaces, improved waiting facilities and the installation of a decked car park
- 4.7. These items of “unfunded supporting infrastructure” are discussed in **section 10m** of this report.

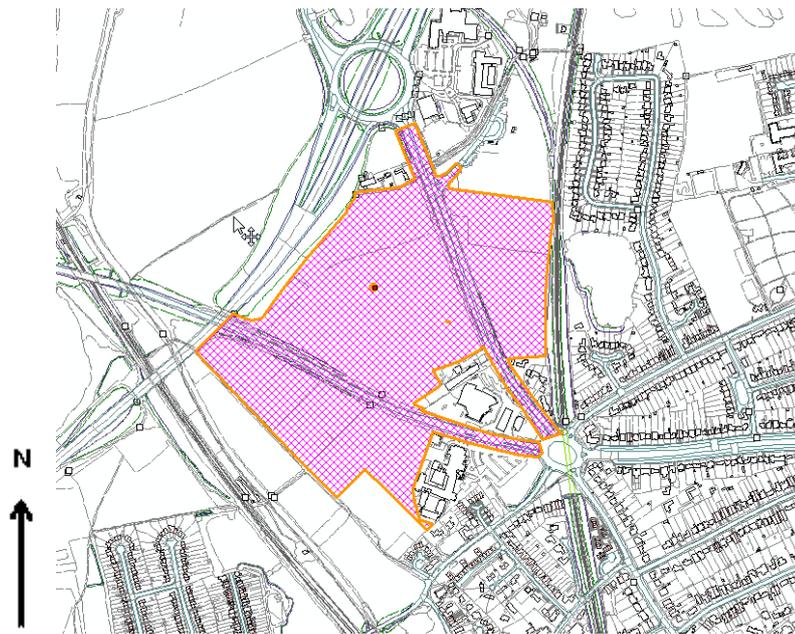
5. SITE AND SURROUNDINGS

- 5.1. The site is a 26-hectare area of predominantly grazing farmland located in the north of Oxford, just inside the ring road. The site also takes in the A40 and A44 where these adjoin the farmland.
- 5.2. The site falls into three, fan-shaped parcels of land through which run the A44 and A40 trunk roads, converging at Wolvercote roundabout. The northern boundary of the site is formed by the A34 which, at this location, is raised above the general ground level. The eastern boundary of the site is formed by a railway line on raised embankment that connects Oxford station to Oxford Parkway station, the latter located about 1km to the north of the site. The south-western boundary is formed by Joe White's Lane bridleway (National Cycle Route 5) and the fields to the west that lead down to the Oxford canal and separate the site from much of the settlement of Wolvercote.
- 5.3. Within the application, the three parcels are referred to as:
- East: the parcel to the east of the A44, south of the Peartree Park and Ride and west of the railway line
 - Central: the largest parcel, to the west of the A44 and to the north-east of the A40
 - Canalside: the parcel to the south-west of the A40 and the north-east of Joe White's Lane
- 5.4. In terms of topography, the Central parcel is undulating with a high point to the north-west dropping to a low point to the north-east adjacent to the A44. Canalside slopes down from the A40 to Joe White's Lane. The East parcel

gradually slopes up from the boundary with the Park and Ride towards the south-east of the parcel and there is a ridge and furrow landform clearly apparent.

- 5.5. The land is predominantly agricultural grazing land and therefore there are relatively few trees for the land area involved; vegetation is mostly confined to the hedgerows of the field boundaries. The area has been assessed as having low landscape quality and historic integrity.
- 5.6. The site itself is of relatively low ecological value, although it lies less than 500 metres from the internationally protected Oxford Meadows Special Area of Conservation (SAC). The Oxford Meadows SAC is made up of four Sites of Special Scientific Interest (SSSI). These are Cassington Meadows SSSI, Pixey and Yarnton Meads SSSI, Wolvercote Meadows SSSI and Port Meadow with Wolvercote Common and Green SSSI. There are two reasons for this designation; the first is that the lowland hay meadows have benefited from the survival of traditional management, which has been undertaken for several centuries and exhibits good conservation structure and function. The second reason is that Port Meadow is the larger of only two known sites in the UK for a particular plant, the creeping marshwort (*Apium repens*).
- 5.7. The site forms a setting to Wolvercote with Godstow Conservation Area and the historic Goose Green, a registered common and an important open space in the area. Both lie to the south-west of the site, with the Conservation Area boundary taking in the field in the south-west of the application site.
- 5.8. A key characteristic of this part of Oxford and the application site is the presence of major trunk roads – the A40, A44 and A34. The area around the site experiences significant peak-hour congestion. The A34 is elevated where it abuts the application site. Speed limits on the A40 and A44 within the application boundary are up to 60 and 70 miles per hour respectively, reducing to 30 miles per hour close to the Wolvercote roundabout.
- 5.9. The parcel of land to the north of the application site, but within the AAP area adjoining the Peartree interchange is Red Barn Farm. This does not contain any residential accommodation and is currently occupied by TRAX, an organisation that runs courses for young people.

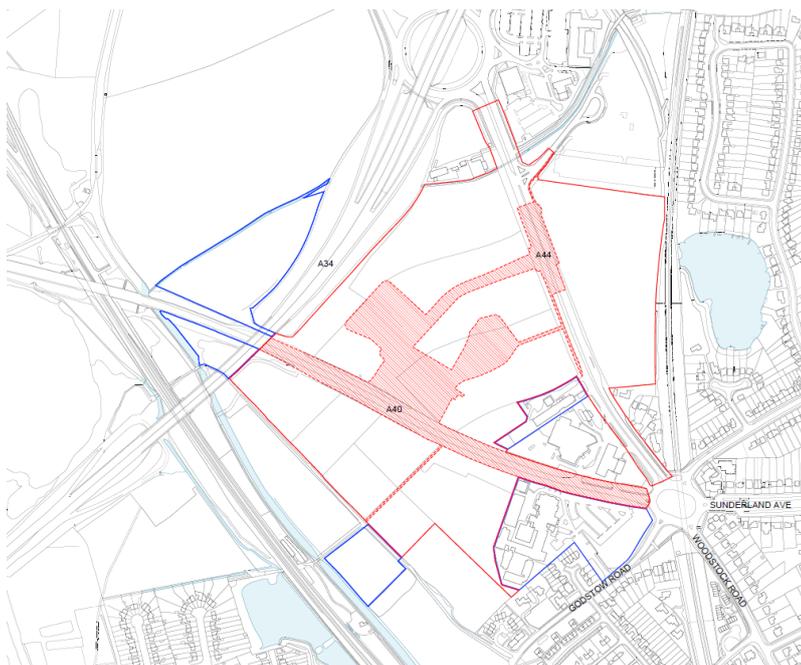
5.10. See site plan below:



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Ordnance Survey 100019348

6. PROPOSAL

- 6.1. This application is a hybrid application comprising both an outline application for the wider site with all matters reserved apart from access, plus a full (detailed) application for part of the wider site.
- 6.2. The application site plan below shows the extent of the outline application in red, and the extent of the full application in dotted line and hatched in red. The blue line indicates land within the control of the applicant but outside this planning application.

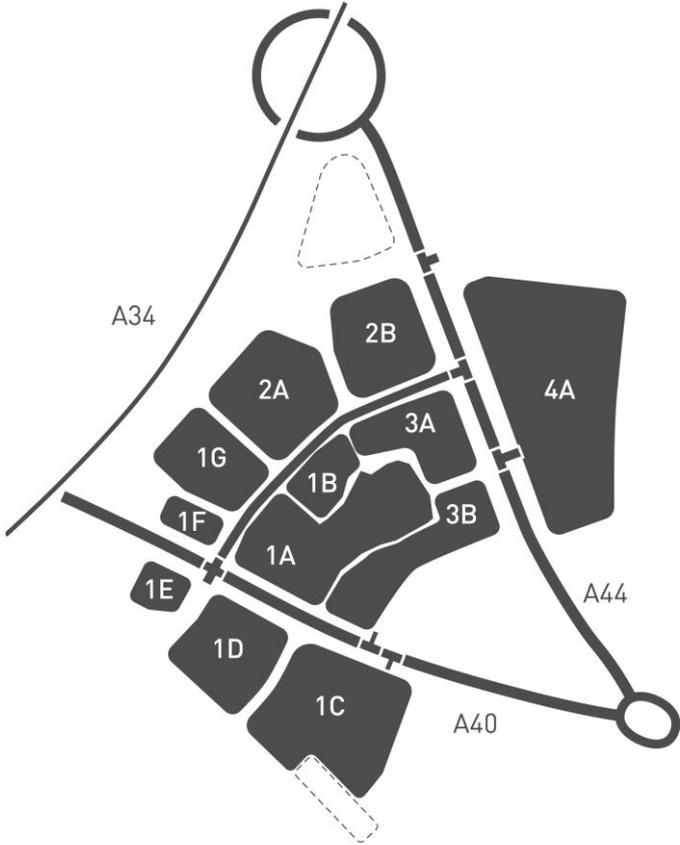


- 6.3. When submitting an outline application, certain matters relating to the access, appearance, landscaping, layout, and scale can be reserved for consideration at a later date. These are called 'reserved matters'. In this case, the access details for the scheme have been submitted for approval with this application but the appearance, landscaping, layout and scale are reserved matters to be considered for each phase of the development. While some information and principles are provided on these reserved matters within the outline application, the full detail would come forward, should permission be granted for this application, via reserved matters applications.
- 6.4. The outline part of the planning application seeks permission for:
- up to 87,300 square metres of employment space – Use Class B1
 - up to 550 square metres of community space – Use Class D1
 - up to 2,500 square metres of shops and services – Use Classes A1 to A5
 - a hotel of up to 180 bedrooms
 - up to 480 residential units – Use Class C3
 - 168 Affordable Housing units, of which 80% will be socially rented
 - an energy sharing loop to provide heating and cooling
 - vehicle access junctions from the A40 and A44 into the site
 - improvement works to the A40 and A44
 - link road between the A40 and A44 through the site
 - pedestrian and cycle access and routes through the site
 - car and cycle parking
 - open space and landscaping
- 6.5. The outline application includes three parameter plans that, if approved, would set the parameters for the reserved matters applications of the phases of development that would follow:
- Parameter Plan 01: Access and circulation
 - Parameter Plan 02: Land use
 - Parameter Plan 03: Building heights
- 6.6. An illustrative masterplan is also submitted to demonstrate that the quantum of development and design principles can be achieved, and to give an indication of how the site could be laid out within the parameters. This document is for illustrative purposes only and would not be an approved drawing.

- 6.7. The full part of the application is seeking permission for part of phase 1a of the development:
- three employment buildings totalling 15,850 square metres known as Workspace Buildings 1 and 2, and the 'Red Hall' – Use Class B1
 - an energy sharing loop to provide heating and cooling (within the detailed part of the application)
 - vehicle access junctions from the A40 and A44 into the site – the A44 junction to be a temporary design (left turn in, left turn out only)
 - link road approximately 6.5 metres in width between the A40 and A44 through the site
 - improvement works to the A40
 - pedestrian and cycle access and routes through the site (within the detailed part of the application) including a temporary footpath link to Joe White's Lane
 - temporary car parking and cycle parking
 - open space and landscaping (within the detailed part of the application)
- 6.8. The application constitutes development of the type listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (the EIA Regulations) and is Environmental Impact Assessment (EIA) development. A request for a scoping opinion for the development was made by the applicant in 2014 and a scoping opinion was issued by Oxford City Council in September 2014 confirming that an EIA is needed.
- 6.9. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 came into force on 16 May 2017; Regulation 76 sets out transitional arrangements from the 2011 Regulations and confirms that projects where a formal EIA screening or scoping request was submitted before 16 May 2017 shall continue to be considered under the 2011 Regulations. As noted above, a request for a screening opinion for this development was submitted in 2014; the 2011 EIA Regulations therefore apply to this development.
- 6.10. The application is accompanied by an Environmental Statement. The EIA Regulations require that an Environmental Statement includes such information as is reasonably required to assess the environmental effects of the development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile.
- 6.11. On 13 March 2019, the Council requested further information from the applicant under Regulation 22 (1) because officers considered that the information submitted in the Environmental Statement was not sufficient.

- 6.12. A formal request was made for:
- the inclusion of a number of development sites local to the site within the cumulative effects section
 - the correction of a statement in relation to Highways England's response to the submitted traffic modelling
 - additional targeted assessment of the impact on Port Meadow and its setting within the landscape character and visual amenity assessment
 - further work on the significance of certain heritage assets within the heritage assessment
 - the inclusion of an additional monitoring point within the air quality model
- 6.13. Having assessed the submitted application, officers are satisfied that the Environmental Statement and further information provided complies with the 2011 EIA Regulations and that sufficient information has been provided to assess the environmental impact of the proposal, taking account of cumulative impacts of other planned development.
- 6.14. **Section 10** of this report discusses the assessments within the Environmental Statement under the relevant material planning considerations.
- 6.15. An indicative phasing plan is submitted with the application setting how it is envisaged by the applicant that the site would be developed. It is divided into four main phases with sub-phases:
- phase 1a, 1b, 1c, 1d, 1e, 1f – parcels accessed from the A40, the majority of the residential plus commercial floorspace
 - phase 2a, 2b – parcels to the north of the central street, mostly commercial, a small amount of residential
 - phase 3a, 3b – parcels closest to the A44, all commercial, no residential
 - phase 4 – East parcel, a mix of residential and commercial

6.16. The diagram below sets out the indicative phasing plan:



6.17. The full part of this hybrid application includes much of phase 1a, but omits the residential and retail elements of phase 1a. It includes temporary cycle and car parking on land within phase 1f.

6.18. The proposed development is referred to in the application as ‘Oxford North’, whereas the AAP covers a wider area known as the ‘Northern Gateway’. These terms are used throughout this report in accordance with these definitions.

7. RELEVANT PLANNING HISTORY AND BACKGROUND TO THE SITE

7.1. The planning application history on land within the site boundary is not pertinent to this planning application. However, the main planning history would centre around its allocation for development within the Development Plan and the subsequent Area Action Plan which have been adopted following extensive public consultation and examinations in public by the Planning Inspectorate. It may benefit Members to understand this context ahead of the assessment later set out within this report.

Core Strategy

7.2. The land to the south-west of the A40 within the application site was formerly designated Green Belt land.

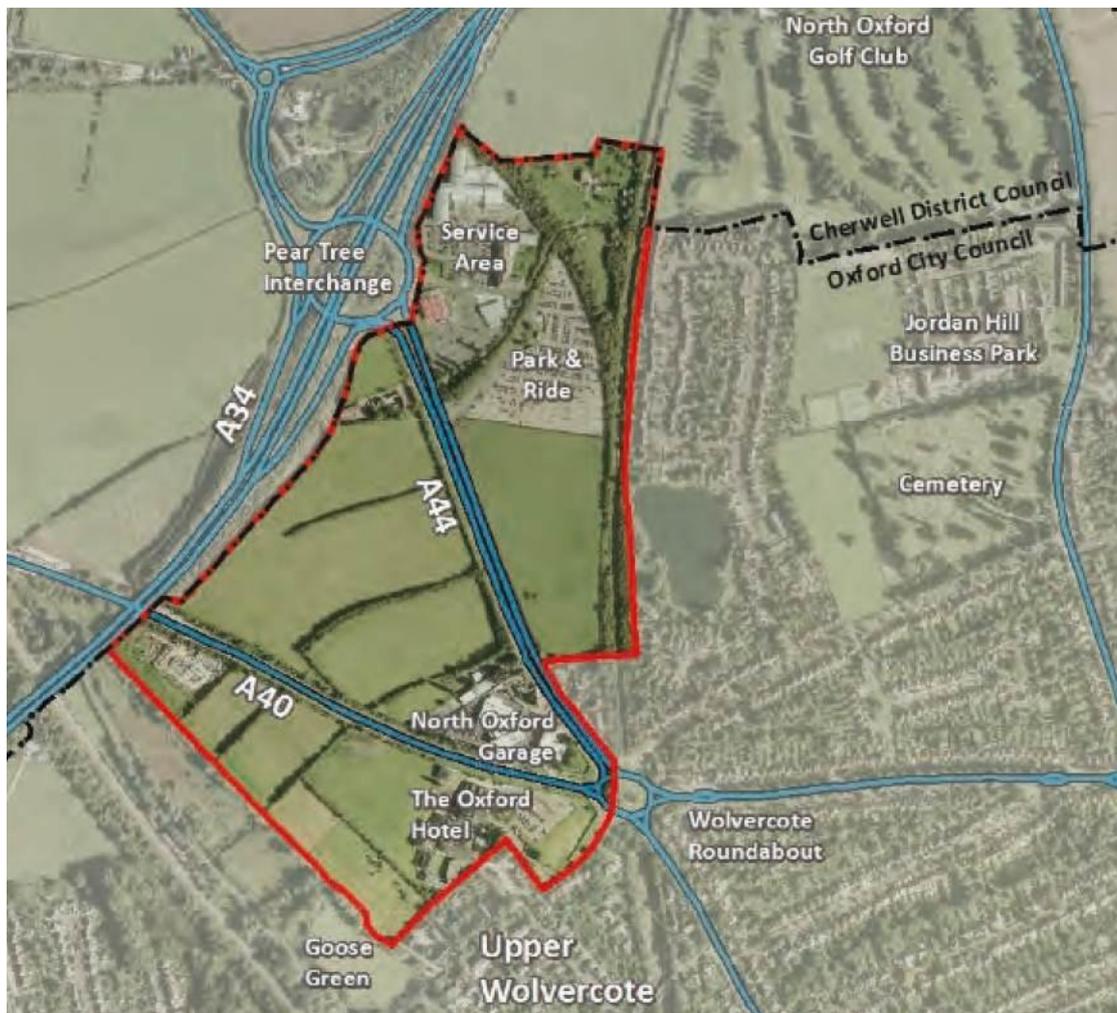
- 7.3. The Core Strategy in paragraph 3.3.24 states that there may be an opportunity for a small-scale review of the Green Belt boundary around the Northern Gateway area. At the examination of the Core Strategy, the Inspector considered that it would be appropriate for the Northern Gateway Area Action Plan (AAP) process to carry out a “highly focussed inner Green Belt boundary review...to consider whether exceptional circumstances exist to justify the release of Green Belt land”.
- 7.4. Accordingly, policy CS4 (Green Belt) of the Core Strategy states that an AAP for Northern Gateway AAP consider small scale, minor changes to the Green Belt boundary in the immediate vicinity of the currently safeguarded land, where this may be necessary to achieve a suitable and appropriate site for development. The Core Strategy states that the Northern Gateway AAP will bring land at Northern Gateway forward, and policy CS6 allocates it for employment-led development.

Northern Gateway Area Action Plan (the AAP)

- 7.5. The application site falls within the boundary of the AAP, adopted July 2015. At the time of the examination and adoption of the AAP, the promoter of the scheme was the Northern Gateway Consortium, which comprised St John’s College, Oxford and Kier Property, with Kier acting in relation to land then owned by Worcester College, Oxford.
- 7.6. The Council carried out a Green Belt review as part of the AAP process and concluded that there were exceptional circumstances to support a Green Belt review relating to: the regional imperative to deliver economic growth, the lack of alternative sites to accommodate economic growth, poor housing affordability in Oxford and the imperative to meet a backlog of housing needs, and worsening traffic congestion as a result of unsustainable patterns of development. The Inspector stated that, “the need to provide employment-led development, which is critical to the knowledge spine, together with the absence of alternative sites within Oxford, the opportunity to deliver up to 500 homes, and to address traffic issues, all in a comprehensive manner, amount to exceptional circumstances which justify the change to the Green Belt boundary proposed here”. The parcel of land to the south-west of the A40 was thereby released from the Green Belt.
- 7.7. With regard to implementation and delivery, the Inspector stated that this “will be dependent on master-plans and planning applications, to be supported by detailed evidence where necessary. Given the on-going work on travel and transportation matters, and the willingness of the Northern Gateway Consortium to work closely with the Council, there is no reason to suppose that the plan could not be implemented and delivered within the plan period.”
- 7.8. It is therefore envisaged that by 2026 the vision and objectives of the AAP can be substantially achieved. The AAP identifies the site as, “the largest single area of employment land for development in the city, and the most easily accessible from Oxford’s universities and hospitals which are going

to be the main sources of local economic growth for the city and will deliver many jobs for local people. It also represents a substantial opportunity to deliver much-needed housing for residents of the city, and to address traffic and congestion concerns in that part of the city.”

- 7.9. The AAP provides a policy framework for the area against which future development proposals will be assessed. The plan below shows the AAP boundary:



- 7.10. The vision statement set out in the AAP is:
- 7.11. “In 2026, the Northern Gateway has become a vibrant and successful extension to Oxford. It is a flourishing community for knowledge-based industries and plays a key role in Oxfordshire’s “Knowledge Spine”. Co-location of new and growing businesses, close links to the universities and hospitals, and a high quality working environment have helped foster a creative atmosphere where innovation thrives and new jobs have been created which offer opportunities for local people.
- 7.12. “Attractive new buildings, streets and open spaces add to its strong local character, making it a distinctive part of the city and a high quality ‘gateway’ point for people coming to the city. The emphasis on quality and

sustainability has made it an example for other new communities in the 21st century.

- 7.13. “Modern new homes with access to community facilities and open spaces have also made this a desirable place to live. The mix of housing has helped to encourage a balance of residents, with young and old, families and singles living together. New amenities provide a range of facilities and services for local people. This complements the facilities available in neighbouring areas for the benefit of the wider community.
- 7.14. “The Northern Gateway development helped deliver key improvements to the local transport network and enabled the securing of funds to provide wider transport improvements to the strategic road network. On foot, bicycle and public transport, the area is now well connected with surrounding communities and the city centre, linking places of work, homes and leisure. Pedestrian routes linking open spaces and community facilities are safe and easy to use.”
- 7.15. The AAP sets out six objectives:
- Objective 1 – Strengthen Oxford’s knowledge-based economy
 - Objective 2 – Provide more housing
 - Objective 3 – Improve the local and strategic road network and other transport connections
 - Objective 4 – Respond to the context of the natural and historic environment
 - Objective 5 – Create a gateway to Oxford
 - Objective 6 – Encourage a low-carbon lifestyle/economy
- 7.16. The land within the red line of this planning application falls within the AAP boundary; planning applications inside the AAP boundary will be assessed against the AAP policies. It is noted that the red line of the planning application does not include all of the AAP area. Peartree Park and Ride, the Peartree services, the existing built form in the south of the site (garage, service station, BT station and hotel) and two parcels of land (in the south-west owned by Oxford City Council, and in the north owned by Merton College) are not included within the red line.
- 7.17. This report addresses each of the AAP policies in the discussion of material planning considerations in section 10, assessing the application against each.

Pre-application process

- 7.18. Engagement with the applicant regarding the application site dates back to the preparation of the Core Strategy and the AAP. The submission of this planning application follows an extensive period of pre-application discussions starting in 2014 between the applicant and their agents and consultants, and planning officers at the City Council. The County Council

has been closely involved throughout these discussions, particularly around highways and transport issues.

- 7.19. Highways England, responsible for the strategic road network, of which the A34 is part, has also been closely involved with the development of the transport proposals.
- 7.20. The pre-application process included discussions and technical viability appraisal work by the applicant's viability consultants, Savills, and the City Council's viability consultants, JLL. These commenced in early 2017 and have been ongoing through the determination period of this planning application. This work has been undertaken in order to inform the level of Affordable Housing that shall be provided as part of the development.
- 7.21. The applicant has undertaken public consultation on the scheme and there have been five opportunities for the public to comment on proposals since 2013, including consultations prior to the adoption of the AAP. The most recent round of public consultation by the applicant was in the summer of 2018.

Oxford Design Review Panel (ODRP)

- 7.22. The masterplan and detail of phase 1a has been the subject of three reviews by the ODRP, held on 28 April 2016, 8 June 2017 and 24 May 2018. Although proposals for the site were reviewed by ODRP prior to this, the three most recent were proposals presented solely by this applicant. See **appendix 6** for the review letters from ODRP. The key points raised in each of the reviews are summarised below:
- 7.23. At the 28 April 2016 review, the ODRP recommended a hybrid planning application to initiate development and provide long term guidance to ensure a successful new place will be delivered. To ensure the design of the buildings and spaces is driven by the highest ambition in terms of design, details, materials and construction, it recommended:
- developing an illustrative masterplan supported by parameter plans to help set and define the ambition for the Northern Gateway, as individual proposals are likely to emerge at different stages of the masterplan delivery
 - developing public realm and open space, streets, key buildings elements in phase 1, to set a high standard for the proposal. This should be part of the detailed application
 - key performance indicators such as biodiversity, carbon use, water, microclimate should be identified at this stage to help set high environmental and social targets throughout the masterplan delivery and construction
 - ensuring that the Design Code, if one is developed for this masterplan, is understood by everyone.

7.24. At the 8 June 2017 review, the ODRP made the following comments in relation to the masterplan:

- The scheme appears to be missing a world-class ambition for sustainability although the energy sharing loop system for heating, cooling and the provision of hot water is very positive
- The masterplan and the phase 1a proposals currently appear to mix urban, suburban, campus and business park characteristics and thus lack a clear spatial identity
- We recommend exploring greater diversity in building heights and density across the masterplan area, potentially with some taller buildings and a finer urban grain, to enhance the district's character and sense of place
- We recommend exploring what could be achieved to transform this part of Oxford in partnership with neighbouring landowners and in relation to Oxford Parkway rail station
- We strongly support 'humanising' the A40 and A44. Central Street should also be prioritised
- The proposal should plan to repurpose car parking as there is a shift away from the car
- A stronger vision for the landscape is needed; we suggest exploring ways in which the open spaces and landscape could feel 'wilder', to connect the new district with its natural surroundings
- Given the project's long-term timeframe, we strongly suggest deploying temporary ('meanwhile') uses across the masterplan area, as the phases of development evolve and are implemented

7.25. In relation to phase 1a of the development, the ODRP commented that, in principle, the part of the site indicated for phase 1a appears to be suitable to develop first. Humanising the A40, installing the new link road and providing the red hall, a flexible workspace building, a residential building and new outdoor spaces make for a sound set of components to be delivered as phase 1a. They questioned the viability of retail provision in the first phase, unless greater vitality and footfall can be achieved through other modifications to the proposals. The following points were raised in relation to phase 1a:

- Humanisation of the A40 could go further
- Basement parking is positive to reduce cars parked on streets
- Building only south side of central street could dilute vitality at an early stage
- Central street needs to be activated – could be pedestrian only during working hours
- Temporary car park is not in line with intended environmental aspirations

- Public square needs to be enclosed on north-east side to be successful
 - Workspace courtyards will be shaded
 - In principle, a series of carefully designed buildings with a humane industrial feel appears appropriate for Oxford North
 - The concept of the red hall, as a hub for business and social activity with a distinctive form and appearance, is positive. The building's proposed colour is enlivening, though there are concerns about the lack of activity on the north-east elevation
 - Workspace buildings should provide more activity onto the A40 and clearer fronts and backs
 - Departing from traditional materials may well be successful here. However, both metal and glass are not conducive to human-scale articulation at ground floor level or to adaptation. The clay bricks are welcome.
- 7.26. At the 24 May 2018 review, the ODRP stated that the narrative for the project – a place for creating and making – and the industrial references for the architecture are sound concepts that have the potential to create a place that is full of character.
- 7.27. It felt that the urban design and landscape for the overall masterplan had progressed alongside the concepts for the principal spaces and buildings. It recommended that, to further refine the proposals for the masterplan, the neighbourhood might benefit from further enhancement of the focal point for activity, routes and spaces and more ecological connectivity between the key green spaces.
- 7.28. The panel raised strong concerns regarding the quality of the internal and external residential environment being proposed in phase 1a, and stated that it did not support the principle of a hybrid application which excludes the residential accommodation as it would set limits and constraints for this building before the wider design issues are resolved. The following points were made by the panel:
- We believe there is scope to increase the proposed heights and densities across parts of the site
 - The development would benefit from further prioritisation of sustainable modes of transport
 - The central street would benefit from more activation
 - The concept for the three key open spaces and their role and function within this development is promising but they would benefit from further work to provide a clear hierarchy of spaces with individual characteristics. Smaller, more intimate spaces would provide more opportunities for relaxation and greening of routes
 - Management of on-site roads and landscaping is critical to the success of the development

- The visuals for the commercial buildings appear promising, the repeated gables will create a memorable form whilst also making reference to Oxford's skyline. Drawing upon Oxford's industrial heritage is a sound approach which will create a district that has its own distinct character within Oxford
- Humanising the A40, installing the new link road and providing the red hall, a flexible workspace building, a residential building and new outdoor spaces make for a sound set of components to be delivered as phase 1a
- The environmental credentials for the scheme could be much stronger and we would recommend exploring potential for greens roofs and renewable energy etc. in this phase
- The concept of the red hall, as a hub for business and social activity with a distinctive form and appearance, is positive and the building's proposed colour is enlivening. There is concern over its location and relationship with the outdoor space as it is not visible from the principal public square and felt it would be better positioned adjacent to this key space.

7.29. These reviews, along with close work between the architects and the Council's urban design officer, have guided the design development.

Other context

7.30. In order to assist the Northern Gateway site to come forward for development, £5.9 million of Local Growth Fund money was allocated to improve transport in the north of the city by the Local Enterprise Partnership. It has been agreed this will be used to complete the A40 works that form part of this planning application. The work will be carried out by the County Council.

7.31. Oxford City Council applied for and was awarded £10 million of Homes England's Housing Infrastructure Funding (HIF) (Marginal Viability) to use for infrastructure to support this development. The fund is a capital grant programme used to provide the final, or missing, piece of infrastructure funding in order to get existing sites unblocked quickly or new sites allocated. The funding will be used at the start of the development, should permission be granted, to provide the infrastructure, such as internal roads, needed to deliver homes on site.

7.32. The City Council is part of the Oxfordshire Growth Board which agreed a £215 million funding deal with central government to support the ambition of building 100,000 new homes across Oxfordshire between 2011 and 2031, addressing the county's severe housing shortage and expected economic growth. The Council is therefore committed to growth in jobs and housing across the city and this strategic site would make a key contribution to this growth agenda.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan 2001-2016	Core Strategy	Sites and Housing Plan	Other planning documents	Emerging Local Plan 2036	Wolvercote Neighbourhood Plan
Design	Paragraphs 117-132	CP1 CP6 CP8 CP9 CP10 CP14 SR7	CS10 CS18	HP9	Northern Gateway Area Action Plan (AAP)	DH1 H14 DH7	
Conservation/Heritage	Paragraphs 184-202	HE2 HE3 HE7 HE10	CS4			DH2 DH3 DH4	
Housing	Paragraphs 34, 57, 59-76		CS22 CS23 CS24	HP2 HP3 HP12 HP13 HP14	Affordable Housing and Planning Obligations Supplementary Planning Document (SPD) Balance of Dwellings SPD	H1 H2 H4 H10	
Commercial	Paragraphs 80-82, 86-87, 112	NE4 EC1	CS1 CS27 CS31		OxLEP Strategic Economic Plan for Oxfordshire 2016		
Natural environment	Paragraphs 170-177	CP11 NE15 NE20 NE21 NE23	CS12 CS21			G2 G8 G9	GBS3 GBS5 GBS6
Social and community	Paragraphs 91-101	CP13	CS19 CS20			E4 RE5 V6 V7	
Transport	Paragraphs 102-111	TR1 TR2 TR3 TR4 TR5 TR7 TR12 TR13 TR14	CS13 CS14	HP15 HP16	Parking Standards SPD Oxfordshire County Council Local Transport Plan 4 2016	M1 M2 M3 M4 M5	CHS4 CHS6

Topic	National Planning Policy Framework	Local Plan 2001-2016	Core Strategy	Sites and Housing Plan	Other planning documents	Emerging Local Plan 2036	Wolvercote Neighbourhood Plan
Environmental	Paragraphs 148-165, 178-183	CP17 CP18 CP20 CP22 CP23 NE14 RC12	CS9 CS11	HP11	Energy Statement Technical Advice Note (TAN) Natural Resources Impact Assessment SPD	RE6 RE7 RE8 RE9 V8	BES2 BES3 BES7 CHS3
Miscellaneous	Paragraphs 7-14, 38-46, 54-56		CS6 CS17	MP1	Wolvercote Neighbourhood Plan	S1 S2	

- 8.2. Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 8.3. The emerging local plan (the Local Plan 2036) is in Proposed Submission Draft format pending the Inspectors' independent examination into its soundness. It is therefore at examination stage. Weight can be given to the emerging policies; the level of weight is guided by the stage of the plan in the plan-making process and the objections made to relevant policies. Objections have been made to a number of policies and the Inspector has issued a number of questions to the City Council. Very limited weight is therefore attributed to these emerging policies.
- 8.4. The Wolvercote Neighbourhood Plan is also at examination stage, having received the Examiner's Report. Its boundary takes in the whole of the Oxford North outline application site. It has reached an advanced stage and therefore reasonable weight should be attached in particular to the spatial policies that, if the plan is made, will form part of the Development Plan. The plan will however only come into force (if approved) after a decision taken at the Referendum.
- 8.5. Accordingly, the policies in the emerging Local Plan 2036 and the Wolvercote Neighbourhood Plan are given limited but reasonable weight.

The relevant policies are referred to where appropriate in section 10 of this report.

- 8.6. In addition to the policies and documents above, National Planning Practice Guidance (NPPG) is also a material planning consideration.

9. CONSULTATION RESPONSES

- 9.1. This planning application has been subject to three public consultations.
- 9.2. For the initial submission of the application, site notices were displayed around the application site on 21 August 2018 and an advertisement was published in The Oxford Times newspaper on 23 August 2018. This is referred to as consultation 1.
- 9.3. Following receipt of further information, including further information required under Regulation 22 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended), site notices were displayed around the application site on 28 March 2019 and an advertisement was published in The Oxford Times newspaper on 28 March 2019. This is referred to as consultation 2.
- 9.4. The third public consultation followed receipt of a revised viability appraisal and Affordable Housing statement, as well as other amended and additional material. Site notices were displayed around the application site on 20 June 2019 and an advertisement was published in The Oxford Times newspaper on 20 June 2019. This is referred to as consultation 3.
- 9.5. The consultation comments received in relation to the application are summarised below. Officers would make Members aware that copies of all consultation responses listed below are available to view in full on the Council's public access website.

Statutory consultee comments

- **Canal & River Trust**

- 9.6. Financial contributions sought towards improvements to 320 metres of the Oxford canal towpath due to direct link from the site onto the Oxford canal towpath at bridge 234. The 320 metre stretch would be from bridge 234 to Godstow Road. The canal towpath is a popular cycling and walking route to access the town and rail station approximately 4km away; it is considered likely to be used by future occupants of the development thereby increasing usage. The figure to improve this length to a tar spray and chip would be in the region of £150,000. This figure is of course variable and dependant on a proper survey.

- **Cherwell District Council**

- 9.7. The AAP boundary abuts the south-western edge of the proposed site allocation for 530 dwellings at Land West of Oxford Road in the Cherwell Local Plan 2011-2031 (Part 1) Partial Review Submission Plan ("Policy PR6b") as well as the southern edge of land proposed to be removed from

the Green Belt (Policy PR3 (c)). This emerging Plan seeks to meet Oxford's unmet housing needs and it is clearly desirable to maximise opportunities for connecting links between Oxford North and the proposed residential allocations. A link within and up to the city's boundaries appears not be proposed as part of the current application. Such opportunities should therefore be further explored by the City Council in the consideration of this application (with connecting routes safeguarded) in the interests of achieving mutual benefits, including pedestrian/cycle connection to Oxford Parkway.

9.8. Oxford City Council should rigorously review the assumptions and findings of this appraisal to ensure that optimum levels of Affordable Housing are provided which both respond to the local level of need and ensure viable development can be delivered. It is the city's high Affordable Housing needs which have led to higher overall housing requirements for Oxford; requirements which cannot be met within its own boundaries. It is therefore imperative that developments within the city seek to meet those affordable needs and to deliver 50% of its housing as affordable wherever possible. The viability appraisal should be undertaken following current Government guidance. As submitted it contains a number of assumptions which require further clarification and scrutiny. Key areas include the approach to benchmark land values and the use of residual profit appraisal.

- **Environment Agency** (comment received during consultation 1)

9.9. No objection subject to conditions relating to land contamination and surface water drainage.

9.10. The Geo-Environmental Assessment of Ground Conditions report and associated monitoring confirm that the risks of land contamination are not particularly large, but not totally insignificant. Monitoring has identified some low levels of contamination, though nothing within the monitoring cause significant concern with regards to impact on controlled waters. As such we can confirm we would not be pursuing further investigation/remediation. Due to the presence of made ground and possible sources from the park and ride, hotspots of contamination may be encountered. As such a careful watching brief for contaminants should be maintained during any development.

- **Environment Agency** (comment received during consultation 2)

9.11. Upon further review of the site and its historical uses, we no longer wish to recommend the two conditions listed in our previous response.

- **Highways England** (comment received during consultation 1)

9.12. Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current

activities and needs as well as in providing effective stewardship of its long-term operation and integrity. In the case of this proposal, our interest is in the A34.

- 9.13. There are number of matters and issues to be resolved with both the Outline and Full planning applications. We are continuing to work with Peter Brett Associates to resolve and for them to provide the necessary information to enable Highways England to determine the potential impacts to the safe and efficient operation of the A34. It is likely there will be a need for further meetings between all parties including Oxfordshire County Council, Oxford City Council and the applicants.
- 9.14. We request that you do not determine the planning application (other than a refusal) until we have received the additional information from the applicant and reviewed it accordingly. This will allow us to provide a formal response to the planning application in accordance with the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018.
- **Highways England** (comment received during consultation 2)
- 9.15. We have been continuing engagement with the applicant and other stakeholders to enable Highways England to provide a substantive response to the application. This dialogue is ongoing and has progressed significantly in recent weeks but there are a number of outstanding items we are working with the applicant to agree.
- 9.16. We note there will be a number of further technical notes and other documents submitted by the applicant to inform decisions on this application. We request that you do not determine the planning application (other than a refusal) until we have received the additional information and documentation from the applicant and reviewed it accordingly. This will allow us to provide a formal response to the planning application in accordance with the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018.
- **Historic England**
- 9.17. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.
- **Natural England** (comment received during consultation 1)
- 9.18. No objection.
- 9.19. Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on the Oxford Meadows Special Area of Conservation and has no objection to the proposed development.
- 9.20. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

- 9.21. Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which Wytham Woods Site of Special Scientific Interest has been notified and has no objection.
- 9.22. It is apparent that there are Local Wildlife Sites within close proximity to the application site; you should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraph 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity.
- 9.23. It is noted that Chapter 7 of the Environmental Statement reports on Change in Biodiversity Value. We have not analysed the application of the DEFRA Biodiversity Metric to the site as reported, however we would like to highlight that the new NPPF published in July this year sets out a need for plans to demonstrate measurable net gains in biodiversity, thus the application of a metric is welcomed. However, it is of concern that the Environmental Statement reports that there would be an overall loss in biodiversity value at the site; we encourage the identification of further measures to achieve a net gain in biodiversity at the earliest opportunity. It may be possible for Natural England to provide advice on achieving biodiversity net gain for this proposal through our Discretionary Advice Service.

- **Network Rail**

- 9.24. Network Rail has no objection in principle to the above proposal but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission. The local authority should include these requirements as planning conditions if these matters have not been addressed in the supporting documentation submitted with this application.

- **Oxfordshire County Council** (comment received after consultation 3 on 13 September 2019)

- 9.25. The Oxford North development is recognised as an important key development for the city, providing both private and affordable housing and significant employment opportunities to support the Oxford City Local Plan.
- 9.26. As the Area Action Plan outlines, the development also faces several challenges being bordered by the strategic route of the A34 and having two major arterial routes of the A40 and A44 going through the development. However, there are also opportunities for good sustainable transport links to the city and surrounding areas.
- 9.27. Oxfordshire County Council has been engaged in discussions with the City Council and the developer Thomas White Oxford (TWO) regarding the

challenges faced by both the location and the viability of the development due to the infrastructure requirements.

- 9.28. The County Council has supported Oxford City Council in securing Local Growth Funding (£5.9m) and HIF Marginal Viability Funding (£10m) which provides some additional financial support to assist the viability of the development.
- 9.29. It is understood that only 25% of the housing proposed will be affordable. This falls significantly short of the City Council's adopted policy which requires 50%. The County Council strongly urges the City Council to secure a higher proportion of affordable housing to meet the significant housing need of Oxford. However, officers recognise the limitations in planning regulation afforded to the County Council, as the Transport and Education Authority, to comment on this issue.
- 9.30. It should be noted, to get to a more positive development viability and trying to achieve the policy compliant affordable housing allocation, the County Council has had to limit the extent of the transport measures that would mitigate the development. Oxfordshire County Council and the City Council have declared a Climate Change Emergency and Oxford is also branded as a Cycle City. We recognise that sustainable transport connections should be provided wherever possible even though our ability to require this is limited due to the legislation.
- 9.31. Due to funding, the County Council will not be asking for transport connections to Oxford Parkway station in favour of the developer funding other transport improvements on the A44 and A40. High quality sustainable connections would go a long way in setting good sustainable travel habits and less reliability on the car and pressure on the road network.
- 9.32. The County Council's position is to ensure the provision of school places and secure sufficient mitigation to minimise the traffic and environmental impact of the development.
- 9.33. Comments from relevant County areas of responsibility are summarised below.
- 9.34. Transport: No objection subject to conditions. The key issues are:
- The development is in compliance with Policies NG4, NG5 and NG6 of the Area Action Plan (AAP).
 - The county council does not object to the planning application provided the delivery of the mitigation package is secured which includes:
 - a. Works on the A40 and A44
 - b. Bus service enhancements
 - c. Improvements to walking route to Wolvercote Primary School
 - d. Funding for a new CPZ in Upper and Lower Wolvercote
 - e. Contribution to improvement scheme at Peartree Interchange

- f. On-site parking controls
- The on-site link road will be dedicated as public highway but maintained by the developer as agreed due to the high specification materials proposed to be used. The link road will be governed by weight, parking and waiting restrictions.
 - The county council has requested a number of conditions which ensure that the mitigation required comes forward in a timely manner to ensure that the impact of the development is managed.
- 9.35. Lead Local Flood Authority: no objection subject to conditions
- 9.36. Education: to mitigate the impact on the sufficiency of school capacity £2,738,560 is required for the expansion of Wolvercote Primary School to provide Primary and Early Education, plus £81,153 in financial contributions for Special Education Needs provision.
- 9.37. Local member views from Cllr Paul Buckley: Objection due to:
- Highways provision leading to traffic congestion on A40 and A44 as well as air pollution ‘hot-spots’;
 - Cycling and pedestrian provision does not consistently follow recognised best practice in support of walking and cycling;
 - Affordable Housing provision at 25% does not satisfy AAP requirement;
 - Design of buildings too tall at 5 storeys in height and the Red Hall is not designed to a high enough aesthetic standard.
 - **Thames Valley Police – infrastructure** (comments received during consultation 1)
- 9.38. Given the scale and significance of the proposal Thames Valley Police consider it appropriate that the developer should contribute towards the provision of infrastructure to mitigate the impact of the development. In order to mitigate against the impact of growth Thames Valley Police have calculated that the “cost” of policing new growth in the area equates to £104,913.20 to fund the future purchase of infrastructure to serve the development. This would cover the following elements: staff set-up, vehicles, mobile IT, Automatic Number Plate Recognition cameras, premises, radio coverage, control room and police national database capacity.
- 9.39. Thames Valley Police may also wish to discuss the possibility of an “on-site” touchdown type facility for officers being provided at nil cost. This could be in lieu (in part or whole) of the above request.
- **Thames Valley Police – Secured by Design** (comments received during consultation 3)
- 9.40. Note that comments were received from Thames Valley Police in relation to design issues during consultations 1 and 2. As some issues were resolved

through revised plans and a meeting with the applicant, this report summarises below the comments received during consultation 3 only.

- 9.41. Secured by Design (SBD): A pre-construction condition relating to SBD accreditation was agreed in principle and TVP repeats its request that the authority attaches an appropriately worded condition to any approval for this application.
- 9.42. CCTV: It was agreed that a strategy should be developed and it was noted that buildings in Phase 1A will be capable of operating independent or with a shared system. Future flexibility and adaptability should also be designed in at the earliest opportunity across the development.
- 9.43. Hostile vehicle mitigation: It was agreed that street furniture and landscaping could be used to prevent opportunistic vehicle intrusions, assisted by robust building fabric.
- 9.44. Canalside rear boundaries: The designs were explained in more detail and I now have no concerns in relation to this aspect as defensible space/planting will be provided between dwellings and the public realm.
- 9.45. Defensible space to homes on A40 frontage: Again, designs were expanded upon and I now have no concerns in relation to this aspect as defensible space/planting will be provided between dwellings and the public realm.
- 9.46. Market Square and Central Open Space vehicular access: It was agreed that provision of access control features will be considered at the detailed design stage. I repeat my recommendation that measures should be provided to prevent unauthorised intrusion on to these potentially vulnerable spaces.
- 9.47. Street furniture robustness: Where it is not appropriate/desired to have bollards providing casual intrusion protection, robust street furniture etc. should be provided to protect vulnerable areas.
- **Thames Water** (final comments)
- 9.48. No objection subject to conditions.
- 9.49. Outline part of application – waste: following initial investigations, Thames Water has identified an inability of the existing foul water network and surface water infrastructure to accommodate the needs of this development proposal. Two conditions recommended.
- 9.50. Outline part of application – water: following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Condition recommended.
- 9.51. Detailed part of application – waste: with regard to foul water sewage network infrastructure capacity, we would not have any objection to the

above planning application, based on the information provided. The application indicates that surface waters will not be discharged to the public network and as such Thames Water has no objection.

- 9.52. Detailed part of application – water: following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Condition recommended.

Non-statutory consultee and group comments

- **Campaign to Protect Rural England (CPRE) Oxfordshire**

- 9.53. Objection. We are concerned that the transport impacts of this application have been significantly downplayed, leading to underestimates in both likely congestion and air pollution, and the subsequent impacts for public and environmental health. We also have a concern about the impact of the proposed Red Hall design and its potential impact on Port Meadow and the SAC.

- 9.54. The impact of the additional cars on an already heavily congested road system will increase the journey time for those working elsewhere in the city, reduce the attractiveness of Oxford centre as a place to visit/ do business in, due to the traffic problems of getting there, increase the levels of airborne pollution.

- 9.55. Building new offices and other employment sites is unnecessary when there are so many empty sites on other half completed office and science parks around Oxford available.

- 9.56. The estimates provided by the applicant as to future emissions of NOX gases deriving from this development are based on a number of hypotheses of an exceedingly technical nature, but which quite obviously give rise to absurd results.

- 9.57. We are concerned that the design of this tall, bulky building [Red Hall] is inappropriate and unsympathetic to what is a semi-rural location overlooking Port Meadow and Oxford Meadows Special Area of Conservation (SAC).

- **Cyclox (comments received during consultation 1)**

- 9.58. Cyclox welcomes the emphasis on sustainable transport. Within the site under the control of Thomas White Oxford (TWO) there is cycle-user provision that is just adequate. We press for secure and covered cycle parking, differently designed for shorter-stay and longer-stay use, and with at least 10% of cycle stands to be suitable and easily accessible for inclusive cycling.

- 9.59. We are commenting on the transport aspects of the plan. We object to the plans, as there are no safe and attractive routes that follow natural desire lines from the site to and from schools, workplace, shops, train stations, on

continuous comprehensive cycle routes. We wish to see continuous, safe, segregated cycle access, built to Dutch CROW standards, in order to navigate the current barriers and impediments which are Peartree interchange (to Yarnton and Kidlington), and the Wolvercote roundabout.

- 9.60. They need to be kept fully segregated throughout their length, not shared with the pedestrian path, to accord with both the Oxfordshire Cycling Design Guide, OCDS and the Walking Design Guide.
- 9.61. The Wolvercote roundabout is a significant barrier that prevents this. A grade-separated route across the roundabout is the only workable solution that can fulfil Policies 03 [...encouraging a greater proportion of journeys to be made on foot, by bicycle, and/or by public transport...] and 04 of LTP4 [...prioritising needs of different types of users in developing transport schemes or considering development proposals...] Forcing people on foot or cycle to wait several times to cross each separate carriageway across this very heavily trafficked five-arm junction flagrantly breaches these Policies. An overbridge must be provided for those on foot and on cycle, that will link all five arms across a raised central circulation space above, and completely separated from, the motor traffic below it. The ramps and circulation space must be lit 24/7 and must be gritted when the weather freezes.
- 9.62. The proposed connections to the canal route once upgraded are welcome because they provide non-hostile cycling access to and from destinations to the south and north along NCN5. But a quiet route like this can only ever be a daytime route, because of the over-riding ecological objections to lighting it. This reinforces the need for grade-separation operating 24/7 at Wolvercote roundabout.
- 9.63. Connectivity of the Oxford North site to and from NCN51 including Oxford Parkway station is vitally necessary but is utterly unattractive and inadequate in the plans, since cycle users will be required to deviate via Five Mile Drive. Which future resident or commercial visitor will set off southwards, to reach a destination (Parkway) that is north of the site, being obliged to use a route that is 40% further (2.7 km when it could be 1.65 km or even less)? Access that accords with the natural desire line is essential from the northern margin of the Oxford North site, connecting to and from Parkway alongside the railway. Most of the necessary land is owned by Network Rail, who have an interest in promoting straightforward access to its railway station.
- **Cyclox** (comments received during consultation 2)
- 9.64. Cyclox recognises the imperative to create new residential and employment development but is concerned about and objects to the design for cycling as transport.
- 9.65. Furthermore, as a group campaigning for cycling as a mode, the urban design of the proposed place is also a matter of concern to us in that inactive frontages line the main streets.

- 9.66. Where segregated [cycle] provision exists, e.g. as Bus Stop bypasses, Cyclox welcomes this provision. However, Cyclox cannot accept that this limited provision then becomes a mere 'Advisory Lane' on the carriageway. The cycling facilities for cycling as a transport mode are disjointed and not adequate. No conformance or high-quality route, as set out in the County's Oxford Transport Strategy, is evident in the proposals.
- 9.67. Dual Network concept for 'confident cyclists' and then the shared-footway/cycle facilities provisions for others is obsolete. Certainty needed over colour and maintenance of cycle lane colour. There is inconsistency over cycle lane standards used.
- 9.68. Design and Access Statement does not refer to the A40 as a Cycle Super Route as per County guidance. The design does not comply with these requirements.
- 9.69. Cyclox welcomes Peartree roundabout improvements but has concerns about Park and Ride area crossing.
- 9.70. Plot/parcel principles section of the Design and Access Statement ignores the main streets and does not provide for an 'active frontage'. There is no reference as far as I can see to MHCLG's guidance on Design (2014).
- 9.71. The designs and Transport Strategy do not prioritise movement by bicycle and walking in that the main routes are inactive façades. The main routes have a hodgepodge of provision types which for cycling, do not make up a safe, segregated coherent provision which would enable a maximum share of journeys being made by bike. There are enhancements which are welcomed but these in sum, fall short of an enabling cycling route system usable by all. The connections into adjacent Oxford are compromised by their deference to the car.
- 9.72. A safe and desirable crossing of the Wolvercote roundabout is a basic starting point which fails to be addressed. Some kind of oversailing connection is one possibility. Along the lines of the Hovenring, Eindhoven.
- 9.73. Cyclox welcomes the vision of the connection to Oxford Parkway but is concerned that it is no more than a wish without serious effort to expedite its implementation.

- **Low Carbon Oxford**

- 9.74. Objection for the following reasons:
- 9.75. Energy: There is a huge opportunity for Oxford North to lead the way as an exemplar of a zero-emission site. We expect the standards to be well beyond the current building standards. We hope to see all the buildings on site being built to passive house standards. While we welcome commitment to minimising energy use, the ambition here should be to become a zero-emission site (or even a site that exports energy). Phase 1a BREEAM performance score overall meets 'excellent' rating (just). This is very disappointing. We would like to see a commitment from TWO to achieving

'outstanding' rather than the 'excellent'. To commit to zero emissions no gas should be brought into the site. We would like to know where will the electricity will come from to run the heat pumps? If from the National Grid then it will not be low carbon. You state that solar PV can be installed 'subject to roof design'. This is not acceptable and we object strongly to this. Roofs should be designed so that they are suitable for PV panels. Aesthetics should not win out over functionality here. You state that solar thermal is a potential. In your table 5.4 however all the criteria are traffic lighted green so more effort needs to be made to utilise this technology. We presume it is compatible with the district energy network.

- 9.76. Transport: We object to the plans for the road layout. There are no safe and attractive routes into and out of the site for people who walk and cycle. We also object to the fact that there is a through road crossing the site which will encourage rat running. The site should be designed along 'mini-Holland' lines with access only by motorised transport, but full permeability for people who cycle and walk. It is likely that there will be huge increase in journeys as a result of this development. The roads surrounding the area already at capacity and congestion and air pollution will increase if further vehicles are added to the roads. Wolvercote and Cutteslowe roundabouts are amongst the worst spots for air quality in the Oxford City AQMA.
- 9.77. Comments on the plans within the Oxford North site: A44 and A40 street boulevards: Within the site we note the desire that the A44 and A40 boulevards have continuous segregated cycle paths. The design of the cycle paths must be stepped as defined in the Oxfordshire Cycling Design Guide. They should be 2m wide. At all junctions where cyclists wish to turn right from the cycle path there must be signals, with frequent intervals between light changes. We strongly object however to the fact that all the segregated cycle paths become shared paths as they approach the Wolvercote roundabout. This is totally unacceptable. We wish to see continuous, safe, segregated cycle access, built to Dutch CROW standards, in order to navigate the current barriers and impediments which are Peartree Roundabout (to Yarnton and Kidlington), and the Wolvercote Roundabout. We do not believe that there is sufficient cycle parking for a site that is setting itself high environmental standards. It reaches minimum requirement. Also in line with accessibility legislation 10% of spaces need to accommodate non-standard bikes, e.g. child carriers, tricycles, tandems, trailers.
- 9.78. Comments on connectivity with off-site cycle routes: The connectivity between the Oxford North site with routes outside the site is a major impediment. The cycle network fails unless segregated bike routes are comprehensive and continuous with other feeder routes. No detailed drawings are presented however to inform our comments about this connectivity. The Wolvercote roundabout is a significant barrier. Surely the only solution is 'grade-level' separation, a pedestrian and cycle roundabout above the Wolvercote roundabout. A single bridge that goes straight over the Wolvercote roundabout to the Woodstock road would be a good alternative. A grade separated route over the roundabout would show that Oxford is truly in the 21st century. Other ways need to found to get onto the

site which don't involve the roundabout and minimise multiple signalised crossings. The routes to Joe White's lane to the canal provides a good option to get off the site, however unless the routes are lit, they would only be accessible in daylight hours. We are disappointed that the route to Parkway Station involves going via Five Mile Drive. There is opportunity to create a route northwards out of the site along the railway. Discussions with other landowners could be held to negotiate access. We welcome the proposal to signalise the Pear Tree roundabout.

- 9.79. Employment and housing: We cannot find any commitment to affordable housing in the documents. The application includes only 480 homes, fewer than the already modest number in the AAP. The requirement in the AAP was for 50% affordable housing, of which 80% should be social rented housing. As noted above, one of the main reasons for allowing this part of the Green Belt to be built on was 'poor housing affordability in Oxford and backlog of housing needs'. We strongly object to the lack of provision of affordable housing, particularly social rented housing.

- **Merton College (owners of Red Barn Farm site situated to the north of the application site)**

- 9.80. Holding objection pending clarification that the existing vehicular access to Red Barn Farm from the A44 is not adversely affected by the development.

- 9.81. Overall support for the principle of development at Oxford North subject to ensuring that development is capable of being fully aligned with the Northern Gateway Area Action Plan (2015) and related development plan policies, and does not impact upon the deliverability of development at Red Barn Farm.

- 9.82. Not all land in the AAP boundary is included in the application but application states it would not preclude comprehensive development. Access to the Red Barn Farm parcel would not be until 8-10 years after permission is granted. Road access and servicing to the edge of other land parcels is welcome.

- 9.83. The application underestimates the development capacity of the Red Barn Farm parcel. Only 2,700 square metres remains of the AAP allocation for employment floor space.

- **Oxford Bus Company**

- 9.84. Support in principle subject to bus service contributions secured via Section 106 legal agreement. Objection to exclusion of Park and Ride site.

- 9.85. Due to traffic congestion in the area, demand management measures and sustainable transport opportunities must be at least sufficient to deal with traffic demand from the development.

- 9.86. The Council should ensure that the bus lanes could not run right up to the Wolvercote roundabout as this would provide enhanced bus priority.

- 9.87. Section 106 contributions for bus services are needed to mitigate increased travel demand. This would be for a bus service linking Parkway to the site, a “pick me up” service and a service through the Eastern Arc to Cowley Centre.
- 9.88. Improvements to the Park and Ride facilities are needed to encourage more users of the service which will in turn mitigate overall traffic congestion. The increased parking spaces at the Park and Ride were part of the transport mitigation measures in the AAP. The absence of one of the key measures will have an impact on traffic generation in the locality.
- 9.89. Concerns over the practicalities of delivering the management measures to prevent abuse of the Park and Ride. Management measures should be agreed prior to determination to ensure Park and Ride spaces are retained for their intended purpose.
- **Oxford North and West Green Party**
- 9.90. Objection. Oxfordshire Green Party (OGP) did not support the inclusion of the Northern Gateway site in the Core Strategy.
- 9.91. A key issue remains the extent of the proposed employment growth and the imbalance between this and the available housing. Such levels of employment growth will lead to increased demand for housing and exacerbate the existing housing crisis in the city.
- 9.92. There is no commitment to affordable housing. The requirement in the AAP was for 50% affordable housing, of which 80% should be social rented housing. One of the main reasons for allowing this part of the Green Belt to be built on was ‘poor housing affordability in Oxford and ... backlog of housing needs’. We strongly object to the lack of provision of affordable housing, particularly social rented housing.
- 9.93. The aim should be to achieve a zero-emissions site, using the highest standards for energy efficiency and energy supplied solely by renewables. All buildings should be designed to minimise their environmental impact. There are bold claims about the sustainability of the buildings and systems on the site, but important opportunities have been missed and standards set too low.
- 9.94. Wolvercote and Cutteslowe roundabouts are amongst the worst spots for air quality in the Oxford City AQMA. Air quality legislation dictates that no development is permitted to make air quality worse within the AQMA, yet this development with its predicted extra car movements will make it worse. Key roads in the area, particularly the A40, are often at full capacity, even outside peak hours. The proposed housing developments around Eynsham, Kidlington and Yarnton will bring more car movements. Given the level of traffic moving between the A40 and A44, the proposed new road within the site will be used as a rat run.
- 9.95. We need to focus on reducing the need to travel and on walking, cycling and public transport. We want to see investment in these modes, not new

roads. We have many concerns about the cycling proposals, both within the site and connecting with the surrounding area. The proposals are far from best practice.

- 9.96. Concerns over surface water flooding in the low point towards the north end, close to the A34 roundabout, where Trax currently is situated. The development should be making much more use of rainwater harvesting, to conserve water and energy and reduce risk of flooding. We noted reference to harvesting water but only for commercial buildings.
- 9.97. The scale of the site and height of the buildings will result in major visual impacts, particularly for nearby residents. The view from Port Meadow will also be affected, although from the simulated image provided in the application, it is difficult to gauge how people will feel about this. The development will result in heavier use of Port Meadow, a SSSI and grazing land that is already under pressure from visitor numbers.
- 9.98. With the increase in residents, there must be additional provision made for local services such as education and health care. There should be access to allotments.
- **Oxford Preservation Trust** (comment received during consultation 1)
- 9.99. The Trust does not object to the proposals and recognises that the site is part of the Oxford Local Plan and is covered by the Northern Gateway Area Action Plan (AAP).
- 9.100. The Trust acknowledges the value of new business premises but suggests that these must be balanced with new homes that are greatly needed. We cannot support the idea of this becoming an out-of-town retail destination which is highly car reliant, and does not take account of the large shopping centre in the middle of the city, and other suburban centres.
- 9.101. The Trust's opinion is that while the overall package of transport measures proposed, appears not to worsen congestion, overall it is likely to result in an increase in vehicle movements, emissions and noise. There is some new segregated and on highway provision for cyclists, but this is of limited value because it is discontinuous and does not help them negotiate the main junctions. It is unlikely to lead to any modal transfer from car to bike.
- 9.102. This development however, in the Trust's opinion while altering key junctions in the area, does nothing to assist the future provision of a segregated bus rapid transport network protected from the queues and congestion that exists in this area for large parts of the day.
- 9.103. There is a significant amount of large scale building proposed for office and commercial use. It is important that the finish to these buildings is as sensitive as possible to the urban/rural edge location of the proposals and that the adjacent Green Belt is given sufficient consideration. The Trust is pleased to note the inclusion of public open space and amenity space to preserve some of the openness and inter-visibility that is a value of the green setting of Oxford. The Trust suggests that to ensure this openness,

and the appropriate conservation of the Setting of Oxford, these open spaces should be protected as 'Local Green Space' possibly a condition to the development consent.

9.104. The Trust draws attention to the Historic England: Assessment of the Oxford View Cones (2015), which is referenced in the Northern Gateway AAP. The Trust notes some reference to the long distance views and building heights having been considered through the application, but suggests that continue review of these impacts should be made with each iteration and application associated with this project.

- **Oxford Preservation Trust** (comment received during consultation 3)

9.105. The Landscape Addendum confirms that there would be localised significant visual effects on the western extends of Port Meadow, with minor effects also anticipated at the southern and northern vantage points. OPT would urge officers to carry out a full and robust assessment of these potential impacts. Port Meadow and Wolvercote Common are a SSSI, a Scheduled Ancient Monument and together with the nearby Yarnton and Pixey Mead a Special Area of Conservation (SAC) under the European Habitats Directive and as such require special consideration when the scale of development proposed could have the potential to detrimentally impact upon their character and views in and out of the identified area.

- **Oxfordshire Clinical Commissioning Group (OCCG)**

9.106. The 480 dwellings proposed will cause considerable pressure on the infrastructure for health. The four practices in the vicinity are experiencing considerable pressure on service provision, and this population increase of circa 1,200 people will significantly impact on their ability to manage further provision. OCCG therefore wish to apply for CIL or s106 funding to support their infrastructure requirements.

- **Sport England**

9.107. No objection. The site is not considered to form part of, or constitute a playing field as defined The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595), therefore Sport England has considered this a non-statutory consultation.

9.108. Sport England would encourage the Council to consider the sporting needs arising from the development as well as the needs identified in its Infrastructure Delivery Plan (or similar) and direct Community Infrastructure Fund monies to deliver new and improved facilities for sport.

9.109. Sport England would commend the use of the 'Active Design' (October 2015) guidance in the master planning process for new residential developments to promote healthy communities through good urban design.

- **Summertown & St. Margaret's Neighbourhood Forum**

- 9.110. The Forum believes that the Council should strongly resist pressure from the landowners and developers of Oxford North to reduce their affordable housing obligations. The viability analysis should be looked at again to critique various assumptions. It is difficult to believe that the Oxford North site, on the edge of one of the fastest growing and most prosperous areas of the South East, owned largely by a very wealthy Oxford College, and supported by generous grants for infrastructure, and with relatively few demands for community services such contributions to new schools or health centres (neither have been required), is not viable for 50% affordable housing – especially given the loose Government definition of affordable housing.
- 9.111. PBA have produced well thought out plans for cycle routes & footpaths alongside both the A40 & A44 within the application site. It is disappointing that they have not produced similar plans, in conjunction with other Oxford North landholders & Oxfordshire County Council (OCC), for cycle routes & footpaths outside the application site. These should link up with the rest of North Oxford, Oxford City & the surrounding area by means of completely redesigned & improved, fully segregated, cycle routes & footpaths. It is essential that these upgraded cycle routes & footpaths link to Wolvercote roundabout & routes to the city centre, Oxford Parkway station & Peartree Park & Ride & the north through Peartree interchange.
- 9.112. Wolvercote roundabout is key to Oxford North's connectivity. Major improvements have recently been completed on the roundabout but only minimal provision has been made for cyclists & pedestrians, who have to navigate laboriously through the junctions by means of light controlled crossings. The only way for cyclists to efficiently and safely cross the roundabout will be to separate motorised traffic from pedestrians & cyclists by means of grade level separation, ideally using the Hovenring principle or more simply, but less satisfactorily, using a cycle/footbridge as used on Sustrans 51 over the Northern Bypass.
- 9.113. Another very important link should be via Joe Whites Lane. This should be made into a Cycle Super Route linking through Upper Wolvercote to a Woodstock Road Cycle Super Route. It should have street lighting for safe winter commuting.
- 9.114. Links to the Peartree Park & Ride and Oxford Parkway Station are also crucial. The proposed link via Five Mile drive is less than ideal. A better route would be to follow the railway line. There needs to be discussions between the various landowners and OCC to facilitate this.
- 9.115. Peartree interchange is a significant obstacle to cyclists accessing to & from the north. There is currently nothing to help cyclists cross it. It is too dangerous for cyclists to use as it is. Light controlled crossings at each exit are proposed but underpasses would be better.

- **Sustrans North & West Oxfordshire group**

- 9.116. This response is on behalf of the Sustrans volunteer group that maintains the National Cycle Network north of Oxford. Sustrans is the national charity making it easier for people to walk and cycle.
- 9.117. National Cycle Network route 5 adjoins the site. This provides significant local amenity for traffic-free journeys between Woodstock, Begbroke Science Park, Oxford and other nearby destinations. It also provides an important leisure facility as a long-distance cycle route from Reading to Holyhead (marketed in this area as the Shakespeare Cycleway). NCN 5 follows the canal towpath south from the A44 at Yarnton, before branching off onto a separate traffic-free path to Wolvercote.
- 9.118. We therefore request that, as a condition of approval, the developers fund targeted upgrade works to the section of NCN 5 following the canal towpath between the A34 Western Bypass overbridge north to the A44 Woodstock Road crossing.
- 9.119. We also ask for more clarity as to the nature of the cycle link between Oxford North, NCN 5 and the towpath. The Design & Access Statement is inconsistent in promising "pedestrian and cycle connections to the canal towpath" on p205, but solely showing "pedestrian links" in the diagram on p211.

- **“Tripartite” (University of Oxford, Merton College and a local landowner)**

- 9.120. The Tripartite own and control the vast majority of land at Begbroke, which is proposed to be allocated as a “new urban neighbourhood” by Policy PR8 of the Partial Review of Cherwell Local Plan 2011-2031.
- 9.121. No objection.
- 9.122. It is important that there is good connectivity between north-south & east-west services so that people do not have to walk significant distances between stops. To allow for flexibility in terms of delivering bus services and optimising public transport improvements, options that could be considered include: public transport access being permitted by way of the link road; in the interim scheme, allow the right turn from the site to the A44 but restrict it to bus movements only; and look at bus stop provision on the A44 in the interim to support the interchange and wider public transport improvements.
- 9.123. It is clear that to achieve the target modal split that a strong emphasis on public transport will be required, which is supported by the Tripartite. It is considered that facilitating an interchange as described above will enhance options for sustainable and effective travel in the city and across Oxford by public transport.
- 9.124. Clearly it is important that the proposed transport mitigation measures are properly secured and delivered at the appropriate time. The Tripartite recognises that the full highway scheme will deliver significant public

transport, cycle and pedestrian improvements, for example, by addressing the current difficulties of cyclists negotiating the Pear Tree Roundabout, which acts as a deterrent to cycle travel between areas north of the A34, A44 and Oxford (and of course the development site). The earlier these improvements can be in place the better to promote travel by non-car modes, which will be necessary to achieve the target mode shares. Hence clarification on the timing of highway works is requested.

- **West Oxfordshire District Council**

9.125. No observations.

- **Wolvercote Neighbourhood Forum & Wolvercote Commoners' Committee**

9.126. Three representation were received which are summarised below. Objection on the following grounds:

9.127. The viability statement is unacceptable – the claim that the statement at the AAP hearing that the project was likely to be viable (4.3) was based on knowledge at the time and that true costs have only now become available is unconvincing. It is still our contention that the Benchmark Land Value could be reduced because the standard viability model is not appropriate.

9.128. The quantum of development should not exceed AAP thresholds.

9.129. Proper consideration has not been given to the residential impact of air pollution, vehicle noise and safety on quality of life for and health of existing and future residents.

9.130. The traffic proposals do nothing to mitigate the expected increase in the volume of traffic generated by the development. The link road does not fulfil the AAP requirement of accommodating HGV traffic and to be positioned to the north of the site.

9.131. Measures to prevent overspill parking from the development include a Controlled Parking Zone in Wolvercote. This will have a financial impact on Wolvercote residents having to buy permits.

9.132. Better cycle and pedestrian access is needed to neighbouring areas, in particular from the East parcel connecting into Cherwell land and Oxford Parkway. Better crossings at Peartree Interchange are needed for cycles and pedestrians. Grade separation is needed at major road crossings.

9.133. Development should show net gain in biodiversity, not net loss on site. Objection to the loss of hedgerows and trees. Objection to reduction in landscape buffer [June 2019 resubmission].

9.134. The development's scale and materials are out of sympathy with their surroundings and do not provide an appropriate entry to Oxford. Port Meadow is of extremely high value, and also highly susceptible, and yet the development will still be clearly visible from large areas of Port Meadow, especially in winter when the trees will not be able to obscure it to the same

extent. Views from the Wolvercote with Godstow Conservation Area are very intrusive and most unwelcome. The revised height reductions [June 2019 resubmission] provide some improvement but they still have an adverse effect on the views.

- 9.135. Red Hall cantilevered overhang roof is unnecessary. Aggressive industrial appearance and long-term weathering of materials make in unsuitable. Workspace building external staircases are poor design. Roof plant may be an afterthought which will not be well integrated.
- 9.136. Stated sustainability aspirations are not met. PV panels should be installed on all buildings. The proposed drainage is such that its effect will overwhelm flood storage capacity and result in additional uncontrolled flooding downstream in 1 in 100 year flooding events.

Public representations

- 9.137. There were 84 representations received from 76 addresses local to the site, further afield in Oxford and beyond the city. This included comments received from Cllrs Goddard, Gotch and Pressel, from County Councillor Paul Buckley as well as from Layla Moran MP. A complete list is included in **appendix 2**.
- 9.138. In summary, the points of objection that are material planning considerations were:
- no firm commitment to build affordable homes; unacceptable in the light of the housing situation in Oxford
 - Oxford has low unemployment and doesn't require businesses, it needs more Affordable Housing
 - development will add to housing shortages, as the demand for businesses isn't needed in Oxford, therefore the development is not sustainable
 - if jobs are being created, most will commute because of insufficient new homes to accommodate them on site
 - insufficient evidence to increase the use of public transport and cycling, is not enough to encourage public transport use, car sharing and cycling
 - shared cycle and pedestrian routes are not safe. There should be a separate and dedicated lanes
 - development lacks adequate road infrastructure
 - development will impact on North Oxford in terms of traffic flow, in particularly at Wolvercote roundabout
 - concerns over pollution from increased traffic and noise to neighbouring properties

- improvements need to be made to A40 & A34 before any development commences
- no cycle/pedestrian links from Oxford North to Oxford Parkway rail station
- provision for cycling is insufficient, it should at least meet the County Council's own standards
- development does not meet local amenity needs, e.g. school places
- development is needed but this is the wrong location
- development destroys an important section of the green belt between Oxford and Kidlington to the north.
- loss of open space between Oxford and Kidlington – lead to urban sprawl
- development is too high and not in keeping with the architecture of Oxford (in particular the Red Hall)
- concerns with the height of the buildings, these should be reduced (without gables), or screened in views from the east by tree planting
- colour of roofs is out of keeping with the area and needs to fit in with the landscape
- concerns over the effect of large scale project on the local environment and biodiversity

9.139. In summary, the point of support that is a material planning consideration was:

- development will create jobs and additional housing.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- a) Principle of development
- b) Affordable Housing
- c) Transport and highways
- d) Impact on heritage assets
- e) Design
- f) Landscape and trees
- g) Air quality
- h) Ecology and biodiversity
- i) Flooding, drainage and water

- j) Energy and resources
 - k) Impact on neighbouring and residential amenity
 - l) Land quality
 - m) Phasing of development and delivery of infrastructure
 - n) Planning obligations
 - o) Other matters
- 10.2. As set out previously in this report, the hybrid application is made up of a full planning application and an outline application; a greater level of detail has been provided for those elements within the full planning application. This report discusses and assesses the outline and full elements separately under each issue heading below.
- 10.3. The reason for the submission of a hybrid application is that the detailed elements cannot be considered other than in the context of a comprehensive development of the AAP site. The applicant wishes to apply for those parts of the scheme that are sufficiently developed for them to be considered in detail. This would allow development to commence sooner.
- 10.4. Recommended planning conditions are also set out separately to relate to the full and outline parts of the application, as set out in **appendix 3**.

a. Principle of development

- 10.5. The NPPF in paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development, meaning that development proposals that accord with an up-to-date development plan shall be approved without delay. In paragraph 47, it states that planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 10.6. Policy CS6 allocates Northern Gateway as a strategic development site in the Core Strategy . This means that the Northern Gateway is of strategic importance to the delivery of the Core Strategy. The Core Strategy, adopted in March 2011, states that an Area Action Plan will bring the Northern Gateway land forward. The Northern Gateway AAP was developed after the Core Strategy and adopted in July 2015. The AAP adds the extra level of site-specific detail to support the Core Strategy allocation to assist developers in the submission of high quality proposals and to ensure the best outcomes for Oxford.
- 10.7. Appendix 3 of the emerging local plan lists Northern Gateway/Oxford North as a Category 1 employment site and thus affords protection of the site under emerging policy E1. It is also listed as an Area of Change in the emerging local plan at paragraph 1.23, anticipating that the site would come

forward during the plan period to 2036 within the parameters of the adopted AAP.

- 10.8. Policy CS6 and the Northern Gateway AAP together establish the principle of employment-led mixed use development on this site. It is noted that at paragraph 1.23, the emerging local plan states that Northern Gateway/Oxford North has already been allocated and is the subject of the Northern Gateway AAP which forms part of the Development Plan. It states that, whilst it is not subject to an allocation in this local plan it will nonetheless constitute an area of change in the context of the vision for the city. The Northern Gateway AAP has an end date of 2026 in line with the Core Strategy.
- 10.9. Policy NG1 of the AAP states that the parcel of land bounded by the A40, the A34 embankment, Joe White's Lane, and the rear boundaries of properties along Godstow Road is taken out of the Green Belt and is allocated for development as part of the Northern Gateway site. Therefore, there is no Green Belt land within the boundary of this planning application.
- 10.10. Policy NG2 of the AAP states that planning permission will be granted at the Northern Gateway for:
- up to 90,000m² (gross internal area) of employment development; and
 - up to 500 new homes; and
 - a range of local scale retail uses (up to a total of 2,500m² gross internal area); and
 - a hotel with associated leisure facilities (up to 180 bedrooms).
- 10.11. The quantum of development for which outline permission is sought falls within these parameters and therefore the application complies with policy NG2.
- 10.12. As a large strategic site within Oxford's Core Strategy, comprehensive development is important to the realisation of the AAP vision for the area. However, the application's red line does not take in the whole AAP area: the Park and Ride, Red Barn Farm land to the north (owned by Merton College) and the Goose Green parcel to the south-west (owned by Oxford City Council) are notable omissions. This is disappointing for the realisation of the overall vision for Northern Gateway and, whilst it might have been expected that the land under other ownerships would come forward as a single application, the Council must assess the application as submitted.
- 10.13. Parameter Plan 01: Access and circulation includes provision for principal connection points to adjoining land to facilitate connections to these three parcels. Such provision is also recommended to be secured via the legal agreement. This would ensure the development be designed not to prejudice access to neighbouring land, and to provide access and servicing subject to a fair contribution. The access can be assessed at reserved matters stage and provisions will be included in the legal agreement to ensure that there are no material impediments to complementary

comprehensive development in the future. These measures are considered sufficient to ensure the Northern Gateway site can still be developed comprehensively.

- 10.14. As noted above, officers are satisfied that the Environmental Statement and further information provided complies with the 2011 EIA Regulations and that sufficient information has been provided to assess the environmental impact of the proposal.
- 10.15. The principle of development accords with the Development Plan and is therefore acceptable.

Employment use

- 10.16. As set out in the AAP, the primary focus for this site is the provision of significant levels of employment-generating uses. The Core Strategy establishes that the site should have an employment focus, building on the strengths of Oxford's economy. The Northern Gateway is the city's only remaining opportunity to develop a new strategic employment site, and in that context it is important that it is developed in such a way to address the city's needs as closely as possible. The evidence shows that the city needs employment space to be focussed on Oxford's key strengths in the knowledge economy (science and technology, research, bio-technology and spin-off companies from the universities and hospitals). If the site were to be developed as a generic business park this would be in many ways a missed opportunity; instead it will be closely tied to the innovation and knowledge economies.
- 10.17. Policy NG3 of the AAP states that planning permission will be granted for employment development of up to 90,000 square metres where the intended uses directly relate to the knowledge economy of Oxford: science and technology, research, bio-technology, spin-off companies from the universities and hospitals or other intended uses that make a measurable contribution to these sectors. The policy states that applicants will be required to demonstrate how their proposals contribute to the knowledge economy of Oxford.
- 10.18. A planning obligation or condition is therefore recommended to ensure that prospective occupants are consistent with the employment types set out in the AAP.
- 10.19. The outline application is for 87,300 square metres of B1 floorspace, of which 15,850 square metres is proposed in the full element of the application. The quantum of floorspace falls short of the 90,000 square metres allocated in the AAP. The applicant has assumed that the Merton College owned land and Oxford City Council land will provide the additional 20 homes and 2,700 square metres of employment space in the AAP. It is noted that owners of the Red Barn Farm parcel, Merton College, consider that the application underestimates the development capacity of the Red Barn Farm parcel. However, the pro-rata approach used in the application

under consideration is not unreasonable and is justified; officers therefore see no reason to object to the quantum proposed.

- 10.20. The Design and Access Statements for the masterplan and the full application, as well as the plans for the Red Hall and two Workspace Buildings, show a clear design intention to create buildings to service knowledge economy businesses; the open gable ends of the three buildings reveal large research spaces. Subject to the recommended condition, the employment use proposed is therefore acceptable in relation to policy NG3.

Housing

- 10.21. In the AAP, housing is presented as one of the complementary uses to the main employment use for the site and a limit of 500 units is set. Objective 2 of the AAP states that the project provides the opportunity to deliver additional housing including Affordable Housing to help address the growing need in Oxford. Indeed, paragraph 4.2 sets out the justification for the removal of part of the site from the Green Belt which included poor housing affordability in Oxford and the imperative to meet a backlog of housing needs.
- 10.22. Natural England, through the Habitats Regulations Assessment process undertaken to support the AAP, imposed a limit on residential units of 500 homes. The Oxford Meadows Special Area of Conservation (SAC) contains a number of Sites of Special Scientific Interest (SSSIs). Part of one of the SSSIs that makes up the Oxford Meadows SAC, Port Meadow, contains a rare plant, creeping marshwort (*Apium repens*). This plant is sensitive to increases in nitrates and phosphates associated with dog-walking. The limit of 500 homes is based on an estimate of the number of people likely to be dog owners, plus a higher proportion of open space within the development as mitigation so that dog owners have convenient options for places to walk their dogs.
- 10.23. No housing is proposed in the detailed part of the hybrid application, but up to 480 units are proposed in the outline. This falls short of the 500 units because the application red line does not take in the whole AAP area. A pro-rata allowance has been made by the applicant to take account of land owned by Oxford City Council and Merton College. The applicant has assumed that this land will provide the additional 20 homes and 2,700 square metres of employment space. Officers take the same view as noted above in relation to employment floorspace. Officers see no reason to object to this quantum of housing and its justification; there is other land within the AAP area that could deliver the remaining 20 units.
- 10.24. The delivery of 480 homes would make a significant contribution towards Oxford's unmet housing need and would contribute to the housing delivery set out in policy H1 of the emerging local plan. Policy H1 states that provision will be made for at least 8620 new homes to be built in Oxford over the plan period 2016-2036. This equates to a delivery of 431 dwellings per annum. The policy states that housing delivery will be achieved

ensuring that all new housing developments contribute to the creation and/or maintenance of mixed and balanced communities.

- 10.25. The mix of dwellings specified in paragraph 5.18 of the AAP, and as set out in the Balance of Dwellings Supplementary Planning Document (SPD) is as follows:

Unit size	Percentage
1 bedroom homes	10-15%
2 bedroom homes	25-30%
3 bedroom homes	40-55%
4+ bedroom homes	10-15%

- 10.26. The emerging local plan does not have an overall strategic mix for housing specified.
- 10.27. The planning statement submitted, at paragraph 4.11, sets out an indicative mix of units which would accord with the AAP and the Balance of Dwellings SPD. The mix would be secured via the legal agreement to ensure that the development overall produces a balanced mix of residential units. This obligation would include flexibility for the mix to be altered over time by agreement with the City Council to meet housing need. For the avoidance of doubt, officers note that housing need does not necessarily equate to market demand.
- 10.28. It is noted that a number of public representations question the low level of housing in relation to employment floorspace. The reasons for the balance between the quantum of employment and residential accommodation are set out in the AAP and have been highlighted in this report.
- 10.29. Due to the complexity of this aspect of the application, Affordable Housing is discussed in the following sub-section of this report. The principle of providing this quantum of housing is acceptable.

Community, hotel, retail and services (shops and restaurants)

- 10.30. The AAP allows for a range of local scale retail uses (such as shops and cafes) and a hotel with associated leisure facilities to give new and existing residents and employees access to local facilities and services, making the new development more sustainable. In line with the Core Strategy allocation, it is important to limit the retail uses to a local scale rather than to create more destination shopping facilities which would attract more visits to the area. This approach is in line with the NPPF and with emerging policy V1, to which limited weight can be afforded, which seek to ensure the vitality of existing centres. Limiting the retail uses to a local scale on the Northern Gateway site ensures that the development does not compromise the vitality and viability of the Summertown District Centre.
- 10.31. As noted above, the level of retail provision proposed is in line with AAP policy NG2. In addition, the outline application proposes up to 550 square

metres of D1 floorspace, which could include a nursery or some kind of community space. Such a low quantum of floor space would not affect the viability of other community facilities in the city and is of a local scale; it is therefore an acceptable element in the wider scheme.

- 10.32. Parameter Plan 02: Land use sets out the areas where the hotel, shops, restaurants and D1 community uses could be located. Although this gives a very broad spread of possible locations, the Design and Access Statement: Masterplan indicates that many of these uses would be located within the Central parcel, along the link road, and close to the public open spaces referred to as The Square and The Green. Such uses would provide activity and animation of these focal spaces. Assessment of whether the type and location of uses is appropriate would be made at reserved matters stage.
- 10.33. The AAP sets out the existing facilities within reach of the site, particularly within neighbouring residential areas and Summertown District Centre, including GP surgeries, a library, a leisure centre and retail facilities.
- 10.34. The County Council as Local Education Authority is proposing to increase primary and early education provision through the expansion of Wolvercote Primary School from a 1.5-form entry to a 2-form entry school, subject to a full feasibility assessment, planning permission, and statutory approval processes. The County Council conducted an options appraisal which identified an appropriate accommodation solution, estimated to cost £2,738,560. It states that the school expansion is only necessary because of the pupil generation from this development and so the full cost of the expansion is sought in connection with the application. Safe routes to Wolvercote Primary are proposed with the development and these are discussed in the later section on transport and highways. A financial contribution is sought for special educational needs and disability (SEND) provision on a proportionate basis. Secondary school demand from the development can be met by the new secondary school, Swan School.
- 10.35. The Affordable Housing and Planning Obligations SPD states that, as a consequence of the Council's introduction of CIL, the use of Section 106 planning obligations for most types of infrastructure, other than Affordable Housing, will be much more limited than in the past. It goes on to state that CIL will replace planning obligations as the means of funding off-site infrastructure, such as additional school places, transport improvements and crossings or improved leisure facilities, which are associated with new development and consequent population or economic growth. It states that proposals for development that may require the provision of planning obligations should be made in accordance with the relevant policies of Oxford's local plan. No new primary or secondary school is required by the AAP. Given the scale and nature of the development, it is therefore not considered appropriate for a contribution to be secured by Section 106 legal agreement.
- 10.36. There is no CEB agreement to use CIL receipts for education infrastructure and so a request for CIL funding for education would need to go through the normal process. It is included on the unfunded supporting infrastructure

list (see **section 10m**). A decision as to whether primary and SEND education should be funded by CIL is not within the decision-making powers of this committee; it is a decision made in another forum.

- 10.37. No health services are required by the AAP as existing services are accessible with Summertown Health Centre 2.4km away and close to bus services. The Oxfordshire Clinical Commissioning Group, seeking infrastructure funding, commented that the development will cause considerable pressure on the existing GP practices in the vicinity. Any such funding would need to come from CIL funds.
- 10.38. Paragraph 5.11 of the AAP states that the City Council will work with landowners and occupiers to facilitate the refurbishment or redevelopment of existing built areas of the Northern Gateway site (at the Wolvercote roundabout and Peartree interchange) to further enhance the strategic approach to the city. It is noted that these planning units are outside the red line of the planning application and so such improvements would take place as planning applications come forward on these sites. There is a planning obligation recommended for the developer to use reasonable endeavours to assist neighbouring landowners to facilitate the refurbishment or redevelopment of existing built areas of the Northern Gateway site to further enhance the strategic approach to the city.

b. Affordable Housing

- 10.39. Paragraph 62 of the NPPF states that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:
- off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
 - the agreed approach contributes to the objective of creating mixed and balanced communities.
- 10.40. In terms of the development plan, Policy CS24 of the Core Strategy states that residential developments on sites of over 0.25 hectares or over 10 units should generally provide a minimum of 50 per cent affordable housing. It is important to bear in mind that the policy goes on to say that, if it can be demonstrated by open book evidence that the affordable housing contribution from either residential or commercial development makes a site unviable then developers and the City Council will work through a cascade approach until a site is made viable. Developers will provide affordable housing as part of the proposed development unless the City Council, or the Secretary of State where appropriate, and the developer both consider that it is preferable to make a financial or other contribution towards the delivery of affordable housing on another site.
- 10.41. In line with policy CS24, policy HP3 of the Sites and Housing Plan also requires large sites to provide a minimum 50 per cent of dwellings on the site as affordable homes, specifying that a minimum of 80 per cent of these be provided as social rented, with remaining affordable homes provided as

intermediate housing. The policy also states that exceptions will be made to this policy if it can be robustly demonstrated that this level of provision makes a site unviable, in which case developers and the City Council will work through a cascade approach in the following order until a scheme is made viable.

- 10.42. The cascade approach outlined within the policy firstly reduces the percentage of affordable housing provided (to a minimum of 40 per cent of all homes) by reducing the intermediate housing element only. Secondly, at 40 per cent affordable housing, reintroduce an element of intermediate housing incrementally up to a maximum eight per cent of all homes. Thirdly, to make a financial contribution in lieu of on-site provision.
- 10.43. Officers would note that emerging policy H2, to which limited weight can be afforded, uses the same approach as adopted policy HP3.
- 10.44. Paragraph 5.17 of the AAP states that, owing to the specific and pressing need for affordable housing in the city, a minimum of 50 per cent affordable housing will be required, with 80 per cent of those provided as social rented and the remainder intermediate homes, in accordance with the policies of the Sites and Housing Plan. It states that the city's affordable housing policy contains a cascade approach that can be used when this policy requirement can be shown through open-book evidence to make the site unviable.
- 10.45. In terms of the Development Plan, officers would therefore advise members that whilst the starting point for Affordable Housing provision on a qualifying site should generally be to seek a minimum of 50 per cent Affordable Housing, the policies set out a legitimate position whereby exceptions to this level of provision can be justified following a full and robust assessment of viability.
- 10.46. As demonstrated by the Oxfordshire Strategic Housing Market Assessment (SHMA) (2014), and more recent post-SHMA work programme (2016), Oxford's housing need is greater than its capacity. It is therefore crucial that allocated sites achieve their housing allocation. As is set out in the emerging local plan, the provision of affordable homes is a key element of creating and maintaining mixed and balanced communities. One of the biggest issues facing residents in Oxford is the unaffordability of homes, to rent or to buy. Oxford is one of the least affordable places in the country, resulting from a combination of high land values, reducing land availability, and a shortage of homes. This means that housing is so expensive in absolute terms and compared to average salaries, that many people are priced out of the market. As such, delivering housing that is affordable in Oxford is a key priority of the City Council to help ensure that Oxford is a sustainable and inclusive city.
- 10.47. A Viability Appraisal and Affordable Housing statement both dated May 2019 have been submitted with the application. This was the result of lengthy and detailed discussions over the viability of the proposed development, including evidence gathering, scrutiny and testing. The

Affordable Housing statement concluded with a proposal to provide 25 per cent of the 480 housing units as affordable, with 80 per cent of those being social rented and 20 per cent intermediate housing. It also stated that 30 per cent overall could be provided if the tenure mix were altered to provide 70 per cent social rented and 30 per cent intermediate housing.

10.48. Subsequent to the submission of these documents, the issuing of the Council's viability advisers' report (**appendix 5**) and further negotiation, the applicant made the following final proposal on the 11 September 2019 in respect of Affordable Housing:

- 35 per cent Affordable Housing, equating to 168 of the 480 units;
- Affordable Housing tenure mix of 80 per cent social rented (135 units) and 20 per cent intermediate housing (33 units); and
- agreement in principle to a review mechanism.

Viability appraisal

10.49. As set out above, local plan policies allow for a cascade approach to Affordable Housing provision if it can be shown that provision would make the site unviable.

10.50. Paragraph 57 of the NPPF states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.

10.51. On the basis of local and national planning policy, it is therefore acceptable for the applicant to submit a viability assessment. The applicant, working with Council officers, has taken the approach of seeking to provide as much Affordable Housing on site as is viable, rather than seeking to make a financial contribution. This is welcomed given the large number of housing units proposed overall and would align with paragraph 62 of the NPPF.

10.52. The NPPG defines viability assessment as a process of assessing whether a site is financially viable, by looking at whether the value generated by a development is more than the cost of developing it. This includes looking at the key elements of gross development value, costs, land value, landowner premium, and developer return.

10.53. The NPPF requires that viability assessments follow the approach in the NPPG. This requires the applicant to set out what has changed in viability

terms since the viability assessment that informed the local plan. In its Viability Appraisal, dated June 2019, the applicant duly sets out that further investigative works into infrastructure requirements are the change that has occurred since the adoption of the AAP.

- 10.54. By way of background to the viability process, members should be aware that Savills are the viability advisers for the applicant and Gardiner & Theobald (G&T) their cost consultants; Jones Lang Lasalle (JLL) are the Council's viability consultants with Currie & Brown (C&B) as cost consultants. Savills and JLL both assess the development as a whole, reflecting the Development Plan requirement for comprehensive development. The nature of the commercial uses, and the infrastructure requirements that they generate, affect the viable level of affordable housing. This is unlikely to be repeated on other housing sites.
- 10.55. The JLL viability assessment has been carried out in line with the NPPG and with Royal Institute of Chartered Surveyors (RICS) guidance on Financial Viability in Planning. The RICS guidance requires an objective assessment of the scheme to be undertaken, and the circumstances of the particular applicant/developer to be disregarded.
- 10.56. The final report produced by JLL advising the Council (see **appendix 5**) includes an overview of the viability appraisal process which began during pre-application discussions in late 2016 and continued through the determination period of this planning application. In summary, the scrutiny of all inputs and details of viability for this development has been extensive, thorough and lengthy. It has been a collaborative and constructive process between the Council and advisers and the applicant and their advisers.
- 10.57. The original viability assessment prepared by Savills in November 2016 reported a significant negative Residual Land Value (RLV) of -£92.13 million. This appraisal assumed 50 per cent affordable housing but concluded that on the basis of the negative RLV, no affordable housing could be afforded. Indeed such a RLV indicated that the development was unviable and would therefore not come forward.
- 10.58. To improve the viability position and work towards a deliverable development, various areas were scrutinised and addressed, principally:
- Construction and infrastructure costs: at the start of the process, there was a significant difference in respect of costs assessed by G&T and C&B and hence this was subject to detailed interrogation between the respective parties' cost consultants/quantity surveyors. 'Value engineering' by the applicant sought to reduce costs while maintaining an acceptable level of design quality. There remains divergence between the two parties on costs, but the difference (before contingency) is around five per cent.
 - Land value: benchmark land value (BLV) has been significantly reduced from the original estimate by the applicant. A BLV of £12.4 million was agreed between JLL and Savills in June 2018, prior to the

revised NPPG on viability. There is no set rule for calculating BLV but the starting point should be the existing use value of the site. Indeed, the viability assessors for the Housing Infrastructure Fund (HIF) grant used a BLV of £628,800. This lower BLV has been given due weight, as is discussed later in the report.

- Energy loop: there is a substantial cost to the infrastructure of installing this, but such systems yield revenue. There is disagreement over how much and this remains a point of difference between the two parties. The higher revenue is included in sensitivity tests carried out by JLL.
- Affordable Housing values: evidence of higher than expected values being achieved in the Oxford area for Affordable Housing improved this area of the appraisal.
- Seeking funding: a LGF grant of £5.9 million has been secured to cover the cost of the A40 works, and £10m of HIF Marginal Viability grant sought.
- Infrastructure requirements: through discussions with the County Council, as discussed elsewhere in this report, the infrastructure requirements of the development have been reduced to those which are judged to be essential.
- Use of CIL: the ability for developers to use infrastructure payments in lieu of CIL has been explored and a CEB resolution was made to use CIL receipts towards appropriate infrastructure.

10.59. The above measures and collaborative working significantly improved the overall viability of the scheme, moving it into the realms of a deliverable scheme. JLL and Savills reached a position where many areas were agreed, although key areas of difference remained, most notably costs. A viability appraisal was produced by Savills on the basis of 25 per cent Affordable Housing (of which 80 per cent is social rented and 20 per cent intermediate housing, i.e. 80:20) and this was checked by JLL. JLL then undertook a number of “sensitivity tests” or scenarios, altering certain inputs each time in the viability appraisal. Generally, viability appraisals give an output of residual land value (RLV) or return on risk (developer profit). In this case, the output is return on risk.

10.60. The results of the scenarios in the sensitivity tests were as follows.

10.61. JLL’s review of the Savills appraisal produced a return on risk of 11.76 per cent (scenario 1 in the JLL report). JLL would expect a scheme of this complexity to require a return of around 20 per cent (profit on cost) for a developer to be prepared to proceed and for it to be fundable. Therefore, based on Savills’s assumptions, the scheme is not viable with 25 per cent Affordable Housing.

10.62. In scenario 2, JLL changed the costs provided by G&T to the C&B costs and included the higher anticipated energy loop revenue. This produced an 18.56 per cent return on risk. JLL conclude that this level of return meant that the scheme was viable albeit at a profit level marginally below the 20

per cent which developer's traditionally seek. JLL's professional view is therefore that 25 per cent Affordable Housing is viable based upon their original view of the BLV, i.e. £12.4 million.

- 10.63. JLL acknowledge in their report that there is no set rule for calculating BLV, only guidance. They also note that in reaching agreement on the BLV, they had regard to what is now outdated advice, superseded by the NPPF 2019 and NPPF 2019. The guidance is to apply a premium to existing use value to reach a minimum at which a landowner would be willing to sell.
- 10.64. Homes England, in assessing the HIF bid for the site, used a dramatically lower land value of £628,800 based on existing use value plus 20 per cent. JLL's professional opinion is that this land value would not persuade a landowner to sell. Officers would consider this figure to be at the very lowest end of a reasonable interpretation of guidance on setting BLV. However, as a government body, it is reasonable and appropriate for the Council to give weight to the Homes England land value. Therefore, JLL produced a number of scenarios using this much lower BLV.
- 10.65. Scenario 7 in the JLL report demonstrates that, by using the Homes England land value, an Affordable Housing percentage of 35 per cent can be achieved. Using the higher £12.4 million BLV but altering the tenure mix from 80:20 to 70:30 also makes 35 per cent Affordable Housing marginally viable. Officers note that a lower profit level would also make a difference to the level of provision.
- 10.66. These scenarios were discussed with the applicant. Officers noted that with the Scenario 7 assumptions, 35 per cent Affordable Housing, with a 80:20 tenure split between social rented and intermediate housing appeared to be the maximum that the development could reasonably support. The applicant's offer dated 11 September 2019 of 35 per cent Affordable Housing based on a 80:20 tenure split reflects their acceptance of this position. The applicant has also accepted the need for a review mechanism that allows additional Affordable Housing or a financial payment to be made if the development proves to be more viable than expected.
- 10.67. Officers would note that JLL was requested to test a scenario whereby 50 per cent Affordable Housing is included (240 units). This produced a return on risk of nine per cent using the £12.4 million BLV and 12 per cent using the Homes England lower BLV. Both figures are significantly below the 20 per cent threshold for return on risk. In practical terms, a development would be unlikely to commence with this level of return on risk. In planning terms, having regard to the NPPF and NPPG, it would be unreasonable and unjustifiable to require a 50 per cent level of Affordable Housing for this development, or indeed a percentage above 35 per cent.

Reasons for marginal viability

- 10.68. JLL in its report states that there is no single factor that has impacted viability for this development, rather four principal reasons.

- 10.69. In spite of the site being greenfield, the cost of on-site and off-site infrastructure to release the site for development is significant, totalling approximately £80 million. This figure excludes the A40 works which are funded separately, CIL and Section 106 contributions. As previously noted, the scope of the works has been significantly reduced to create better value. These costs are over £1 million per gross acre. In JLL's experience, costs for strategic sites typically range from £100,000 to £500,000 per acre.
- 10.70. The nature and quality of the scheme is another factor. The majority of strategic sites provide lower density traditional housing development or offices in the format of business parks. In contrast, the proposals for Oxford North propose a higher density scheme comprising a mix of commercial and residential uses, and will seek to create a new urban quarter to the city. The scheme is bespoke, high quality, mixed use and, as a consequence, the costs of construction are higher than more typical developments.
- 10.71. The provision of large single block offices at the scheme results in a significant finance burden. The buildings cannot be phased and must be completed before a tenant can move in. There is also a risk that the buildings may stay vacant for a time post completion. This contrasts with a standard housing scheme which provides a more steady flow of cost and income.
- 10.72. Given the extent of infrastructure and the bespoke nature of the scheme, which would create a new quarter of the City of a significant scale, the project carries significant risk for the applicant in terms of its viability and delivery. This is reflected in JLL's recommended return on risk of 20 per cent, which is higher than for more typical schemes where risks are lower. This has an impact on development viability.

Mix of dwellings

- 10.73. The Affordable Housing and Planning Obligations SPD and policy H4 of the emerging local plan both specify the mix of unit sizes for the affordable element of housing provision. The Affordable Housing mix for each reserved matters applications will need to be assessed against the standards current at that time. Similarly, applications will ensure that they meet standards for the proportion of homes to be accessible and adaptable. The location of the Affordable Housing units and market housing units cannot be determined at this stage; this would be considered as part of reserved matters applications.

Assessment of level of Affordable Housing

- 10.74. It is officers' considered professional view that, mindful of the conclusions of the Council's independent viability assessors, JLL, the applicant's proposal of 35 per cent Affordable Housing at a 80:20 tenure mix is the proper upper limit of what this development can justifiably be required to

provide. The application's Affordable Housing proposal has been robustly justified through viability evidence and is compliant with the provisions of the AAP, NPPF, the NPPG, adopted policies CS24 and HP3 and emerging policy H2.

- 10.75. As noted above, a review mechanism is recommended to be set within the legal agreement that would guarantee a minimum of 35 per cent Affordable Housing across the whole site and capture further opportunities to increase the Affordable Housing offer that might exist post planning consent, such as value uplift or cost savings.

c. Transport and highways

- 10.76. Paragraph 103 of the NPPF states that significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Paragraphs 108 and 109 require that safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree; development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 110 requires priority be given first to pedestrian and cycle movements; and that development creates places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles. Paragraph 111 notes that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 10.77. Policy CP1 of the Oxford Local Plan 2001-2016 requires development to be acceptable in respect of access, parking, highway safety, traffic generation, pedestrian and cycle movements, while policy CP10 requires developments to ensure that access to the site is practicable, with priority given to pedestrians and cyclists. Policies TR1 and TR2 of the Oxford Local Plan 2001-2016 require a transport assessment and travel plan to be submitted with applications likely to have significant transport implications. These policies state that the City Council must be satisfied that adequate and appropriate transport-related measures will be put in place.
- 10.78. AAP policies NG4, NG5 and NG6 cover requirements for travel and transport; more detail of these requirements is included later in this section of the report. NG4 and NG6 set out specific standards for cycle and car parking for the site, which take precedence over the local plan car and cycle parking policies.
- 10.79. Emerging policy M1, to which only limited weight can be afforded, requires development to minimise the need to travel and be laid out and designed in a way that prioritises access by walking, cycling and public transport. The

objectives of this policy are closely aligned with those of the AAP transport policies.

- 10.80. Emerging policy M2 would require a transport assessment, delivery and service management plan, and construction management plan for this development. These are either provided or required by condition or planning obligation.
- 10.81. The outline application provides detail of access, with other matters reserved. Therefore the application includes proposed highways drawings and access details for the wider site for vehicles, cycles and pedestrians and shows how these would fit into the surrounding access network. The application includes Parameter Plan 01: Access and circulation which indicates the link road between the A40 and A44; the key cycle and pedestrian connections; locations of junctions, tertiary streets; and links to third party land. Detailed highways drawings are included for the A40 and A44, the link road, plus the interim junction between the A44 and link road proposed in the detailed part of the application. The Design and Access Statements for the masterplan and the detailed planning application contain details and information relevant to transport, travel and highways.
- 10.82. As required by the AAP and any application of this size, the outline application includes a transport assessment and appendices within the Environmental Statement which considers the impact of the development at fully operational stage at 2031, and a framework travel plan. A supplementary transport assessment was submitted in March 2019 to set out the additional traffic modelling undertaken to satisfy the requirements of the County Council and Highways England. A Technical Note on traffic modelling was submitted in June 2019, as requested by Highways England, which gives updates to the 2021 and 2031 traffic modelling scenarios.
- 10.83. The transport assessment in the Environmental Statement follows the Institute of Environmental Management and Assessment guidance and parameters. The mitigation package proposed with the development has positive effects as it provides improved pedestrian facilities and more efficient junctions. Therefore, the assessment has not found any significant effects of the operational phase of the development.

Proposed transport mitigation

- 10.84. The application proposes a range of mitigation measures which are summarised below.
- 10.85. Improvements to the A40 are proposed that will include:
- Eastbound bus lane – required to mitigate impact of congestion resulting from development at new junction on the A40 and Wolvercote roundabout. Bus lanes allow buses to bypass traffic and improve journey times of bus services

- Bus stops – two new pairs of bus stops with waiting facilities and Real Time Information displays. The cycle lane bypasses behind the bus stop creating a floating bus stop
- Cycle lanes – 2 metre wide cycle lanes in both directions. These will take the form of stepped cycle lanes providing a segregated facility
- Shared use paths – 3 metre wide paths on either side of the A40 to provide high-quality routes for pedestrians and cyclists
- Junctions to serve the Canalside and Central parcels
- Toucan crossings – controlled pedestrian / cycling crossings provided at the signalised junction on the A40 connecting with the on-site link road. A further controlled crossing provided towards Wolvercote roundabout to connect with the walking routes provided through the site connecting to the Public Rights of Way which lie to the south of the development site and connect with Wolvercote
- Speed reductions – speeds will be reduced to 30 miles per hour from Duke's Cut to Wolvercote roundabout to create a more pedestrian and cyclist friendly environment and change the function of the road from a strategic link to a local road with active frontage due to presence of development

10.86. As noted elsewhere in this report, the A40 works are to be funded by Local Growth Fund money. These works form part of the detailed part of the planning application.

10.87. Improvements to the A44 are proposed that will include:

- Temporary junction – temporary left out, right in, left in junction required as part of phase 1a directly related to the development
- Permanent junction – signalised junction provided to link with the Central parcel and a separate signalised junction to serve the Eastern parcel
- Bus lanes – southbound bus lane as existing and a northbound bus lane with bus stops. Tiger crossings across bus lane provided at two locations to link with the controlled crossings of the main carriageway
- Bus stops – existing bus stop close to Park and Ride to be upgraded and a new set of bus stops provided further south with waiting facilities and Real Time Information displays. The cycle lane bypasses behind the bus stop creating a floating bus stop
- Cycle lanes – 2 metre wide cycle lanes in either direction. These will take the form of stepped cycle lanes providing a segregated facility
- Toucan crossings – three controlled pedestrian/cycle crossings provided at the signalised junctions serving Peartree Park and Ride, Central and East parcels
- Speed reductions – speeds will be reduced to 30 miles per hour from Peartree interchange to Wolvercote roundabout to create a more

pedestrian and cyclist friendly environment and change the function of the road from a strategic link to a local road with active frontage due to presence of development

- 10.88. The A44 works are expected to be delivered by the developer who will need to enter into an agreement under Section 278 of the Highways Act 1980 to undertake the works on the public highway. These works will be subject to Technical Approval as part of the agreement. The part of the works that would have a wider public benefit are likely to be eligible for infrastructure payments (in lieu of CIL payments) under the provisions of Regulation 73A of the CIL Regulations if the Council decides to permit such an approach.
- 10.89. The temporary junction is required prior to occupation of phase 1a while the full scheme is required to be delivered prior to occupation of the next phases. This is because the footways, cycle lanes and bus lanes are required to realise the mode shares being targeted by the development as part of the transport strategy. These works and their timely delivery are proposed to be secured by either condition or legal agreement.
- 10.90. Measures are proposed to provide safer routes to school from the development to Wolvercote Primary School via localised widenings of the footway and pedestrian refuge provision on Godstow Road; and a zebra crossing on First Turn in front of the school. The works are expected to be undertaken via a Section 278 agreement. The works are likely to be eligible for infrastructure payments (in lieu of CIL payments) under the provisions of Regulation 73A of the CIL Regulations if the Council decides to permit such an approach.
- 10.91. Enhanced bus services are to be provided from the site to Headington as part of an "Eastern Arc" service from the north of the city, via the hospitals and on to Cowley. The developer contribution is for £2.88 million over an eight-year period to be secured by legal agreement with a mechanism to recover the contributions to the development should the service gain commercial viability sooner than expected.
- 10.92. The development would make a proportionate contribution towards a County Council scheme to make improvements to the Peartree interchange. Such a scheme would improve the capacity of the roundabout by increasing the entry and circulatory lanes, signalisation of the roundabout and provision of pedestrian/cycle crossing along the eastern side. This can be funded using CIL receipts from the development.
- 10.93. Parking controls in neighbouring areas are needed to prevent overspill parking within walking or cycling distance of the site. Contributions are therefore needed for the County Council to implement a Controlled Parking Zone in Upper and Lower Wolvercote and possibly parking controls in Yarnton. This can be funded using CIL receipts from the development.

Sustainable travel

- 10.94. Policy NG4 states that the City Council will work with delivery partners to facilitate pedestrian and cycle improvements including:
- Provision of three convenient cycle and footpath crossings of each of the A40 and A44 (at the new link road junctions, at the Wolvercote roundabout and at an additional location in between those two);
 - Provision of a high quality cycle link to the new Oxford Parkway Railway Station (connecting with the Banbury Road cycle path, through Five Mile Drive);
 - Provision of high quality pedestrian and cycle links from the site to nearby residential areas and facilities (including local schools) and connecting with existing Rights of Way.
- 10.95. Policy NG4 goes on to state that planning permission will not be granted for development that compromises the delivery of these pedestrian and cycle improvements, and that planning permission will only be granted for new roads within or serving the site if they are designed to prioritise pedestrian and cycle movements and access to public transport.
- 10.96. Policy CHS4 of the Wolvercote Neighbourhood Plan, to which limited weight is afforded, requires new development to ensure safe access to schools, community facilities and retail outlets where it is practicable to do so. It further states that proposed developments should consider the provision of routes connecting with adjacent streets and sites, including the commons. These routes should be made Public Rights of Way where practicable, or Permissive Rights of Way. It is considered that the proposal's safe routes to school improvements and overall movement network mean the development complies with this emerging policy.
- 10.97. Works to the Wolvercote roundabout, which have already been completed, provided cycle and pedestrian crossings on the A40 and A44. The application proposes three toucan crossing points on each road, conveniently placed for connecting cycle and pedestrian routes through the whole site and beyond. These are detailed on page 163 of the Design and Access Statement: Masterplan. This exceeds the requirements of NG4.
- 10.98. The question of grade separation for cyclists around Wolvercote roundabout was raised in a number of public comments. It should be noted that the Wolvercote roundabout is neither within the red line of development nor within the control of the application. Notwithstanding this, officers understand that a grade separation was considered by the County Council. Due to the limited amount of public highway available, a grade separated solution is not deliverable. The visual impact of such a large piece of infrastructure would need to be considered as well as whether such an arrangement creates a cycle-friendly environment for all cyclists and at all times of the day. Officers consider that the high-quality cycle infrastructure proposed on the A40 and A44 in conjunction with the change in character of the streets to urban streets will provide a cycle-friendly environment.

- 10.99. A comment from the Oxford Bus Company raises the question of whether bus lanes can run up to the Wolvercote roundabout to give greater bus priority. The County Council has informed officers that there is insufficient highway boundary space to do so. To reallocate the general traffic lanes to bus lanes would have a significant adverse impact of the operation of the roundabout and so cannot be pursued.
- 10.100. The on-site network of cycle routes connects with Five Mile Drive. A shared pedestrian/cycleway from Peartree Park and Ride is proposed to connect with the existing cul-de-sac serving 369-400 Woodstock Road and through to Five Mile Drive. Such a route would create a cycle route from all parts of the site to Oxford Parkway station via the Banbury Road segregated cycle path. Page 164 of the Design and Access Statement also sets out a potential cycle route north through the Park and Ride and alongside the railway line. This is beyond the control of the applicant, and in part outside Oxford City Council boundaries. Cherwell District Council has commented on the planning application, stating that it is “desirable to maximise the potential opportunities for connecting links with the Oxford North site” to achieve “mutual benefits, including pedestrian/cycle connection to Oxford Parkway”. Parameter Plan 01: Access and circulation shows where a cycle connection could be located to the north of the East parcel where it meets the Park and Ride. In the interests of sustainable transport – both cycling and rail – it is recommended that the legal agreement secure an obligation on the developer not to prejudice the direct cycle link to Parkway and to work with neighbouring landowners to complete such a link.
- 10.101. The improved cycle lanes on the A40 and A44 provide connections towards the city. Pedestrian and cycle routes are proposed connecting from Oxford Canal Walk and Joe White’s Lane (National Cycle Network route 5) in the west, through the site to the East parcel in the east. Upgrades to this route are not required as part of this application because high-quality cycle connections on the A40 and A44, which provide year-round cycle routes, have been prioritised. The Local Education Authority anticipates that all primary pupils will attend Wolvercote Primary School and so the County has worked with the developer on two schemes – localised widening of the footway and provision of a pedestrian refuge crossing on Godstow Road, and a zebra crossing on First Turn outside the primary school – which would ensure safe routes to school. These would be delivered directly by the developer and secured via legal agreement to ensure they are in place before residential occupation. The works are likely to be eligible for infrastructure payments in lieu of CIL should the Council decide to adopt this approach.
- 10.102. The link road has been designed to give cyclist priority within the slow moving street with wide footways for pedestrians. The masterplan sets out the cycle and pedestrian routes within the site which tie in with the location of bus stops on the A40 and A44 and the hugely upgraded cycle facilities on these trunk roads. The development’s roads, within or serving the site, have been designed to prioritise pedestrian and cycle movements and access to public transport.

- 10.103. The question of whether the cycle provision for the development complies with the County Council's standards including Cycle Super Route standards was raised by a number of parties via public consultation. The County Council as Highways Authority has been closely involved through pre-application discussions as the applicant developed the highways proposals. The County Council raises no objection to the highways proposals which include stepped, segregated two-metre cycle lanes on the A40 and A44. Shared paths for use by pedestrians and cyclist are in addition to, not instead of, the segregated cycle lane provision.
- 10.104. Improvements to Joe White's Lane and a stretch of the canal towpath have been suggested via the public consultation process. As discussed elsewhere in this report, there has been a process of prioritising infrastructure requirements for the development. The improvement of these two routes is therefore included on the unfunded supporting infrastructure list (see **section 10m**) so that it can be delivered should sufficient funding become available.
- 10.105. Policy NG4 also sets out the cycle parking standards for the AAP site with which the proposed development would comply. This is discussed in further detail later in this report. Overall, therefore, the development would comply with policy NG4.

Highways and access

- 10.106. Policy NG5 of the AAP sets out that the City Council will work with delivery partners to facilitate transport improvement measures including:
- Provision of a new on-site link road between the A40 and A44 towards the northern edge of the development site, accessed by a new four-way junction on the A40 and a new four-way junction on the A44;
 - Improvements to the Peartree interchange;
 - Improvements to the Wolvercote and Cutteslowe roundabouts;
 - Provision of enhanced bus services along the A40 and A44 corridors including bus priority, new bus stops, improved waiting facilities and opportunities for interchange;
 - Provision of an enhanced Peartree Park and Ride facility with additional spaces, improved waiting facilities, and a decked car park.
- 10.107. The highway and access proposals with this application include a link road between the A40 and A44, with the full highways proposals including junctions on the A40 and A44. An interim 'left-in left-out' junction on the A44 is proposed as part of the full application, with the complete A44 junction onto the link road proposed to be carried out by the developer in a later phase of development.
- 10.108. The A40 works including the four-way junction are included in the full application as well as a give-way junction onto the A40 closer to the Wolvercote roundabout that would provide a second access to the

Canalside parcel. These works are to be carried out by the County Council as Highways Authority using Local Growth Fund money.

- 10.109. The complete A44 junction is a three-way junction since the proposed access to the East parcel, which is signalised, does not line up with the junction onto the link road. This is considered to be acceptable by officers and the Highways Authority.
- 10.110. The link road is proposed to be 6.5 metres wide with a speed limit of 20 miles per hour and a weight restriction to discourage HGVs routing through the site. The road width will widen at the junctions to allow for dedicated left and right turn lanes at either end.
- 10.111. The internal link road has been designed with cyclists in mind, allowing the use of the full width of the carriageway in the middle section to give cyclist priority within the slow moving street with wide footways that vary between 3 metres (to allow for parking bays) and 6.5 metres. Dedicated cycle lanes of 2 metres are provided from the exit lane leading to Advanced Stop Lines (ASLs) to allow cyclists to join the cycle lanes on the A40 and A44.
- 10.112. Several 2.5 metre-wide laybys are provided along the link road to provide short-stay on-street parking as well as dedicated loading bays. These are located away from the junctions to the A40 and A44 as well as away from the internal junctions and therefore do not obstruct visibility at the junctions.
- 10.113. The on-site link road will need to be constructed to an adoptable standard. In this instance it is the intention of the developer to construct the link road to a high specification with materials which are suitable for public highway that also allow the developer to create an exemplar place. The road would be dedicated as highway but not adopted (to allow for developer maintenance of the road) via an agreement pursuant to Section 38 of the Highways Act 1980. The agreement would also include waiting and parking restrictions, and weight restrictions to prevent through-HGV traffic on the link road. The Highways Authority requires the road to be operational and dedicated at occupation of 5,000 square metres of employment floorspace so that it can accommodate bus services.
- 10.114. The improvements needed to Peartree interchange are required to support wider growth and existing capacity issues. Therefore it has been calculated that this development should not be required to pay for the whole scheme. The development will provide a 12 per cent contribution towards a scheme that will be implemented by the County Council which seeks to increase capacity at Peartree interchange and provide safe crossings on the western side of the roundabout for pedestrians and cyclists. CIL receipts from this development can be used to make this contribution to the County Council.
- 10.115. Highways England has been closely consulted throughout the pre-application process and during the determination of the application. It is responsible for the strategic road network and ensuring that it operates and is managed in the public interest. The A34 is part of the strategic road network and therefore Highways England has focussed on the impact the

development may have on issues such as queuing on the A34. The most recent formal comment from Highways England is a request not to determine the application pending further information that has been sought. Officers understand that Highways England now have this information and that a final formal comment is due to be issued in the days following publication of this report; officers will provide a verbal update to committee.

- 10.116. Improvements to Wolvercote and Cutteslowe roundabouts have been delivered by the County Council through the City Deal funding secured in 2015/16.
- 10.117. The proposed A40 scheme provides two pairs of bus stops with waiting facilities and Real Time Information, while the A44 scheme provides a new pair of stops and upgrades the two existing bus stops with waiting facilities and Real Time Information. Bus priority is also provided on the A40 with an eastbound bus lane and on the A44 with north and southbound bus lanes. A financial contribution secured via legal agreement is recommended to ensure a bus route servicing the Eastern Arc from the site through to Headington is subsidised until such time as they become commercially viable. The County has estimated that payments shall be over an eight-year period totalling £2.88 million. However, officers recommend that regular reviews are included in the terms of the legal agreement so that payments would be tailored to reflect the degree to which services are becoming self-sustaining during the eight-year period. Any residual from the £2.88 million may be used towards unfunded supporting infrastructure for the scheme.
- 10.118. The red line site boundary does not include the Peartree Park and Ride and no improvements to the facility are proposed. Officers do not recommend that the development makes a financial contribution towards improvements. This is in part because there is no direct impact on the Park and Ride caused by the development, albeit that improvements to sustainable transport options would underpin and mitigate additional development in the wider AAP area. In addition, the marginal financial viability of the development means that officers have had to prioritise infrastructure requirements for the site and do not consider Park and Ride improvements to be a priority. Improvements to the Park and Ride facilities will be included on the unfunded supporting infrastructure list so that they can be delivered should sufficient funding become available.
- 10.119. The outline part of the hybrid application provides details of access (with all other matters reserved) which would be secured if planning permission is granted through the approval of Parameter Plan 01: Access and circulation and the various highway infrastructure drawings submitted with the application. Approved drawings for the detailed part of the application would be those setting out the A40 improvements and junctions into the site, the central street/link road and the interim left-in, left-out junction from the Central parcel onto the A44.

Highways impact and mitigation

- 10.120. Policy NG5 goes on to state that planning permission will not be granted for development that adversely impacts the safe and efficient operation of the local and strategic highway networks or that compromises the delivery of these highways improvements. Planning applications for built development must be accompanied by details of how proposed development will help facilitate the delivery of transport improvements and mitigation measures.
- 10.121. It is therefore necessary to consider trip generation foreseen as a result of the development, the traffic modelling work included in the application and the conclusions it draws in relation to predicted traffic impact, and finally the proposed mitigation measures.
- 10.122. The application follows an extensive period of pre-application consultation with the County Council as Highways Authority and with Highways England. Highways England is responsible for the A34 as part of the strategic road network while the County Council is responsible for the local highway network.

Trip generation

- 10.123. Trip generation estimates are based on the development fully built out and take into account the reduced level of car parking proposed on site and the proposed mitigation measures, such as high-quality bus and cycle lanes, new bus stops and enhanced bus services.
- 10.124. By 2031, it is predicted that the development will generate 2,686 trips in the AM peak period (0700-1000) and 2,624 trips in the PM peak period (1600-1900) by non-car modes. A majority of these trips would be made by bus and cycle.
- 10.125. In comparison, 2,923 trips in the AM peak period and 2,819 trips in the PM peak are expected to be made by car drivers and those travelling as car passengers. This equates to approximately 974 trips in one hour in the AM peak and 939 trips in one hour in the PM peak by car.
- 10.126. The development site is located on a constrained road network. Therefore, it is critical that this development does not generate significant levels of traffic that would adversely impact the strategic road network. The mitigation package which focusses on sustainable travel enhancement is therefore crucially important in bringing this development forward.
- 10.127. Phase 1a is predicted to generate 411 trips in the AM peak period and 339 trips in the PM peak period by sustainable modes. In comparison, 442 trips in the AM peak period and 399 trips in the PM peak period are expected to be made by car drivers and those travelling as car passengers. This equates to 147 trips by car in one hour in the AM peak and 133 trips by car in one hour in the PM peak.

Traffic modelling

- 10.128. The application includes three traffic model scenarios:
- 2016 as a base year
 - 2031 reference (without development)
 - 2031 test (with development and proposed mitigation)
- 10.129. It should also be noted that the highway modelling undertaken to assess the impacts of the development have not included transport strategy proposals or schemes which would be expected to support further mode shift away from private car travel. The results of the modelling should therefore be seen as a worst-case scenario. Schemes not modelled include the proposed A40 Eynsham Park and Ride and inbound bus lane scheme, as well as wider bus priority and cycle and pedestrian improvements proposed along Woodstock Road and Banbury Road corridors (beyond the development) with some elements already receiving Growth Deal Funding to deliver improvements by 2023. The County Council's Local Transport Plan proposals for further demand management in Oxford along with the City Council's emerging local plan proposals to restrict and, over time, reduce the amount of residential and workplace parking across the city, have not been taken into account.
- 10.130. The modelling shows a level of displacement of existing traffic using the local area as a result of the new development. This means that existing trips may use a different route or time their trips to avoid peak hours.
- 10.131. The modelling shows that there would be negligible impact on Loop Farm roundabout (the small roundabout immediately to the north of the Peartree interchange) in the AM peak period while an improvement in performance is expected in the PM peak period which can be attributed to the mitigation package being implemented with the development.
- 10.132. Peartree interchange is modelled as a signalised roundabout as proposed with the development. The scheme includes queue flushing loops on the off-slips from the A34 as required by Highways England. The results show that queues on the off-slips would be contained within the slip roads and not affect the operation of the mainline of the A34. It also shows that queues on the A44 North would increase in the AM peak but remain comparable to queueing without the development in 2031 in the PM peak period.
- 10.133. The modelling results for Peartree Park and Ride access junction shows an improvement in the operation with the development and the proposed mitigation package which includes signal optimisation at this junction. There would be an increase in queueing on the Park and Ride arm but not to a detrimental extent.
- 10.134. The modelling results for Wolvercote roundabout show that the operation of A44 North will improve in both the AM and PM peak periods. It shows a moderate impact upon the operation of Five Mile Drive, Godstow Road and

Woodstock Road, while the operation of the A40 East and West are shown to improve.

- 10.135. The results for the A40 at Wolvercote roundabout need to be considered together with the modelling results for the A40 / Site Access junction as one impacts upon the operation of the other. The modelling results for this junction show the build-up of a 3km queue in the AM peak period. It is recognised that this level of queueing in the AM peak period is broadly comparable to the extent of queueing experienced before the improvements to Wolvercote and Cutteslowe roundabouts were completed in October/November 2016 based on the comparison provided with queue length surveys undertaken in 2008 (recorded queue length of 2.75km in the AM peak). In the context of the proposed improvements that would be provided through the development including the high quality foot and cycle ways along both sides of the A40 and the eastbound bus lane, the County Council as Highways Authority has found this level of impact acceptable.
- 10.136. The results at Cutteslowe roundabout vary from arm to arm. The A40 East shows a worsened impact in the AM peak period while A40 West shows a worsened impact in the PM peak period. However, these impacts are not expected to adversely impact the surrounding network.
- 10.137. Finally, the two site access junctions on the A44 are expected to operate with minimal queues building up and therefore would not impact upon the operation of Peartree interchange or Wolvercote roundabout.
- 10.138. Modelling for 2021 to assess the impact of the detailed phase of development for which planning permission is sought was requested by the County Council and Highways England. This work confirms that the delivery of the A40 works is beneficial and mitigation is required at Peartree interchange prior to development beyond the detailed part of the application is occupied.
- 10.139. Two mitigation options have been considered for Peartree interchange: the signalisation of A34 off-slip roads only or the full signalisation of the junction.
- 10.140. The network statistics do not vary greatly for the two options tested in the AM peak period but show less delay and higher speeds in the PM peak period with full signalisation. Full signalisation results shows less queueing on the A44 at Loop Farm and Wolvercote roundabout. On this basis, it is recognised that the scheme being promoted by Oxfordshire County Council for Peartree interchange (which includes full signalisation of the roundabout with increase in circulatory capacity) should be brought forward before phase 1a is fully occupied. The County Council and developer will need to discuss and agree timescales at the appropriate time. The Growth Deal money that will forward fund the scheme must be spent by March 2023 but the County Council anticipates that the scheme will come forward before this.

- 10.141. Officers understand that Highways England will be lifting its holding objection to this application because it has been sufficiently demonstrated that there will be no severe impact or queueing on the strategic road network, i.e. the A34 in this location, due to the provision of signalisation of Peartree interchange. In the absence of formal confirmation, the officer recommendation to approve the application as set out in section 1 of this report is contingent upon no objection being raised by Highways England. Officers anticipate a comment being submitted before committee and, if this is the case, a verbal update will be made.
- 10.142. Finally, policy NG5 states that mitigation measures must be implemented in accordance with the agreed phasing of development, with full implementation prior to the occupation of the final development phase. Planning permission will only be granted for new roads within the site if they are based on low vehicle speeds giving priority to provision for walking, cycling and easy access to public transport. Roads other than the link road, which is to be dedicated highway, are not to be adopted or designated and so the legal agreement is recommended to secure unfettered public access on all on-site roads including pedestrian and cycle routes.
- 10.143. The phasing of the highway works proposed is for all A40 works, the link road and an interim junction onto the A44 to be implemented in phase 1a. The A40 works are being carried out by the County Council with Local Growth Fund (LGF) funding, which needs to be spent by March 2021. A memorandum of understanding (MOU) is being agreed between the LGF and County Council. This provides certainty on the delivery of these works. Notwithstanding that the A40 works included in the planning application are to be undertaken by the County Council, they will be secured via the legal agreement, ensuring that the works will take place to enable the development regardless of who delivers them.
- 10.144. The revised Design and Access Statement: Masterplan includes a more detailed appraisal of how a more direct cycle link from the site could be made with Oxford Parkway station (see page 165). While much of the link would be off-site, this shows a clear intent for a future connection. Officers recommend that the legal agreement secure a requirement that the development be designed so as not to prejudice a direct cycle link to Parkway.

Cycle parking

- 10.145. Policy NG4 sets ambitious minimum cycle parking standards, above those of the adopted Oxford Local Plan 2001-2016 and the emerging local plan. Each reserved matters application will be assessed as it comes forward against the AAP standard.
- 10.146. The detailed part of the application seeks permission for 15,850 square metres of employment use and therefore, at 1 space per 50 square metres, 317 cycle parking spaces are required. The detailed part of the application proposes an area of temporary car and cycle parking on the north side of the link road on a plot of land identified for phase 1f of the wider

development. The cycle store will be secure, with access provided through a key card system, and contain two-tier cycle racks providing spaces for 248 cycles. Manufacturer's details have been checked to ensure there is sufficient space between racks for the two-tier system to operate correctly. Ninety uncovered cycle parking spaces are proposed throughout the public realm of phase 1a and on the link road. The total number of cycle spaces is therefore satisfactory.

- 10.147. The permanent cycle store for phase 1a is likely to be located between the Red Hall and adjacent development to the west. Details of this would come forward at reserved matters stage. Officers note public comments regarding provision of accessible cycle parking spaces; this would be expected as part of the reserved matters detail submitted. Emerging policy M5, to which limited weight can be afforded, would require an appropriate amount of parking for the needs of disabled people and facilities for electric charging infrastructure.
- 10.148. Showers and changing facilities are provided beneath the Red Hall for use by both the Red Hall and Workspace building users.
- 10.149. The cycle parking proposal would comply with AAP requirements and is considered acceptable.

Car parking

- 10.150. The AAP encourages sustainable travel choices and, accordingly, it seeks to strike a balance between providing sufficient car parking spaces to allow the uses to function effectively whilst reducing the number of cars on the local road network and the land take for car parking. Policy NG6 of the AAP sets maximum car parking standards below the Local Plan 2001-2016 parking standards as follows:
- residential car parking as set out in the Sites and Housing Plan
 - employment car parking 1 space per 50 square metres
 - hotel car parking 1 space per 2 bedrooms and 1 space per 2 resident staff
 - retail car parking 1 space per 50 square metres
- 10.151. It states that residential car parking must include unallocated spaces, and non-residential car parking should be designed to maximise the use of shared communal facilities. Car parking should be integrated into the street design as far as possible. Applications for employment development must be accompanied by a full car parking management plan to be agreed with the City and County Councils. NG6 further states that the City Council will support the extension of Controlled Parking Zones to cover the site and neighbouring areas.
- 10.152. Emerging policy M3, to which only limited weight is afforded, sets no specific car parking standard for non-residential uses; the level should be determined through the transport assessment and travel plan. The site-

specific AAP standard is therefore considered appropriate for this development.

- 10.153. The temporary car park, for which planning permission is sought as part of the detailed application, to be sited to the north of the link road would provide 253 car parking spaces, of which 13 are disabled bays, plus 19 motorised two-wheeler spaces. Ten per cent would have electric vehicle charging points. These spaces would serve the Red Hall and Workspace Buildings proposed in the detailed application and the quantum would fall below the maximum parking standards. The level of disabled parking spaces is compliant with the five per cent requirement and the electric charging points also comply with current standards.
- 10.154. Temporary parking is proposed because the permanent location would be within a decked system that is proposed to be constructed in a later phase of development. Eight permanent car parking spaces including three disabled bays are proposed on the link road, integrated into the street design as required by the AAP. These are unallocated visitor spaces.
- 10.155. The transport assessment recognises the value of limiting parking provision within the development to encourage the employees, residents and visitors of the site to travel to and from the site using sustainable transport. The applicant has therefore expressed an ambition to provide reduced levels of car parking over time as the development is built and occupied. The proposed mitigation package offers a number of alternatives to car travel.
- 10.156. The application sets out an ambition to reduce car use over time for trips to and from the site. This will need continual assessment as the development is built out and beyond, and sustainable travel options increase; a reduction in the number of car parking spaces is therefore proposed to be secured via legal agreement.
- 10.157. The wider car parking strategy for the whole development includes a mixture of parking typologies. Officers are concerned that some of the locations proposed in the car park phasing plan will not provide the required activity onto the A40 and A44. For example, a decked car park is proposed on the A44 occupying a significant stretch of road frontage, not contributing to street activity. However, the locations and format of car parking can be considered at reserved matters stages. The principle of a variety of car parking typologies including on-street parking is acceptable in compliance with the AAP.
- 10.158. Controls are needed to ensure those people using car parks on site are authorised to do so; this is likely to be done through a number plate recognition system. Details will be provided through the car parking management plans that are recommended to be secured by condition or legal obligation for each reserved matters application, as well as a plan for the detailed application. Similarly, controls to prevent site users from parking at the Park and Ride are needed to ensure the facility retains capacity for its primary function of keeping vehicles at the edge of the city. This is recommended to be secured by condition.

- 10.159. Controlled Parking Zones (CPZs) and parking controls are considered appropriate to be introduced in Upper and Lower Wolvercote as well as in Yarnton to prevent those coming to the site from parking in these nearby areas and walking or travelling by bus to the site. Preventing such overspill parking will control the number of vehicles movements to the site, restricting this to the number of car parking spaces on site. This is a matter for the County Council to implement, as noted above. These measures align with the AAP; the cost of buying permits for residents is not a new material consideration that would counter the policy position regarding CPZs.
- 10.160. A car parking phasing and management plan is recommended to be secured either by condition or legal agreement. It is not necessary to secure car parking numbers for future phases because any reserved matters application will need to comply with the AAP and travel plan requirements in respect of car parking.

Travel Plan

- 10.161. A travel plan is a strategy and action plan, specific to a site or development, which leads to fewer journeys by private car to and from the site, and more travel by sustainable means.
- 10.162. The application's framework travel plan includes the following measures and targets:
- Target mode share which would see a reduction of approximately 12 per cent in trips made as a car driver / motorcycle rider and increases of 9 per cent and 2.4 per cent in trips made by active modes and public transport respectively.
 - Appointment of travel plan coordinators
 - Workplace travel plans
 - Residential travel plans
 - Implementation, monitoring and review process
- 10.163. Further developments to the framework plan are required by the Highways Authority and so a revised version is recommended to be required by condition or planning obligation which would secure individual workplace and individual travel plans. More ambitious mode share targets will be sought.
- 10.164. The provision of a framework travel plan will ensure the development complies with the Wolvercote Neighbourhood Plan policy CHS6, to which limited weight should be given, in relation to travel plans.
- 10.165. It is proposed that a transport fund will be made available to fund measures designed to ensure that the appropriate modal share is achieved.

Construction Traffic Management Plan (CTMP)

- 10.166. The impact of the construction phase can be managed through a CTMP, and conditions on the detail and outline applications are recommended. The CTMP will be used to agree, in consultation with the County Council, the routing of heavy vehicles, timing of deliveries, type of deliveries, and construction worker travel so that any adverse impacts are mitigated.

Other transport matters

- 10.167. Merton College raised a holding objection pending clarification that access to their Red Barn Farm site from the A44 would be unaffected by the proposals. The access to Red Barn Farm is retained in the same location in the full A44 proposals.

Summary

- 10.168. The Highways Authority and Highways England have been closely involved with the applicant's work on traffic modelling and mitigation measures. The NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe; this is not the case. The mitigation measures and design of the proposed development support sustainable transport options and are in line with AAP transport policies. The application complies with local and national policy in respect of sustainable travel, transport and highways.

d. Impact on heritage assets

- 10.169. The NPPF in section 16 requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. It states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, and the positive contribution that conservation of heritage assets can make.
- 10.170. Paragraph 189 of the NPPF states that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. This is supported by policy HE2 of the Oxford Local Plan 2001-2016. Emerging policy DH3, to which limited weight can be afforded, states that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset and locality. Emerging policy DH4, to which limited weight can be afforded, seeks to protect Oxford's archaeological remains.
- 10.171. Policy HE10 of the Oxford Local Plan 2001-2016 seeks to retain significant views both within Oxford and from outside. It states that planning

permission will not be granted for buildings or structures proposed within or close to the areas that are of special importance for the preservation of views of Oxford (the view cones) or buildings that are of a height which would detract from these views. Emerging policy DH2, to which limited weight can be afforded, seeks to retain significant views both within Oxford and from outside, in particular to and from the historic skyline. It states that planning permission will not be granted for any building or structure that would harm the special significance of Oxford's historic skyline but that it will be granted for developments of appropriate height or massing, supported by evidence.

10.172. Policy NG7 of the AAP requires the application to demonstrate that the development has been designed with an understanding of the area's heritage, setting and views. In particular, applications will be required to demonstrate how the Wolvercote with Godstow Conservation Area and how views of, into and out of the site have influenced proposals.

10.173. The archaeology and heritage section of the submitted Environmental Statement identifies the various heritage assets potentially affected by the development and their significance.

10.174. These are summarised below:

- Goose Green: helps to maintain the open, undeveloped nature of the settlements and from which there are important views to the hills that provide the backdrop to the city
- Manor Farmhouse, 26 Godstow Road: Grade II listed 16th century or earlier stone walled farmhouse with linear plan; as with Church Farmhouse this building helps to define the character of the historic rural settlement of Wolvercote
- Church Farmhouse, Upper Wolvercote – Grade II listed farmhouse – historically linked to surrounding agricultural land which includes the land which forms the site. The surviving building defines the historic rural settlement
- Port Meadow and Wolvercote Common: the site of continuous grazing for over 1000 years, openness of the common; Port Meadow being a Scheduled Ancient Monument (SAM); significance derived from its connection to and relationship with the city – providing continuous (over 1,000 years) grazing on the immediate edge of the city
- Canal bridges 234-Wolvercote Green and 235-Godstow Road: 19th century industrial structures which tell of the relationship with the canal and are integral elements of this 19th century transport method and are symbolic of the innovation of that time
- St Peter's Church: its 14th century tower is symbolic of the significance of the church and its importance to post-medieval rural settlement. It identifies the heart of the historic settlement from a distance, across Port Meadow and from the original bounds of the city (before the suburban development of Woodstock Road)

- 10.175. Part of the site in the south-west of the Canalside parcel lies within Wolvercote with Godstow Conservation Area.
- 10.176. Officers requested further work on the appraisal of Port Meadow and Wolvercote Common, the two listed farmhouses, and Wolvercote with Godstow Conservation Area. Consequently, a revised heritage statement was submitted in March 2019 with a further view study of the views north-eastwards from Port Meadow. Broadly speaking, officers consider the assessment of significance sufficiently detailed and robust so as to comply with the NPPF in this regard.
- 10.177. Much of the heritage impact of the proposed development relates to the introduction of urban form of a significant scale within the setting of Port Meadow and the Wolvercote with Godstow Conservation Area. The character of Port Meadow is shaped by a view of the city when looking south, and otherwise preserves an important rural character. This has changed with the arrival of the railway, the building of the ring road and the expansion of Lower Wolvercote. However, views north from Port Meadow preserve a semi-rural feel thanks to the tree cover and the village scale of the visible buildings.
- 10.178. The additional view study of sequential views taken across the northern part of Port Meadow is helpful in showing that, whilst the development will clearly be evident in these views, it will sit beyond the intervening open spaces of the Canalside, protected open space and the open space that sits along the south western edge of the site. These images show how important the choice of materials, in particular their tone, will be in reducing the impact of the visual intrusion that the proposed buildings will have on the currently rural character of land beyond the northern edge of Wolvercote and indeed the city, a character that is reinforced by the nature of the site in its current form. Recognising that the proposed development will be evident, it is proposed to mitigate the impact that it will have in such views through the application of a materials palette that errs to the dark end of the colour and tone spectra. This considered design approach is intended to have the impact of muting the appearance of both individual buildings and the development when seen in views looking both into and out of the city. This design approach will be particularly helpful in mitigating the distracting quality of relatively large buildings when glimpsed in views from significant places such as Port Meadow, Wolvercote Common and other parts of Wolvercote and Godstow Conservation Area as well as seen as more distant objects in longer views from recognised, publicly accessible high points in the city such as the tower of the University Church, St Mary's.
- 10.179. It is proposed that each cluster of buildings should have a focal building performing a similar function to that which The Red Hall is intended to do in phase 1a. The Red Hall is designed to have a prominence that signifies its importance within the first cluster of development but also the site as a whole. This importance relates not only to its role associated with the surrounding buildings but also its relationship to the largest element of open space which sits at the heart of the development. Therefore the fact that this building will be visible in glimpsed views from beyond the site, and quite

prominently in views within the site, is entirely appropriate. It is also envisaged that this building should have a public function, beyond the use of the residents and workers on the site. Because it is to be located within the Central parcel and at a height of 92.85 metres, it will be screened in views from the south-west by development along the A40, including by the two Workspace Buildings which are to be 91.75 metres in height. Similarly, as the development is built out, the new buildings will screen the Red Hall in long views of the site.

- 10.180. The development proposes to create a new place that is connected to Oxford, redefining the built-up edge of the city, as per the AAP. The retention of open space at the south-western edge of the development, fixed via the parameter plans, is critical in preserving the significance of the conservation area. It is this separation that preserves Wolvercote's historic origins as a rural settlement outside the city. In addition, the scale and form of the primarily residential buildings proposed for the south-western edge of the development enables a more gentle transition than had there been an immediate leap into four-to-five storey buildings. There will be glimpsed views of the development from both Wolvercote and Port Meadow but the harm is to be mitigated through the siting of new development away from the heritage assets and the careful transition from mid-height residential to the taller commercial and residential buildings to be sited along the main roads and in the central sector of the site. Officers do not consider there to be harm to the significance of the Conservation Area and to Port Meadow; they would retain their inherent character as rural settlement and historic grazing meadows respectively.
- 10.181. The harm to these heritage assets that would arise is in the changes to views from and to those assets, therefore impacting on their settings and thereby their significance. This is to be mitigated by the considered design of the development including the proposed building heights, which are generally lower than the AAP parameters, and the form of the buildings (broken massing and traditional roof profiles taking reference from the 19th and early 20th century architectural forms of North Oxford). Any harm must therefore be considered to be less than substantial at a moderate level within this classification.
- 10.182. With regard to the canal bridges, there is sufficient separation proposed on the parameter plans between the canal and canal bridges for their significance as industrial infrastructure in a semi-rural setting not to be harmed.
- 10.183. The development will result in the loss of agricultural land which provides the setting and historic functional connection to the Manor Farmhouse. This connection has already been substantially eroded by residential development around the farmhouse and non-residential development such as the hotel on Godstow Road. In part, the further harm to the setting of the listed building that would occur through the visual presence of the development in place of what is currently the residual agricultural land would be mitigated through the inclusion of high-quality open green space, particularly that proposed for the south-western edge of the development,

and the design of road corridors. There would be substantial elements of green of a sufficient scale to register and inform the character and appearance of these spaces, as well as significant tree planting. Whilst this replacement is clearly not agricultural land and therefore cannot be seen as preservation of the setting of the listed building, the design of the spaces within the proposed development is such that the harm to setting and thereby significance of the heritage asset would be less than substantial and on the low end of this classification.

- 10.184. Paragraph 196 of the NPPF states 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. Paragraph 193 states that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
- 10.185. In conducting this balancing exercise, considerable importance and weight must be given to the statutory test of preserving the setting of listed buildings or their setting or any features of special architectural or historic interest which they possess, and special attention has be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area in accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which it is accepted is a higher duty.
- 10.186. The following harm is identified to the significance of designated heritage assets as a result of the proposed development:
- Harm to the setting of Wolvercote with Godstow Conservation Area including Port Meadow and the contribution that this makes to the significance of these heritage assets: the harm would result from an overtly urban development replacing surviving, historically agricultural land which currently provides a green gap and permits uninterrupted views from these assets to the rural hillside backdrop beyond the city to the north west and north-east. The introduction of buildings to the south-west of the A40 resulting in built development encroaching closer to the settlement of Wolvercote than at present which would harm the surviving character and appearance of a rural settlement. This harm, given the mitigating impact of separating open space purposefully designed into the proposed development, must be considered to be less than substantial and to be a moderate level of this category.
 - Harm to the setting and by consequence significance of both Manor and Church Farmhouses: the harm would result from the loss of the surviving agricultural land which covers much of the proposed development site. The setting of both listed buildings has already been harmed through the 19th and particularly 20th century development that has occurred around them, subsuming them into the settlement of Wolvercote and effectively separating them from their agricultural land.

The loss of the remaining agricultural land would remove that last vestige of function from the buildings. This harm, given that it would be to heritage assets that have already been harmed in respect of their settings, must be regarded as less than substantial harm and on the lower end of this category of harm.

10.187. Officers consider the principal public benefits of the proposal to be:

- Housing including Affordable Housing: the provision of up to 480 units, of which 168 would be affordable, makes a significant contribution to the acute housing need in Oxford. The proposal would deliver much of this strategic site allocation as set out in the Council's Core Strategy. This aligns with the Government's objective, set out in NPPF paragraph 59, of significantly boosting the supply of homes. Government HIF grant funding has been secured to facilitate the delivery of these homes. Significant weight is attributed to this benefit.
- Public realm and transport improvements: the transformation of the A40 and A44 in slowing traffic, greening, and improving bus and cycle infrastructure would deliver significant public benefits, humanising this hostile environment. Local Growth Fund money has been secured to facilitate the A40 works.
- Economic: the proposal provides 87,300 square metres of B1 employment floorspace relevant to the knowledge economy of Oxford as a key driver in the UK's knowledge sector. The delivery of this use will help to contribute towards Oxford's continued excellence in research, development and economic growth deriving from proximity to educational institutions. As noted above, the proposal would deliver much of this strategic site allocation as set out in the Council's Core Strategy. In accordance with paragraph 80 of the NPPF, significant weight must be given to this benefit.

10.188. It is considered that these three significant, broad-ranging and strategic public benefits would clearly and demonstrably outweigh the less than substantial harm that would be caused to the significance of heritage assets by the development. The harm has been justified and mitigated through considered and careful design. As such, the proposal would meet the test of paragraph 196 of the NPPF and would accord with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10.189. A condition is recommended to require details of lighting for the detailed application including along the A40, as well as for reserved matters applications to include lighting details. This is to minimise light spill which would impact long views during the hours of darkness. In addition, a condition is recommended to approve samples of external materials for the detailed part of the application to ensure they are not visually prominent, but rather recessive.

Archaeology

- 10.190. A desk based assessment was produced for part of this site in 2009 followed by a heritage assessment for the whole site in 2014. The subsequent geophysical survey did not identify any clear archaeological anomalies and the field evaluation did not record any significant archaeological features, seemingly confirming the geophysical survey results. The evaluation clarified that there is very low potential for the nearby Wolvercote palaeo-channel to cross into the site and failed to identify any significant archaeology in the phase 1a area. Officers would therefore not require any further archaeological work in the phase 1a plot.
- 10.191. With respect to the wider outline site area, bearing in mind the results of the geophysical surveys, targeted archaeological evaluations and the details supplied in the submitted heritage statement, officers would recommend a condition to require a written scheme of investigation for future phases of development.
- 10.192. The heritage and archaeology section of the Environmental Statement considers the likely impact of the development on the Port Meadow Scheduled Monument (SAM), which is designated on account of a series of prehistoric features preserved within the meadow as shallow earthworks and buried archaeology. Officers agree with the assessment that the development, whilst resulting in change to the peripheral setting of the SAM, is unlikely to affect one's appreciation of the SAM's significance in relation to the reasons for its scheduling. No harm is therefore identified.
- 10.193. The remaining site is largely clay and alluvium surface geology and therefore a less attractive option for prehistoric settlement. However the size of the development and proximity of the site to known activity areas leaves open the potential for archaeological remains. Officers therefore recommend that further targeted trenching be undertaken by condition followed by appropriate mitigation if required.
- 10.194. The presence of medieval ridge and furrow on the East parcel is identified. This is considered a locally significant heritage asset and its retention desirable. A condition is therefore recommended to require reserved matters applications for development on this parcel, within the public open space proposed within the parcel, to provide justification for any loss or removal of these earthworks.

e. Design

- 10.195. Paragraph 127 of the NPPF requires local planning authorities to ensure that developments:
- a) will 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 to 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, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public 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 and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

10.196. Policy CS18 of the Core Strategy requires development to demonstrate high-quality urban design that responds appropriately to the site and surroundings; creates a strong sense of place; attractive public realm; and high quality architecture. The Oxford Local Plan 2001-2016 requires development to enhance the quality of the environment, with policy CP1 central to this purpose. Policy CP6 emphasises the need to make an efficient use of land, in a manner where the built form and site layout suits the site's capacity and surrounding area. Policy CP8 states that the siting, massing, and design of new development should create an appropriate visual relationship with the built form of the surrounding area. Emerging policy DH1, to which limited weight can be afforded, requires developments to be of high quality design that creates or enhances local distinctiveness.

10.197. Policy NG7 of the AAP states that planning permission will only be granted for developments that demonstrate compliance with the AAP Design Code. Paragraph 7.2 of the AAP sets out a number of urban design principles up on which the Design Code is based; it states that the Northern Gateway should:

- be accessible and permeable, to ensure easy access to and through the area for all users, but particularly for pedestrians and cyclists
- be legible, a pattern of routes should be established that is easy for people to understand and to find their way around
- respect the character of natural features of the site
- have its own identity, create a distinctive and contemporary setting for future investment, uses and activity
- have high quality streets and open spaces that provide the setting for a lively, attractive, distinctive and safe public realm
- have continuous and connected streets, with well-defined building frontages

- have a clear distinction between the public and private realms, to create comfortable and well defined streets and secure, private spaces at the rear of properties
 - have buildings which face onto the street, with doors and windows allowing people to come and go or look out onto the street
- 10.198. The AAP stresses the importance of high-quality architecture in paragraph 7.4, stating that, “Buildings and spaces should demonstrate architectural excellence, in keeping with Oxford’s profile and the function of the development as a key part of Oxford’s dynamic economy.”
- 10.199. The principal application documents that deal with the scheme’s design are:
- Design and Access Statement: Masterplan
 - Design and Access Statement: Phase 1A
 - Public Realm Strategy: Masterplan
 - Public Realm Strategy: Phase 1A
 - Parameter plans
 - Illustrative masterplan
 - Detailed drawings for the full application

Masterplan: site layout and urban design

- 10.200. The Design and Access Statement: Masterplan sets out the overarching principles for the masterplan (section 8), the spatial principles (section 9) and access principles (section 10). These feed into the illustrative masterplan and other illustrative material (section 11).
- 10.201. The site forms part of the rural northern edge to the city providing a setting for the 20th century suburban ribbons of housing that presently define the built-up edge of the city. The design of the masterplan seeks to take references from the city, to enable the new place to have some sense of “Oxfordness”. The illustrative masterplan does so by setting out a series of urban blocks whose outside edges create robust streets but whose central spaces make reference to the Oxford quads and the city’s distinctive, historic grain.
- 10.202. This layout gives the potential for beautiful open spaces offering alternative, interesting routes through and across the development. The masterplan presents a hierarchical network of routes through and across the site, offering intriguing back-lanes routes as well as the more open formality of avenues via the calming of the A40 and A44 trunk routes that run through the site. These calmed roads reflect the more formal streets in the city, such as High Street, Parks Road and St Giles. Importantly, there is an intention to allow for both direct routes to destinations as well as more indirect routes (shown on page 129 of the Design and Access Statement: Masterplan). The smaller streets compare with Turl Street, Holywell Street, Merton Street and the smaller more hidden lanes such as Blue Boar Lane,

Bulwarks Lane and Queens Lane. This hierarchy of routes is fundamental to creating a complex urban place with multiple layers, as well as to the new place having an Oxford character. It is therefore vital that access is retained through each of the blocks via the back lanes and that these connect to provide interesting routes, just as happens in the rest of the city. Access is proposed to be secured via legal agreement.

- 10.203. The masterplan layout is made up, largely, of peripheral, linear blocks on the Canalside and East parcels where open spaces are fewer but larger and the buildings run in long stretches around them. The central area is comprised of urban clusters, the form based loosely on college quad examples. These principles are clearly set out in section 9.9 of the Design and Access Statement: Masterplan where a series of diagrams show how the principles would be intended to be applied. The design addresses the principle of connections between and through clusters with permeability being an important consideration, reinforced by the use of views, incidental and designed, stop-end views and glimpsed views of attractive spaces beyond buildings and streets. Importantly, the Design and Access Statement also looks at the different types of frontage expected. Active, urban frontages are proposed principal streets and open spaces. There are proposed to be distinctive visible frontages that provide important markers within the development, and looking in from principal routes. Finally there are frontages that are responsive to landscape edges; these would relate to and be seen across the important open spaces on the edges of the development such as from Joe White's Lane and the proposed Canalside park.

Masterplan: heights and massing

- 10.204. A heights parameter plan is included in the outline application (Parameter Plan 03). This shows maximum height parameters within which future phases of the development would be built. These heights are driven by the AAP Design Code, the Landscape Visual Impact Assessment (LVIA) within the Environmental Statement and the illustrative masterplan. The LVIA has studied views of the site from important viewpoints such as Port Meadow and Wolvercote as well as applying a zone of theoretical visibility to the surroundings of the site, i.e. from where would the site be visible. These viewpoints and massing studies have informed the height parameters adopted in the masterplan. In order to mitigate the visible impact of development on its surroundings, the heights parameter plan proposes lower overall heights on the south-western edge and higher possible heights to the northern edge of the development, adjacent to the raised A34. The LVIA has also informed how the careful design of buildings using articulated profiles can reduce the impact of taller elements even in sensitive views.
- 10.205. The proposed parameter plan heights to achieve the proposed quantum of development as shown in the illustrative masterplan would be slightly lower than the maximum heights in the originally submitted Parameter Plan 03. This plan was amended during the course of the application to lower the maximum heights because the height of the modelled buildings on the

illustrative masterplan was falling significantly below the maximum heights. Because the illustrative masterplan has been worked up based on the floor space for which planning permission is sought, it was not considered necessary to have such a margin between the illustrative masterplan and parameter plan heights. The reduction in maximum heights from the originally submitted parameter plan would also reduce the potential impact in long views from Port Meadow.

- 10.206. Parameter Plan 03 places the taller buildings as a cluster in the northern part of the central area with a spike towards the north-east corner which would allow the character or sense of place to be immediately evident on approaching the site from the north. As the A34 is raised on an embankment, and given the relationship of the northern portion of the site to the A34 there is certainly an argument to say that buildings of 5 or 6 commercial storeys in this location would not seem incongruous with the immediate surroundings. The transition from the rural, southern edge of Kidlington and Yarnton which lie on the north side of the A34 will be sharp, however the intervention of the A34 and the existing conglomerate of commercial activity around Peartree Services provides an intermediary character that is already distinctively different from the rural character to the north. The development will alter the perception of arrival in Oxford from the north and west with an immediate sense of the urban rather than the current more gentle suburban transition.
- 10.207. The transition coming in to the city along the A40 would arguably be more acute with the distinctly rural character presently continuing east of the embanked A34 to the Wolvercote roundabout at Jurys Inn. Here the presence of an urban place would be more marked, and the masterplan indicates taller buildings at 4 and 5 storeys on the Central parcel, with lower, more domestic scale buildings on the A40 frontage to the Canalside parcel. The development's taller buildings are placed along the trunk road corridors where the width of the space created by the roads and their relatively generous margins will permit a greater height without creating chasms.
- 10.208. Parameter Plan 03 accords with the principles in the AAP Design Code building heights guidance, in that a variety of heights are proposed across the site with taller buildings focussed in the Central parcel. Officers consider that the height parameters for the outline application have been reasonably justified and provide a sound basis for reserved matters applications.

Masterplan: access and movement

- 10.209. Parameter Plan 01: Access and circulation and the illustrative masterplan set out the proposed movement network and how it connects the various open spaces. The sense of connecting green spaces is clear and offers a robust and clear hierarchy of routes for cyclists, pedestrians and vehicles. For cyclists and pedestrians there are clearly choices depending upon need for directness or the possibility of meandering, drawn by the views created through the site. The areas safeguarded on the parameter plan for access to third party land (to Red Barn Farm, Goose Green and the Park and Ride

for a cycle link) are considered to be suitably located and flexible. In addition to the parameter plan, third-party access would be secured by legal agreement.

- 10.210. The proposed design for the A44 and A40 is such that it should reinforce the sense of a new place with avenues of trees, generous footpaths and separately defined space for cyclists.
- 10.211. There is a danger that the central street could feel very much a vehicular route first and foremost, when the design aspiration suggests the street is analogous to Broad Street. The design should minimise the sense that this is simply a through route and that it is actually somewhere to stop and experience activities, retail, recreation. Officers feel there is inconsistency between the illustrative material in which the street seems to favour sustainable transport, and the plans in which the street reads as engineered for the car. The balance needs to clearly step in favour of alternative means of movement. This can be achieved through a kerb-free, single level surface with distinction between vehicle carriageway and footpath/cycleway being made in colour of surfacing material. Conditions are therefore recommended to require detailed drawings of hard landscaping for the central street, and samples of materials to be used.
- 10.212. Subject to a condition to require the surfacing detail of the central street, the proposals for access and circulation, including Parameter Plan 01 are considered an appropriate structure for the development of the overall site that achieve the design objectives set out in paragraph 7.2 of the AAP.

Masterplan: mix of uses

- 10.213. Parameter Plan 02: Land use accurately captures the parameters discussed above, including the landscape area in the south-west of the site which creates separation from Wolvercote. It identifies the four key areas of public open space and fixes the location of the central street. The plan locates commercial development (with no residential) close to the A34, and residential development only in the south-western part of Canalside closest to Wolvercote. This reflects the neighbouring uses and is considered entirely appropriate. The remaining areas of each of the three parcels are designated for mixed use. A revised iteration of the Parameter Plan 02 was submitted. This reduced the size of the small landscape buffers between proposed and existing development on the A40 and A44. This was to ensure the proposed development knits with the existing urban areas. The parameter plan provides a high level of flexibility for reserved matters applications but the parameters that the plan fixes are considered appropriate for this stage of such a large application site. Car parking is included within the developable areas of the parameter plan, and therefore the detailed locations are a matter for reserved matters applications.

Masterplan: architecture and materiality

- 10.214. The Design and Access Statement: Masterplan discusses the architectural approach to the masterplan. The roofscape is a key feature of the

architectural character, with reference taken in places from the distinctive gable fronted buildings that define the present North Oxford Victorian Suburb. This reference makes a connection with the existing architectural language of North Oxford allowing it to feel like a logical extension of the city's northern edge. This architectural form also offers a strong visual reference on approaching the city from the north. An articulated, rather than flat, roof form across the site provides visual interest, particularly in long views of the site from Port Meadow and the A34.

- 10.215. The application's architectural character draws on the city's industrial heritage. This aspect of Oxford is frequently overlooked in favour of the city's more obvious cultural and educational distinctions and recognition of it is considered to be a welcome aspect of the proposal, and appropriate for the edge-of-city location.
- 10.216. The masterplan aspires to achieve a particular place that would be identifiable through the use of a specific material palette. The suggestion is that materials would draw on an "Oxfordness" but with particular stress on the industrial and making history of the city. All of this is laudable and offers a logical reference for the intended architecture of this new part of Oxford. In addition, there is a high-quality detail in the proposed use of materials that is found both in the 17th and 18th century college and university buildings in the centre of the city but also in the high Victorian Gothic, Arts and Crafts and Domestic Revival buildings of North Oxford. This is encouraging as a set standard for materials and architectural detailing.
- 10.217. The materials palette tone errs to the dark end of the spectrum in order to both reinforce the industrial reference as well as to mute the appearance of the buildings and the development when seen in views both into and out of the city. This will be particularly helpful in mitigating the distractive quality of large buildings in glimpsed views from important places such as Port Meadow, Wolvercote Common and other parts of Wolvercote and Godstow Conservation Area.
- 10.218. In terms of street edges, the suggested colonnades detailed in the Design and Access Statement: Masterplan offer a thoughtful transition between public and private or indoor and outdoor which would work very well and make an important reference to the cloisters of Oxford's medieval colleges. Walls as boundaries which are then pierced to varying degrees ultimately resulting in a colonnade is an exciting principle that will help to tie this new place to Oxford. It will also offer the important glimpsed view into more private spaces (as with views into college quads and gardens), and offer a degree of interest and intrigue that will help to define the character of the public routes and streets.
- 10.219. The masterplan proposes façade design that offers a strong visual connection between inside and outside for commercial buildings; there would be a clear expression of the activities that are taking place within the buildings through the use of large areas of glazing. This also reinforces the importance of a high level of people-permeability through the whole site and particularly through the commercial and mixed use spaces at ground and

upper levels. It is important that this principle is carried through all development phases because it will really help to make this a really interesting, engaging and exciting place.

Masterplan: Oxford Design Review Panel (ODRP) comments

- 10.220. The ODRP's comments are summarised in **section 7** of this report. Paragraph 129 of the NPPF states that local planning authorities should have regard to the recommendations made by design review panels.
- 10.221. The applicant followed the advice of the panel in submitting a hybrid application including illustrative masterplan and parameter plans. It advised against omitting residential from the detailed part of the application but officers understand that there is additional design work needed on the residential element which should not be hurried.
- 10.222. The work on the Design and Access Statement: Masterplan to develop it into a design code for future phases was a recommendation of the panel. Developments in the illustrative masterplan in layout and height variety, in addition to these design principles have ensure that the framework is in place for a clearly urban district, rather than campus, suburban or business park character. The diagrams setting out the principles of frontages, blocks and connections on pages 165 and 167 of the Design and Access Statement: Masterplan form the basis for this.
- 10.223. The panel welcomed the energy loop solution and pushed the design to have higher standards of sustainability. Officers take the view that the design could go further to meet high sustainability ambitions, but this must be balanced against policy requirements and other objectives of the scheme, including providing Affordable Housing. **Section 10j** of this report concludes that the scheme's energy proposal complies with local and national policy. The final design review acknowledged the progress of the urban design and landscape proposals.
- 10.224. The panel's support for 'humanising' the A40 and A44, and the need to work towards a connection northwards to Oxford Parkway station have been integrated into the application and are to be included in the legal agreement. The phasing and reduction of car parking over time is set out on pages 244 and 245 of the Design and Access Statement: Masterplan.
- 10.225. Overall, officers consider that the applicant has responded constructively and had due regard to the comments of the ODRP.

Masterplan: summary

- 10.226. The application seeks to mitigate any harm that would result through change by creating a distinctive, identifiable place that takes references from particular aspects of the city in order to try to make it feel as if it is a part of Oxford. The architectural and historical references to the city are evident in the illustrative masterplan.

- 10.227. The various elements of the Design and Access Statement: Masterplan discussed in this section provide a more detailed and developed structure for the site than the AAP Design Code. Officers and the applicant envisage that this document will provide the basis for all phases of development to ensure coherence and design quality across the site. It will be expected, for example, that a future reserved matters application would set out how that parcel of development complies with the overarching masterplan principles (pages 104 to 106), with the site-wide approach to materiality (pages 133 to 137), and to the plot and parcels principles (pages 162 to 167). Consistency of key principles across the large outline application site and over time can be achieved in this way. A condition is therefore recommended on the outline application to require the design and access statements for reserved matters applications to demonstrate compliance with part B, C and D of the Design and Access Statement: Masterplan. This should include a materials palette and plan for each reserved matters application.
- 10.228. Robust overall site management is critical to the success of the development and therefore a management and maintenance plan for the operation of the development is recommended to be secured by condition or legal agreement to deal with such matters as parking controls, landscaping, rubbish collection and public open space.

Detailed application: site layout, urban design, architecture, materiality

- 10.229. The detailed part of the planning application proposes two Workspace Buildings with adjacent courtyard gardens and a central building, the Red Hall, which combines a café, reception and amenities with flexible incubator space. In addition, phase 1a includes the new link road between the A40 and A44, a temporary car and cycle park and “The Green” central public open space. The transformation of the A40 into a tree lined street and a temporary junction between the central street and the A44 are included as well as temporary footpaths connecting the parcel with Joe White’s Lane and the A44.
- 10.230. It should be noted that the application is for *part of* phase 1a. The full phase 1a that is set out in the indicative phasing plan would exclude the temporary car and cycle park and include residential space with retail units and a nursery at their base. This element is expected to come forward as reserved matters at an early stage, should planning permission be granted.
- 10.231. The site naturally falls away to the north and east with the highest point being on the corner of the central street and the A40. The design of the cluster for which detailed planning permission is sought has been developed to provide active frontages – open, fully glazed façades – to the A40. There are important views out of this part of the site, and in particular from the two Workspace Buildings south toward the city and the open space of Port Meadow and Oxford canal. Primary office and research buildings in this phase of development have been sited to address these views.

- 10.232. The Red Hall is designed to have a clear relationship with the open space in the heart of the cluster, i.e. the Green, as well as to front the secondary/tertiary route that runs alongside the Workspace Buildings. It is noted that the building design means that the Red Hall does not provide much surveillance on the north-east elevation. However, the masterplan indicates that other buildings will come forward to provide natural surveillance and this factor can be considered at reserved matters stage.
- 10.233. It is evident that the Red Hall references a large, single-volume industrial shed. The roof is a strong element. It follows the traditional, pitched, gabled pattern that is a key feature of the site and clearly evident in the design of the Workspace Buildings. The use of a single distinctive colour to define a shared hub building across the development has a clear logic and will provide a strong identity in key views from within the development. The ODRP supports the concept of the Red Hall as a hub of activity with a distinctive form and appearance. The panel considered the colour to be enlivening.
- 10.234. The relatively narrow, horizontal window strips clearly express the building's storeys whereas the large, fully glazed gable ends express a single-volume. The metal cladding of the building appears as an enveloping skin, enclosing and protecting the open internal functional spaces, whether the public ground floor or the incubator spaces at upper floors.
- 10.235. The Workspace Buildings use a family of architectural language with linear strips of continuous windows in side façades; a relatively modest break in the solid, wrapping façade; strongly vertical, gabled ends which create a rhythm and reflect the North Oxford Victorian villa vernacular. Glazed and lightweight gabled ends which emphasise the sense of a single overall volume, albeit broken internally with floors, reference the scale of the industrial buildings of 19th century Oxford.
- 10.236. The simple design of the cycle store using cedar cladding and transparent roofing is considered acceptable.
- 10.237. Architectural details and sample materials, including information about how materials will be maintained and how they will weather over time are recommended to be required by condition.

Detailed application: Oxford Design Review Panel (ODRP) comments

- 10.238. The ODRP supported the architectural approach to the Workspace buildings and Red Hall, stating that they will create memorable forms, drawing on Oxford's industrial heritage to create a district with its own distinct character.
- 10.239. The panel's concerns about the phasing – with development on the north side of the link road not yet coming forward – are difficult to overcome on a phased development. Initially, activity is likely to be focussed around the rear of the Red Hall which would give out onto the Green and the Workspace building courtyard gardens. The applicant has worked to

improve activity along the A40 by adjusting internal floor levels in the Workspace buildings.

- 10.240. As noted above with regard to ODRP comments on the masterplan, officers consider that the applicant has responded constructively and had due regard to the comments of the ODRP about phase 1a.

Secured by Design

- 10.241. Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 10.242. Officers and the applicant have engaged with the Secured by Design officers at Thames Valley Police over a number of areas of concern raised by the police. Some of these relate to secure access points to the buildings or cycle store due to the concept of the buildings being shared by multiple tenants. Concerns were also raised about protection of the buildings from 'hostile vehicles'. Street furniture is proposed to be used as protection. Some comments relate to the illustrative masterplan and outline part of the application, where the detailed design is not yet under consideration. Officers consider that all matters can be adequately dealt with by condition or will be considered in detail at reserved matters stage.
- 10.243. Various conditions are therefore recommended including a requirement for Secured by Design accreditation prior to occupation of each phase; lighting plan for the detailed part of the application and for each reserved matters application; and details of CCTV and other security measures to ensure they are of appropriate design.

Summary

- 10.244. As set out above in this section of the report, the considered design proposals for this site have adopted and further developed the AAP Design Code principles summarised in paragraph 7.2 of the AAP. The height, access and land use parameters that the application would set for the development of the full site are appropriate and justified, while the illustrative masterplan and Design and Access Statement give confidence that the development would have a high-quality urban character. The detailed part of the application puts these principles into action with innovative building design and use of materials referencing Oxford's industrial heritage, as well as the large area of landscape at the centre of the development. The proposals comply with local and national policy in relation to design and placemaking, subject to the conditions and obligations discussed in this section and set out in **appendices 3 and 4**.

f. Landscape and trees

- 10.245. References to landscape and public realm design are included within local and national policy on design, outlined at the start of **section e** above. In

addition, Oxford Local Plan 2001-2016 policy NE15 prevents the removal of trees, hedgerows and other valuable landscape features that have a significant adverse impact upon public amenity or ecological interest. It also requires soft landscaping, including tree planting, to be undertaken whenever appropriate. Landscaping schemes should take account of local landscape character and should include the planting of indigenous species where appropriate. Where necessary, the City Council will seek long-term management plans, which will be secured through planning conditions or a planning obligation. Oxford Local Plan 2001-2016 policy CP11 sets out the Council's requirements for landscape design and maintenance and requires protection of existing trees.

Landscape

- 10.246. Emerging policy G9, to which limited weight can be afforded, requires proposals to demonstrate how green infrastructure features have been incorporated within the design of the new development where appropriate. This applies to protected and unprotected green infrastructure features, such as hedgerows, trees and small public green spaces.
- 10.247. Policy NG7 of the AAP requires the development to provide usable, well designed and good-quality publicly-accessible green open space. At least 15 per cent of the total site area must be provided as green public open space; this must be distributed so that at least 15 per cent of any parcel proposed for residential development is green public open space. The quantum of open space is higher than that generally expected on other sites due to the need to provide dog walking areas for residents to discourage dog walking on Port Meadow due to its environmental impact.
- 10.248. The masterplan public realm strategy sets out five key open spaces, and this complies with the AAP objective of providing a variety of open space:
- Canalside Park
 - Residential Square
 - The Green
 - The Market Square
 - Eastside Park

10.249. The diagram below indicates the location of each:



- 10.250. Each of the three sectors of the site has a principal open space at its heart whose character and quality is set out in the public realm strategy. The parks in the East and Canalside parcels are primarily for use by residents in the immediate area, as well as forming part of legible green routes through and beyond the site. The Green would provide a broader function as a key public space in this part of the city.
- 10.251. The Green, Eastside Park and Residential Square would meet the requirement in the AAP for medium parks and small parks. The cycle and footpaths connect the open spaces and there are connections from the site through to Cutteslowe Park and Five Mile Drive Recreation Ground via the quiet road connection on the A44 to Five Mile Drive and beyond.
- 10.252. The Green is included in the detailed application while the other key public open spaces are shown on the parameter plans with an area of deviation to allow for some movement in location at reserved matters stages.
- 10.253. Adjacent to the Green, the Market Square would be a hard landscaped urban square, rather than a green space. This contained space, connecting at its south-eastern edge to the larger, open green space, is intended to replicate a town square. It is proposed to be surrounded on three sides by active retail, commercial and cultural uses and to include a pavilion for ad hoc events. It is suggested that the square might provide space for a market or similar temporary uses. The question arises as to conflict between the use of this space and the use of spaces in and outside the Red Hall, however it is understood that the Red Hall offers space that would be for uses directly linked to the business and research activities taking

place on the site and that the Market Square would be used for recreation for both users, occupiers, inhabitants and visitors. This differentiation is clear and it would seem reasonable to have space for both types of use. The Square is a hard space which makes a complimentary contrast to the open space of the Green.

- 10.254. Officers note that the aspiration through the design evolution of the Square and Green is of a destination for the city and surrounding places. While the spatial design would support such an aspiration, officers consider that a high-level strategy for the curation of events and activities is needed to ensure the space is lively and vibrant. Accordingly, a condition is recommended.
- 10.255. Informal, natural areas are provided within the green spaces. Most notably, Canalside Park provides a naturalistic buffer between the development and the wilder green space beyond; a semi-wild transition through to Joe White's Lane.
- 10.256. Three areas for children's play are proposed in the Public Realm Strategy: Masterplan; within Eastside Park, The Green and Residential Square. These would meet the standards of Locally Equipped Areas for Play (LEAPs).
- 10.257. The masterplan's Overarching Principles 6 and 7 refer to the hierarchy "between the public open spaces (park and square) and publicly accessible open space (courtyards within clusters)" and creating "incidental open spaces... to enrich the experience for visitors". This is carried through in the public realm strategy for the masterplan, with various on plot open spaces proposed to be dispersed throughout the site. These could be providing amenity for the immediate occupiers of the cluster or residential area, and they could be at ground floor level or terraces at an upper level. Such incidental outdoor spaces occur across the city and so their inclusion in the masterplan principles reinforces "Oxfordness" in the character of this proposed new part of the city. The two courtyard spaces adjacent to the Workspace Buildings proposed in the detailed application are examples of these on plot spaces.
- 10.258. Thus there is a sense that the design offers a space or series of spaces within each cluster or block that would be publicly accessible which is good but it is important that these spaces link or combine to form the secondary or tertiary routes through and across the site. This can be reviewed with each reserved matters application. While the public realm strategy is not clear about the level of public access to the on plot open spaces, given Overarching Principles 6 and 7, it is assumed that the aspiration would be for full public access to such spaces. It is recognised, however, that there may be instances in a particular cluster where full public access and permeability would create unacceptable intrusion to the occupiers and so a condition is recommended to ensure full public access to outdoor spaces that come forward via reserved matters applications, unless an acceptable justification is provided to the satisfaction of the local planning authority.

- 10.259. It is noted that policy GBS3 of the Wolvercote Neighbourhood Plan, to which limited weight is afforded, states that new developments of more than 10 dwellings must include provision for children's play areas that are safe, and nearby (within 100 metres). The residential element of the development is not yet submitted in detail but, from Parameter Plan 02: Land use, it would appear to be achievable for all residential units to be within 100 metres of one of the three key green public open spaces proposed. This can be assessed through reserved matters applications.
- 10.260. The key parcels of public open space and their provision of children's play areas and recreation are considered an essential part of the overall development proposal for the reasons provided by the AAP. Their delivery, management and retention will be secured via legal agreement, as well as ensuring public access at all times. The public consultation responses included a suggestion to designate the land as Local Green Space. This is only possible via the Local Plan process and the obligations in the legal agreement will provide the necessary protections.
- 10.261. Details of lighting and street/public space furniture are recommended to be required by condition to ensure there is consistency and appropriate quality and quantity as well as acceptable visual impact.

Trees

- 10.262. The application's baseline arboricultural site information and the Arboricultural Implications Assessments (AIA) of the proposed development, both outline and full elements, are contained in the Environmental Statement Appendices
- 10.263. The purpose of an AIA is to assess the impacts on the site's tree stock from the proposed development and to indicate which trees are intended to be retained and which will require removal. Across the entire outline site there are a total of 49 individual trees, 26 tree groups and 20 hedgerows, totalling 95 items. Forty-five items have been identified as being of the category B quality (Moderate) items; 42 as category C quality (Low) items. The remaining 8 were category U quality (remove irrespective of development) items. There are no veteran trees on the site. There are no trees or groups of category A quality (High).
- 10.264. This is a relatively low number of arboricultural features for the land area involved, which reflects the site's land use as field pasture; vegetation is confined to the hedgerows of the field boundaries. More than 50 per cent of the site's tree stock is composed of common ash; it should be noted that this native species is now potentially vulnerable to the emerging ash die-back disease.
- 10.265. The arboricultural implications of the proposed development are relatively low in scale. These impacts can be adequately mitigated by appropriate protection measures for retained boundary trees and hedgerows, and replacement planting as components of the landscape masterplan details; these will result in a net gain in tree numbers.

- 10.266. The tree proposals for the outline application are found within the public realm strategy. The proposed areas of tree planting have been categorised into character groups reflecting their locations and function. These comprise:
- urban street trees
 - secondary urban street trees
 - public realm trees
 - riparian trees
 - predominantly native boundary trees
 - courtyards trees
 - individual or small groups of trees which form a focal point
 - broad leaved trees to be retained
- 10.267. Detailed landscape proposals would come forward at reserved matters stage. It is expected that trees would be planted as heavy standards, i.e. in excess of 3.5m in height at planting. The eventual heights at maturity will vary, depending on their locations, between 12 and 20 metres. To ensure landscape and tree proposals accord with the overall public realm proposals, a condition is recommended for reserved matters applications to adhere to the principles in the submitted Public Realm Strategy document. Timing of planting of trees site-wide needs to be considered in order that the trees reach maturity as soon as possible. This will need to be balanced against phasing and construction requirements and will be dealt with by condition and via reserved matters applications. This is the same condition as is recommended to ensure future design proposals adhere to the principles of the Design and Access Statement: Masterplan.
- 10.268. The detailed application has a species palette for street and open spaces trees. This contains a relatively small number of tree species; these are predominantly native species augmented by a scattering of ornamental exotic species intended to provide additional visual interest, e.g. introducing strong red autumn colours. Of the 12 species there are eight native species (excluding proposed containerised trees around the temporary car park). The Ash trees originally included in the species palette have been omitted. The detailed application is for a very small part of the overall site, and future reserved matters will provide an overall greater variety of tree species within the tree character groups set out in the master public realm strategy. Notwithstanding this, it is officers' view that an evergreen conifer component should be included in The Green, such as black or Scots pine, which would provide some visual interest during the winter months and give the space an urban park character. Accordingly, a condition is recommended.
- 10.269. A Technical Note has been submitted which sets out the proposed design principles and parameters for the specimen tree planting elements to the A40 and A44 highway corridor in relation to street lighting. The trees will be

adopted by the County Council as Highways Authority and therefore the design has to accord with Highways requirements.

- 10.270. The species list for this part of the tree planting strategy is composed of large growing trees (Hornbeam, Field Maple, Swamp Spanish Oak, Small Leaf Lime) of 10-12 metres in height with a crown diameter of 8-14 metres. These will provide a strong structural element to the main transport thoroughfares in the public realm.
- 10.271. Tree planting trenches and structural rootcell materials under hard surfaces (excluding the highway carriageway) will be used to maximise space and conditions for root development. A separate utilities zone, defended by root barrier, is set out in the designs, which will allow maintenance and installations to be carried out without major disturbance to tree roots. An irrigation system is to be installed within the central reservation for safe and convenient watering, necessary for establishing the trees.
- 10.272. Because the Technical Note sets out parameters rather than specific details for areas that are within the detailed application red line, officers recommend a condition to secure a final plan based on the principle of the Technical Note to be approved prior to the works commencing.
- 10.273. Subject to the various conditions referred to, both the detailed and outline proposals are acceptable in landscape and arboricultural terms and would accord with the NPPF and adopted and emerging local plan policies.

Public art

- 10.274. The Design and Access Statement: Masterplan sets out the proposed approach to public art for the site. The applicant has been encouraged to take a broad interpretation of public art to include temporary installations, events and bespoke play areas. This is envisaged to overlap well with the curation of public events proposed. It should ensure the site has its own identity as an innovative district linked with the research and activities taking place within the commercial buildings. This would align with the Design Code objective. An overarching strategy for public art including public events is recommended to be secured by condition or legal agreement. Each reserved matters application would need to set out how it would contribute to and interpret the public art strategy. Individual physical artworks may be subject to individual planning applications, and events would be subject to the usual licensing requirements, separate from planning.

g. Air quality

- 10.275. Paragraph 181 of the NPPF states that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and

travel management, and green infrastructure provision and enhancement. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

- 10.276. The NPPF in paragraphs 105 and 110 supports incorporating facilities for charging plug-in and other ultra-low emissions vehicles into developments.
- 10.277. The Oxford Local Plan and the AAP took account of air quality implications when allocating the site and setting out a range of supporting policies on infrastructure and other issues. Policy CP23 of the Oxford Local Plan 2001-2016 guards against development which would have a net adverse impact upon the air quality in the Air Quality Management Area. Emerging policy RE6, to which limited weight can be afforded, similarly states that planning permission will only be granted where the impact of new development on air quality is mitigated and where exposure to poor air quality is minimised or reduced.
- 10.278. Policy NG7 of the AAP states that planning permission will only be granted for residential development where it has been demonstrated that it is acceptable in terms of noise and air quality.
- 10.279. The whole of Oxford is an Air Quality Management Area with the main source of air pollution in the city, and at Northern Gateway, being road traffic. As well as the issues related to poor air quality on human health it is also important to consider its impact on the Oxford Meadows Special Area of Conservation.

Construction phase

- 10.280. The number of daily heavy goods vehicle (HGV) movements during the ten-year construction phase falls within indicative limits with regards to air quality impacts. There are uncertainties with making such a long-term assessment as it is possible that there are individual days when the daily limit could be exceeded and air quality impacted. Officers are recommending conditions for a construction traffic management plan (CTMP) for the detailed application and any reserved matters application. To deal with air quality issues, the conditions shall require the developer to pursue best practice working methods and processes, such as using at least Euro VI emission standard HGVs and ensuring regular fleet maintenance.
- 10.281. To deal with dust impacts of the construction phase, a Construction Environment Management Plan (CEMP) containing a dust assessment and resulting dust mitigation measures is recommended to be secured by condition.

Operational phase

- 10.282. It is proposed that all buildings will be connected to a site-wide energy sharing loop network, linked to ground source energy systems (GSES) in

the form of boreholes in the ground. This technology is emission free and will hence not impact air quality.

- 10.283. Officers consider the submitted traffic model, which predicts traffic flows and emissions when the development is predicted to be complete in 2031, to be robust; its predictions in relation to traffic emissions are the result of a series of conservative approaches. The air quality model demonstrates that the development would not lead to any exceedances of the current UK legal limit values for the concentration of major air pollutants.
- 10.284. Along the A40 and A44 some exceedances of the nitrogen dioxide annual mean limit value were identified at ground floor level on the façades of the buildings in the modelled scenario, which would be unsuitable for residential accommodation. However, there are no predicted exceedances at first floor level. Parameter Plan 02: Land use allows for residential development within the mixed use category to the east of the A44 and west of the A40 which would include the areas of nitrogen dioxide exceedance. A condition is therefore recommended to ensure no residential development shall take place in those areas of exceedance of the nitrogen dioxide annual mean limit values, unless an updated air quality assessment demonstrates that acceptable levels of air quality have been achieved in those areas.
- 10.285. Due to the existing nitrogen dioxide concentrations being below the threshold and the distance of the site from the railway being over 15 metres, Local Air Quality Management Technical Guidance is not triggered in relation to emissions from the railway. There are therefore no air quality concerns in relation to the site's proximity to the railway.
- 10.286. The Environmental Statement predicts oxides of nitrogen concentrations and nitrogen and acid deposition changes on sensitive ecological receptors, i.e. Wytham Woods SSSI and Oxford Meadows SAC. The results of the modelling work, which officers consider to be conservative, point to a slight improvement of the nitrogen load within 40 meters of the A34 at Wytham Woods SSSI in 2021, with the development in place. For Oxford Meadows SAC, nitrogen and acid deposition changes are considered to be insignificant, with changes not causing significant effects in a way that would affect the vegetation.
- 10.287. Policy BES2 of the Wolvercote Neighbourhood Plan, to which limited weight is afforded, requires proposals for residential development to identify the present state of air quality in the immediate vicinity of the site and the ways in which the potential impact of new development on the health and well-being of existing residents in the immediate locality can be mitigated through both design, layout and construction. It is considered, as discussed above, that the proposal has complied with this emerging policy.
- 10.288. The Institute of Air Quality Management (IAQM) guidance recommends at least one electric vehicle (EV) charging point per 10 residential dwellings and/or 1,000 square metres of commercial floorspace. Where on-site parking is provided for residential dwellings, EV charging points for each

parking space should be made. Policy M4 of the emerging local plan, to which limited weight can be afforded, would require EV charging points for each residential unit with an allocated parking space, and 25 per cent of non-residential and non-allocated residential spaces shall have EV charging points. Policy CHS3 of the Wolvercote Neighbourhood Plan, to which limited weight can be afforded, requires new homes and commercial premises to include charging points for electric vehicles. The outline proposal is for at least 10 per cent of non-residential parking spaces to have EV charging points, and for each residential unit to have the potential for at least one EV charging point. In the detailed application, 26 of the 253 spaces in the temporary car park would have EV charging points. The proposal therefore complies with the IAQM guidance, emerging policy CHS3, but not emerging policy M4. Given that this is a temporary car park, likely to be in place for less than 4 years, it is considered acceptable that the EV charging points meet current standards. When future reserved matters applications come forward, they will need to respond to the policies in force at that time.

- 10.289. A condition is recommended to ensure that provision of EV charging points and appropriate cable provision (ducting) is made to all the site's future commercial and residential uses to prepare for increased demand in future years. The quantum of charging points required for each reserved matters application shall accord with the relevant policies and guidance in place at the time.
- 10.290. Air quality was raised a number of times through public comments on the application. It is of note that the comment made by the Campaign to Protect Rural England (CPRE) focusses in some detail on the air quality assessment submitted with the application. Officers have examined each of the points made in the CPRE comment and, where necessary, sought additional information from the applicant, such as a plan of air quality receptors and road links referred to in the air quality assessment (Figure 12.4 in the resubmitted Environmental Statement). The comment does not raise any issues of concern that would alter the above assessment of the application in respect of air quality.
- 10.291. The hybrid application demonstrates that there will be no negative air quality impacts over current and future receptors as a result of the proposed development. The proposal, subject to the recommended conditions, would therefore comply with policy CP23, emerging policy RE6 and the NPPF in respect of air quality.

h. Ecology and biodiversity

- 10.292. Paragraph 170 of the NPPF requires planning decisions to contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity value, and to minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

- 10.293. Policy CS12 of the Core Strategy states that development will not be permitted if it results in a net loss of sites and species of ecological value. Where there is opportunity, development will be expected to enhance Oxford's biodiversity.
- 10.294. The AAP states that the City Council will seek active habitat creation on the site, linked to the provision of green infrastructure. Given the proximity of the Oxford Meadows Special Area of Conservation (SAC), a Habitat Regulations Assessment (HRA) was carried out for the Core Strategy, and that work was supplemented by a more detailed assessment to support the AAP. The HRA concludes that the policies of the AAP can be implemented without having an adverse effect on the integrity of the SAC.
- 10.295. Policy NG8 which seeks to protect the Oxford Meadows SAC states that, unless the applicant for planning permission can demonstrate that the development is not likely to have a significant effect on the Oxford Meadows Special Area of Conservation, the application will be subjected to appropriate assessment under the Habitats Regulations and permission will be granted only if it is ascertained that the development will not adversely affect the integrity of that Special Area of Conservation, in terms of recreational pressure, the hydrological regime and air quality.
- 10.296. The Environmental Statement submitted with the application includes a section on ecology and biodiversity plus appendices, and the development's ecological proposals are summarised within the Design and Access Statement: Masterplan. The parameter plans include landscape areas of higher biodiversity value, including the alluvial ribbon within Canalside, which are not part of the developable area.
- 10.297. A suite of protected species and habitat surveys have been undertaken across the site between 2015 and 2018, providing a thorough picture of the ecological value of the site during this period. Ongoing ecological walkover surveys of the site have confirmed that site characteristics have not significantly changed in this time. Officers visited the site on 29 August 2018 and agree with this overall assessment of ecological value provided.
- 10.298. Ecological assessments have confirmed the site supports a relatively common assemblage of species, including bats, birds, badger, small mammals and low numbers of reptiles and common amphibians. Notably however, brown hairstreak butterfly has been identified as breeding within the full application site area and a single bat roost has been identified in Tree T22 within the Central parcel close to the A40, for which a Natural England Mitigation Licence will need to be obtained to facilitate its removal. Up to date assessment will be required to inform licence applications to Natural England in respect of bats following receipt of full planning permission.
- 10.299. The Local Planning Authority in exercising any of their functions, have a legal duty to have regard to the requirements of the Conservation of Species and Habitats Regulations 2017 which identifies four main offences for development affecting European Protected Species (EPS):

- Deliberate capture or killing or injuring of an EPS
 - Deliberate taking or destroying of EPS eggs
 - Deliberate disturbance of a EPS including in particular any disturbance which is likely to impair their ability to survive, to breed or reproduce, or to rear or nurture their young; or, in the case of animals of a hibernating or migratory species, to hibernate or migrate; or to affect significantly the local distribution or abundance of the species to which they belong.
 - Damage or destruction of an EPS breeding site or resting place.
- 10.300. As noted above, a single bat roost has been identified in the Central parcel and therefore an EPS is likely to be present. The proposed development is likely to result in an offence under the Conservation of Species and Habitats Regulations 2017. Officers therefore have a duty to consider whether the proposal would be likely to secure a licence. To do so the proposals must meet with the three derogation tests which are:
- There are imperative reasons of overriding public interest (e.g. health and safety, economic or social);
 - There is no satisfactory alternative; and
 - The action will have no detrimental impact upon population of the species concerned e.g. because adequate compensation is being provided.
- 10.301. The allocation of the site within the Core Strategy, with an adopted AAP, as a strategic development site for housing and employment space provides the overriding public interest. No other site of this scale or capacity is available to meet such a requirement. The AAP in paragraph 2.9 states that the Northern Gateway is the only undeveloped strategic employment-led allocation in the city and it is the last opportunity to deliver employment development on this scale as part of the 'knowledge spine'. The site is critical to the delivery of the wider Oxfordshire Strategic Economic Plan 2014.
- 10.302. The identified bat roost is a transitional roost for two Soprano Pipistrelle bats. Although fully protected, the species is of relatively low conservation concern. Officers are satisfied that the three tests can be met and a licence obtained from Natural England for its closure. An updated survey will be required, which will inform the licence application and full mitigation measures will be agreed with Natural England.
- 10.303. Within the outline application boundary, an active badger sett has been identified. Updated assessment of this sett will be required and a licence obtained from Natural England for its closure for development purposes and the creation of a replacement sett. Badgers and their setts are protected under the Protection of Badgers Act 1992, therefore in order to proceed, a licence must be obtained from Natural England. A new sett will be created prior to closure of the existing sett. An updated survey of the site will be required prior to commencement of any works; therefore full

mitigation measures will be established following the results of this survey and agreed with Natural England. Additional measures will be agreed to protect badgers commuting through the site during both construction and operational phases via the Construction Environmental Management Plan recommended to be required by condition.

- 10.304. In advance of each phase of the development, updated protected species surveys will be required by condition to provide an up-to-date assessment of the presence or likely absence of protected species within the site.
- 10.305. The south-western hedgerow within Canalside is to be retained; following discussions with the applicant, it has been agreed that additional bolstering of this boundary will be provided with a view to also provide an enhanced buffer from the adjacent local wildlife sites (Canalside Meadow/Oxford Canal Marsh and Meadow north of Goose Green). As noted later in this report in discussions about surface water drainage, an overall reduction in geocellular attenuation tanks in favour of natural sustainable drainage features has also been achieved during the course of the application, increasing available aquatic habitat on site.
- 10.306. Biodiversity net gain is where development leaves biodiversity in a better state than it was before. To demonstrate that there has been no net loss in biodiversity as a result of a development and that a measurable net gain will be achieved it is useful to use a biodiversity impact metric or 'calculator'. Such a tool works to quantify the change in biodiversity by using habitats as a proxy for biodiversity value, measured in biodiversity 'units'.
- 10.307. The field of calculating biodiversity units is still developing, with ongoing updates to available metrics. Overall the use of a metric is a valuable tool in guiding decisions on how much and what kind of compensatory habitat may be required, but must be used in conjunction with ecological expertise. The metric doesn't take into account the needs of species, therefore an understanding of how biodiversity is affected, based on sound ecological data, is also required.
- 10.308. It is acknowledged that there will be an overall net loss of biodiversity of 6.99 biodiversity units within the site as a result of the proposals. This was apparent during pre-application discussions and so officers looked with the applicants for options of where off-site biodiversity enhancements could be delivered. A large area of Cutteslowe Park can be improved to create new habitats and thereby deliver suitable mitigation. An area of 3 hectares will be enhanced to provide species-rich neutral wildflower meadow. The existing grassland has the same geology and soil type as the site, and is anticipated to reach good condition within 10 years. The compensation site is local to the development and within the ownership of the City Council, therefore there is certainty over its delivery and maintenance. This is in line with emerging policy G2 which states that offsetting measures are likely to include identification of appropriate off-site locations/projects for improvement, which should be within the relevant Conservation Target Area if appropriate, or within the locality of the site. When assessing whether a site is suitable for compensation, consideration will be given to the access,

enjoyment and connection to nature that the biodiversity site to be lost has brought to a locality. While the exact quantum of enhancements is yet to be calculated, overall it is anticipated that a net gain of 10 per cent will be achieved. Should further compensation be required if the enhancements fall short, the developer can buy into a scheme such as Environment Bank to reach the appropriate level. The quantum of enhancements required would be secured via the legal agreement, along with the creation and maintenance in perpetuity of the Cutteslowe Park scheme and on-site habitats.

- 10.309. The off-site habitat creation as mitigation for the net loss would comply with policy GBS5 of the Wolvercote Neighbourhood Plan, to which limited weight is afforded, in that it would be on a like-for-like basis elsewhere within the Wolvercote Neighbourhood Plan Area. The scheme would also be compliant with policy GBS6 of the Wolvercote Neighbourhood Plan, to which limited weight is afforded, in that it would increase public access to green space and, overall, enhance biodiversity.
- 10.310. Overall, it is anticipated that the development would result in a minor net gain in linear habitats on site (+5.02 biodiversity units), with enhancement of species and structural diversity of new hedgerows. Hedgerow planting will include Blackthorn, providing enhanced opportunities for Brown Hairstreak Butterfly.
- 10.311. In line with the requirements of the Conservation of Habitats and Species Regulations 2017, it is noted that a likely significant effect on the Oxford Meadows Special Area of Conservation can be ruled out. This conclusion is supported by Natural England and is based on the following evidence:
- Chapter 10 of the Environmental Statement, in particular the section on Hydrogeology and Environmentally Sensitive Habitats, which indicates that the only area of the site with potential ground water connectivity with the SAC is the 'Alluvial Ribbon' in the south west, which the illustrative masterplan indicates will not contain built development, as it forms part of the greenspace.
 - Chapter 12 of the Environmental Statement, in particular paragraphs 12.5.14 to 12.5.20 and Table 12.8.4 of the Air Quality Appendices to the Environmental Statement which demonstrate the extent to which the scheme will contribute to critical levels of Nitrogen Oxide, critical loads of Nitrogen deposition and acid deposition at Oxford Meadows SAC.
 - Chapter 15 of the Environmental Statement, in particular paragraphs 15.6.14 to 15.6.15 which set out measures to help meet the recreational needs of new residents on site.
- 10.312. Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust were consulted on the application but no comments were received.
- 10.313. The habitat creation on site, and off site in Cutteslowe Park, complies with local plan policies, the AAP and the NPPF, as well as with emerging policy

G2. The scheme will have no likely significant impact upon the Oxford Meadows SAC or other statutory sites of nature conservation importance and therefore would comply with policy NG8; the on-site open space would minimise the potential for additional recreation pressure on the SAC. The potential presence of protected species and habitats has been given due regard and officers have no objection to the proposals, subject to inclusion of a number of recommended ecological conditions. Conditions are recommended for landscape and ecology management plans during construction and for long-term management, lighting to protect light-sensitive wildlife, and for on-site biodiversity enhancements. A planning obligation secured by legal agreement in relation to off-site habitat creation to offset the overall net loss of biodiversity is recommended.

i. Flooding, drainage and water

10.314. The NPPF in paragraph 163 states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere, supported where appropriate by a site-specific flood-risk assessment. Paragraph 165 states that major developments, as this application is, should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority;
- b) have appropriate proposed minimum operational standards;
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) where possible, provide multifunctional benefits.

10.315. The NPPF and Core Strategy policy CS11 state that developments over 1 hectare, as this application is, must be accompanied by a full Flood Risk Assessment (FRA), which includes information to show how the proposed development will not increase flood risk. Necessary mitigation measures must be implemented. Unless it is shown not to be feasible, all developments will be expected to incorporate sustainable drainage systems or techniques to limit runoff from new development, and preferably reduce the existing rate of run-off. The policy states that development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.

10.316. The AAP states that development must be designed to manage surface water through the use of sustainable drainage systems (SuDS), a system that stores the water and then releases it slowly into a watercourse or sewer at a later date. It states that Flood Risk Assessments will be required to accompany the outline planning application and qualifying detailed planning applications. The City Council will continue to work with the

County Council as the Lead Local Flood Authority (LLFA) to find a workable and appropriate SuDS solution for the development.

- 10.317. The site lies within Flood Zone 1 so is not at risk of fluvial flooding, but the northern part of the site of both the Central and East parcels is prone to surface water flooding. There is a watercourse that runs east to west along the southern part of the Park and Ride before being culverted under the A34. This watercourse will not only receive flows from the proposed development via the proposed drainage ponds, but also receives existing offsite flows.
- 10.318. Concerns have been raised by the County Council as LLFA with regards to this surface water flooding, and that it may pose a risk to development within the affected areas or to the attenuation features located there. The applicant's consultants, PBA, submitted a supplementary note suggesting that the flow in the unnamed watercourse would be throttled by culverts upstream of the site, therefore the flow would be unlikely to be such that it would affect the site. The LLFA has however requested that further investigation is undertaken in order to ascertain the true characteristics of the watercourse and subsequent flooding, the effect on the development, and for mitigation to be proposed where necessary. This can be provided by condition, prior to the commencement of any fixed development within the areas shown at risk of flooding.
- 10.319. The drainage strategy initially submitted was considered by officers to be too dominated by underground tanks and pipes which are less sustainable because they do not provide the multiple benefits of sustainable drainage systems (SuDS) – i.e. biodiversity, amenity, and water quality, and increased potential for flooding by greater scope for blockages and subsequent increased maintenance demands. Pre-application advice was given requiring surface conveyance and storage to be utilised, in order to create a truly sustainable drainage system. Best practice, along with the local and national planning policies highlighted above, also encourages sustainable drainage and so an amended drainage strategy for the site was submitted.
- 10.320. The resubmitted drainage strategy reduced the amount of tanked storage, while not eliminating it entirely. The size of the attenuation ponds has been increased and larger areas of permeable paving introduced. The proposed drainage strategy can be summarised as follows:
- Canalside parcel: the southern section slopes steeply towards the south and therefore naturally flows southwards where it either ponds or infiltrates into the alluvium and contributes to groundwater recharge, which feeds environmentally sensitive off-site receptors. The proposed strategy mimics this by providing a development platform including lined permeable paving and underground attenuation, which drains into an attenuation basin in the lower part of the site at a controlled rate, where it may infiltrate or overtop into the adjacent ditch to mimic natural conditions for groundwater recharge.

- Central parcel: this parcel incorporates a combination of lined permeable pavements, underground and open attenuation features, with a controlled discharge to the ordinary watercourse along the northern boundary.
 - East parcel: surface water drains from south to north via a combination of lined permeable pavements for the access road and external hardstanding areas which drain to open attenuation features within the centre and north-western corner of the site. The open central area incorporates an open depression which fills in higher order rainfall events and an underlying gravel layer. The attenuation basin in the north-western corner of the site has a controlled outfall to the ordinary watercourse to the north.
 - Detailed part of the application: the proposed surface water drainage strategy utilises lined permeable pavements and underground cellular attenuation with a piped network to further attenuation storage within the phase 1a parcel. The network then discharges at a controlled rate to the watercourse along the northern boundary of the wider site.
- 10.321. The drainage strategy for phase 1a may require the use of a small attenuation pond to the north of the site, dependent on detailed design. If this is to be the case, the pond should be located outside the area shown at risk of surface water flooding, or otherwise no work should be undertaken until the investigation and mitigation (if required) work has been undertaken and approved by the LLFA. This can be secured by condition.
- 10.322. A detailed drainage design, pursuant to the drainage strategy submitted with the full planning application, should be submitted prior to commencement of development. For each later phase, a detailed drainage design should be submitted and approved prior to commencement of subsequent phases. These requirements are recommended to be secured by condition.
- 10.323. The drainage strategy for the whole site demonstrates that the proposed run-off rates for the impermeable areas do not exceed the pre-development (greenfield) run-off rates in rainfall scenarios up to the 1 in 100 year +40% climate change event. This is acceptable.
- 10.324. The drainage strategy as initially submitted was somewhat disappointing in terms of sustainable design, and also not in accordance with SuDS principles, local guidance, and the pre-application advice given. The revised strategy addresses the concerns to some extent, removing a number of underground tanks. However it is regrettable that a more sustainable strategy was not proposed utilising more above ground storage and conveyance, given the greenfield nature of the site. However, having regard to the constraints of the site and overarching requirements of the illustrative masterplan, the approach is considered to be justified. It is recommended that the condition that requires submission of detailed drainage systems for future phases should also explore opportunities to incorporate more sustainable features.

- 10.325. Policy BES7 of the Wolvercote Neighbourhood Plan, to which limited weight is afforded, requires developments to demonstrate that they do not decrease rain water infiltration and requires all run off water to be infiltrated into the ground using permeable surfaces (SuDS), or attenuation storage, so that the speed and quantity of run off is decreased. Proposals for new development should ensure that there is no increased risk of flooding to existing property as a result of the development. The proposal, for the reasons discussed above, is considered compliant with this emerging policy.
- 10.326. The Environment Agency responded to the application and did not raise an objection nor recommend conditions.
- 10.327. In summary, according to Environment Agency modelling, the site is not at risk of flooding from fluvial sources, however there are areas shown at risk of surface water flooding which can be addressed via condition. The submitted drainage strategy limits discharge from the site to pre-development (greenfield) rates, therefore flood risk will not be increased as a result of discharge from the development. Further exploration of concerns over surface water flooding to the north of the site and any mitigation required can be secured by condition to ensure flood risk is not increased. Further detail of the surface water drainage scheme for the detailed part of the application, and for each subsequent phase of development are recommended to be required by condition. The application is therefore considered acceptable in relation to drainage and flood risk, in compliance with the NPPF and policy CS11. It would also comply with emerging policy RE3 in relation to flood risk management and policy RE4 in relation to sustainable drainage, surface and groundwater flow.

Water and sewerage infrastructure

- 10.328. Policy NE14 of the Oxford Local Plan 2001-2016 states that planning permission will only be granted for developments that would increase the demand for on and off-site service infrastructure where sufficient capacity already exists or extra capacity can be provided in time to serve the development that will ensure that the environment and the amenities of local residents are not adversely affected.
- 10.329. Thames Water has commented on the application requesting that standard conditions be imposed on any planning permission to ensure that the water and waste networks will have sufficient capacity prior to occupation of the development. With regard to foul water sewage network infrastructure capacity, Thames Water has stated that it would not have any objection to the above planning application. Subject to these conditions, therefore, the development would comply with policy NE14.
- 10.330. Policy V8 of the emerging local plan, to which limited weight can be afforded, requires developers to have explored existing capacity (and opportunities for extending it) with the appropriate utilities providers. The policy also requires provision for high quality digital facilities for B1 employment. Section 5.5 of the Design and Access Statement: Masterplan

sets out the utilities investigations carried out by the applicant and concludes that all major services are available within the vicinity of the site and no issues have been highlighted regarding connection. This section also notes that BT has shown an interest in providing the site with superfast broadband. The application would therefore comply with emerging policy V8 and with NPPF paragraph 112 which states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being.

j. Energy and resources

Energy

- 10.331. Paragraph 148 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions and support renewable and low carbon energy and associated infrastructure.
- 10.332. Core Strategy policy CS9 states that all developments should seek to minimise their carbon emissions and should demonstrate sustainable design and construction methods and energy efficiency through design, layout, orientation, landscaping and materials. The proposal exceeds the policy's threshold for qualifying developments and so it must achieve the target of 20 per cent renewable or low-carbon energy and incorporate recycled or reclaimed materials.
- 10.333. Policy NG9 of the AAP requires a district/shared energy scheme to be delivered at the Northern Gateway, the proposal for which must demonstrate that this would not have a significant air quality impact on the integrity of the Oxford Meadows SAC. Paragraph 7.21 of the AAP states that at the Northern Gateway buildings will be required to be constructed to the standards in place at the time of the subsequent reserved matters applications and thereby factoring in any tightening of requirements over time.
- 10.334. The application is accompanied by an energy statement covering details and calculations for the full part of the application and the energy strategy for the wider site. A Natural Resource Impact Assessment is also included.
- 10.335. A fundamental part of the energy strategy for the proposed scheme is a site-wide energy sharing loop network. High efficiency water to water heat pumps would provide space heating and cooling for all buildings, as well as domestic hot water (hot tap water for residential and commercial). These heat pumps will be linked to the site-wide energy sharing loop connected to ground source energy boreholes.
- 10.336. The proposed energy loop network is innovative and offers a low carbon solution, being based on ground source heat pumps. The system is easier to modularise than, for instance, a Combined Heat and Power (CHP) system; the energy strategy states that infrastructure will be put in place to

allow for future phases of the Oxford North development to connect into the energy sharing loop. This will improve the efficiency of the system by increasing the options for energy sharing between buildings with different energy profiles, such as residential and commercial buildings that need heating at different times of day. The solution proposed is also desirable for this site as it avoids the combustion of gas, and consequent air quality impacts, that would be required in a CHP plant. Photovoltaic (PV) panels are part of the wider energy strategy for the whole site and these would be wired into the local power network to reduce the consumption of grid electricity by the energy loop pumps and other electrical loads.

- 10.337. The Design and Access Statement: Masterplan states that the applicant is committed to designing buildings which meet ongoing improvements in energy efficiency standards, following a hierarchy of passive design measures, followed by active design measures, and then low and zero carbon technology. In drawing up the illustrative masterplan, the applicant has considered solar aspect, shade and shelter in positioning buildings. Such a commitment is recommended to be secured by legal agreement and is included in the Heads of Terms (**appendix 4**).
- 10.338. The detailed part of the application includes the energy loop infrastructure for this phase. In addition, heating and hot water in the Red Hall basement changing rooms will be provided by air source heat pumps. No PV arrays are proposed on the workspace or Red Hall buildings although PV panels are anticipated on the phase 1a residential buildings, which are not included in the detailed application.
- 10.339. The outline scheme complies with the AAP with respect to its requirement for a district/shared energy scheme.
- 10.340. The detailed part of the scheme is compliant with the 20 per cent target set out in policy CS9 by achieving a 25.7 per cent reduction in energy consumption compared with the level that would be achieved by meeting the minimum compliance threshold for Building Regulations. Emerging local plan policy RE1, to which limited weight can be afforded, has higher targets for carbon reduction than current local policy. However, future phases of the development will need to comply with the planning policy current at the time of the reserved matters applications.
- 10.341. It is welcome that BREEAM Excellent is being targeted for the buildings in the detailed part of the application, which would be in excess of the minimum Building Regulations requirements. This is sufficient to comply with the NPPF and policy CS9, and aligns with emerging local plan policy RE1.
- 10.342. Both the energy loop itself and a requirement to continue to meet evolving best practice in relation to sustainability credentials and energy efficient building techniques are to be secured via legal agreement. A condition is recommended to ensure both the detailed part and outline part of the development is carried out in accordance with the submitted energy

statement. Drawings of the energy loop infrastructure should also be required by condition.

Waste management

- 10.343. Paragraph 8 of the NPPF states that minimising waste forms part of the environmental objectives for sustainable development. Policy CS10 of the Core Strategy states that all new developments will be expected to have regard to the waste management hierarchy during design, construction and final occupation.
- 10.344. The application is accompanied by a waste strategy which identifies the overarching hierarchical approach to waste for construction and operational phases. A construction site waste management plan and an operational waste management and servicing plan will be required at reserved matters stages and for the detailed part of the application. The County Council has raised no objection to the approach to waste management and welcomes the waste management strategy. This matter is considered to have been given due regard in compliance with policy CS10.

k. Impact on neighbouring and residential amenity

- 10.345. Policy HP14 of the Sites and Housing Plan states that development should provide reasonable privacy and daylight for the occupants of both existing and new dwellings and guards against overbearing development. Policy CP10 of the Oxford Local Plan 2001-2016 requires development proposals to be sited in a manner which meets functional need, but also in a manner that safeguards the amenities of other properties. Policies CP19 and CP21 protect against unacceptable nuisance and noise. Emerging policy H14 protects residential amenity in a similar way to adopted policy HP14, while emerging policies RE7 and RE8 also protect neighbours against environmental impacts of development. Limited weight can be afforded to these emerging policies.

Amenity for nearby residents

- 10.346. Numbers 396-400 Woodstock Road lie north of the Wolvercote roundabout between the railway line and the A44. These houses are accessed via a cul-de-sac from Five Mile Drive, which is adopted highway. The planning application includes proposals for this cul-de-sac to be opened up to form a pedestrian and cycle connection between Five Mile Drive and Peartree Park and Ride. There would be no through vehicle access, with the road wide enough to carry occasional vehicle movements to service 396-400 Woodstock Road as well as cycles and pedestrians. A greater level of detail of this part of the A44 proposals would be required by condition prior to commencement of the works.
- 10.347. The parameter plans propose development in the land between 396-400 Woodstock Road and Peartree Park and Ride. A neighbourly ten-metre landscape buffer is included on Parameter Plan 02: Land use where the site abuts these properties. The illustrative masterplan suggests houses

with gardens would back onto this landscape buffer, although this would be a matter for determination at reserved matters stage. The parameters of the outline application are sufficient to safeguard residential amenity for these properties with detailed design to be considered at reserved matters stage.

- 10.348. The site's red line runs along the rear boundary of 30 Godstow Road, but the small segment of land at this point is proposed as a landscape buffer area on Parameter Plan 02: Land use. This does not present any neighbouring amenity concerns for residents along Godstow Road and the cul-de-sacs to the north of Godstow Road.
- 10.349. Other residential properties such as those in Lakeside, Linkside Avenue, Carey Close and Five Mile Drive are not considered to be harmfully impacted. They are separated from the development by the railway line and, although their views will change, a change in view is not a material planning consideration in terms of residential amenity. The change in views has been discussed in the overall assessment of the visual impact of the development earlier in this report. Public representations have been made by residents in this area requesting tree screening be planted along the site's boundary with the railway line. The detail of landscape planting would not come forward until the reserved matters application for that part of the development (phase 4), however the overall tree planting strategy plan contained within the submitted Public Realm Strategy: Masterplan indicates that, the perimeter of the site will comprise predominantly native tree and shrub species with understorey planting to form a green buffer to the site. These would be a mixture of single and multi-stem trees, closely arranged. It is not considered necessary or reasonable to impose a condition to require tree screening planting along this boundary, although it would appear to be the developer's intention to propose such planting in due course.
- 10.350. It is noted that Red Barn Farm, which lies in the parcel of land to the north of the Central parcel and south of the A34, contains no residential uses.

Noise and vibration

- 10.351. Policy NG7 of the AAP states that planning permission will only be granted for residential development where it has been demonstrated that it is acceptable in terms of noise and air quality. Policy NG10 of the AAP requires Construction Environmental Management Plans covering matters including noise, traffic and dust during the construction phase to support any reserved matters planning applications.
- 10.352. The primary source of noise at the Northern Gateway site is road traffic from the A40, A44 and A34, and the Oxford to Bicester railway line that runs through the site is a secondary source of noise. The railway is also a source of vibration. Employment land uses are less sensitive than residential uses to noise, so for this reason the AAP expects employment uses to be located in the areas more affected by noise and for the design and layout of the employment elements to act as a buffer to help protect the more sensitive residential uses.

- 10.353. Officers consider that the Environmental Statement has correctly identified the most significant sources of and receptors for noise and vibration impact and has applied appropriate standards and methodologies to predict and quantify them.
- 10.354. The Environmental Statement sets out how noise constraints guided the design development, such as via offset distances from the A-roads and the proposed central street, and the potential effects from trains on the adjacent railway. The arrangement of building facades integrates an element of acoustic screening within the scheme, such as the larger Workspace Buildings proposed in phase 1a positioned along the A40. The constraints plan in section 5.5 of the Design and Access Statement: Masterplan shows the areas that have been identified as noise buffers to residential uses.
- 10.355. The assessment of the potential noise and vibration effects associated with construction and operation of the site within chapter 13 of the Environmental Statement are considered to be acceptable and in line with current good practice. It is essential, however, that subsequent reserved matters applications adhere to these assumptions and recommendations and so conditions are recommended for both the full and outline applications. In conclusion, the Environmental Statement is comprehensive and appropriate with regard to noise and vibration.
- 10.356. Policy BES3 of the emerging Wolvercote Neighbourhood Plan, to which limited weight is afforded, requires new developments to demonstrate the ways in which they have responded to the most up-to-date technical guidance on noise pollution relevant to the proposed development. It is considered, as set out above, that the proposal is compliant with this emerging policy.
- 10.357. A number of conditions are recommended to deal with noise and vibration issues and to protect residential amenity. A Construction Environmental Management Plan would be required with each reserved matters application to deal with noise and vibration, as well as a scheme to manage construction noise. Details of mechanical plant and extraction equipment for the full application and subsequent reserved matters applications, where relevant, are recommended to be required by condition to safeguard amenity.

I. Land quality

- 10.358. Oxford Local Plan 2001-2016 policy CP22 states that, where necessary, the City Council will require prospective developers to submit details of an investigation of the site and any remedial measures that need to be carried out. The City Council will, where necessary, require the developer to carry out remedial measures and to verify that the approved measures have been carried out. There are no specific policies relating to land quality in the AAP. Emerging policy RE9, to which limited weight can be afforded, requires investigations to assess the nature and extent of contamination of land and appropriate mitigation.

10.359. The application includes a Geo-Environmental Assessment of Ground Conditions and appendices within the Environmental Statement which demonstrates that there do not appear to be any significant contamination risks associated with the site. The Environment Agency raised no objection and did not recommend conditions. Officers and the Environment Agency are satisfied that, subject to conditions on both the full and outline applications, the application is satisfactory in relation to land quality.

m. Phasing of development and delivery of infrastructure

10.360. Policy CS17 of the Core Strategy states that planning permission for new development will only be granted if it is supported by appropriate infrastructure at a timely stage. Developer contributions will be sought where needs arise as a result of new development. The City Council will work in partnership with infrastructure providers and other delivery agencies in preparing Area Action Plans (and any supporting Supplementary Planning Documents).

10.361. Accordingly, and subsequent to the Core Strategy adoption, the Affordable Housing and Planning Obligations Supplementary Planning Document (SPD) was adopted in September 2013 and the Community Infrastructure Levy (CIL) came into effect in Oxford on 21 October 2013. The Affordable Housing and Planning Obligations SPD states that, as a consequence of the introduction of CIL, the use of Section 106 planning obligations for most types of infrastructure, other than Affordable Housing, will be much more limited than in the past. It goes on to state that CIL will replace planning obligations as the means of funding off-site infrastructure, such as additional school places, transport improvements or improved leisure facilities, which are required in connection with new development and consequent population or economic growth. It states that proposals for development that may require the provision of planning obligations should be made in accordance with the relevant policies of Oxford's local plan. For this application, which lies within the Northern Gateway AAP boundary, policy on infrastructure contributions is found in the AAP, which was adopted in July 2015.

10.362. Policy NG10 of the AAP requires that the phasing of the site has regard to the aim of creating a sustainable employment-led development from the outset and as the development progresses. A phasing strategy must be submitted with the outline planning application for approval by the local planning authority.

10.363. A phasing strategy is included in the Design and Access Statement: Masterplan. This sets out the development in four phases including sub-phases over a ten-year period following a grant of planning permission. Officers consider that it makes for a logical programme with infrastructure coming forward at appropriate phases to support a balanced mix of housing and commercial floor space. The County Council is seeking the delivery of A44 works at an earlier stage than the applicant had proposed. Initial phases focus development on the highways infrastructure and development along the link road which is to form the heart of the new area. The phasing

of infrastructure is recommended to be secured by condition or via legal agreement, as appropriate, with capacity to agree amendments.

10.364. Paragraph 8.11 of the AAP sets out a number of funding sources for the infrastructure requirements of Northern Gateway. These are listed below, with notes on funding that has been secured:

Funding source	Notes
Developer funding secured through the Community Infrastructure Levy (CIL)	There is a CEB resolution to apply the CIL receipts generated in order to fund investment in highways/transport infrastructure to support the delivery of the Northern Gateway strategic site allocation.
Developer funding secured through a Section 106 agreement	The Heads of Terms (see appendix 4) set out the obligations to provide elements of the infrastructure that are required to serve the development and financial contributions towards bus service subsidies on the Eastern Arc (up to £2.88 million), travel plan monitoring fee (£6,000), and variation of Traffic Regulation Order (£5,000) to create safe routes to school.
City Deal funding already secured for the Northern Gateway area	This funding delivered the Cutteslowe and Wolvercote roundabout improvements which are now complete.
Local Growth Fund monies bid via the Oxfordshire Local Enterprise Partnership	£5.9 million has been secured to fund the A40 highway works, to be delivered by the County Council
City and County Council funding (for example via capital programmes and funds secured from other sources)	£10 million of HIF Marginal Viability Fund has been secured from Homes England; the Peartree interchange improvements are a wider County Council project to which this development would make a contribution; future funding opportunities will continue to be targeted by the City Council

10.365. The items of infrastructure that are to be funded by the CIL generated from the development are:

- commuted sums for the maintenance of the A44 and A40 by the Highways Authority;
- a financial contribution towards the cost of a scheme to improve Peartree interchange; and
- funding for the creation of Controlled Parking Zones in Upper and Lower Wolvercote and Yarnton.

10.366. The following infrastructure is to be delivered directly by the developer. These items are likely to be eligible for infrastructure payments (in lieu of CIL payments) under the provisions of Regulation 73A of the CIL Regulations if the Council decides to permit such an approach.

- the parts of the A44 works that provide a wider public benefit, such as the northbound bus lane, landscaping and tree planting, street furniture, drainage; and
- two road crossings to provide safe routes to Wolvercote Primary School.

10.367. Policy NG11 states that there must be suitable arrangements to provide and phase the infrastructure, services and facilities that will make the scheme acceptable in planning terms. The Heads of Terms of the legal agreement (**appendix 4**) and relevant conditions (**appendix 3**) set out how each element of infrastructure is to be secured. The proposed means of securing each item of infrastructure specifically listed in policy NG11 is summarised below:

Infrastructure	Means of securing
Affordable Housing	Obligation in legal agreement
Restricting the occupation of the employment uses through a 'Gateway Policy Agreement'	Condition or obligation in legal agreement for occupiers to be consistent with the employment types set out in the AAP
Provision and maintenance of public open space and children's play facilities	Obligation in legal agreement
Highways and transport infrastructure to serve the development, including new junctions on the A40 and the A44, the construction of an on-site link road between the A40 and the A44, and public transport interchange/waiting facilities	Obligation in legal agreement
Pedestrian and cycle links to serve the development	Obligation in legal agreement
Travel Plan	Condition and obligation in legal agreement, including monitoring
A district/shared energy scheme	Obligation in legal agreement
Sustainable drainage systems, water and wastewater and any other utilities measures required to serve the development	Obligation in legal agreement and conditions
Any specific measures required to prevent or mitigate potential impacts on the Oxford Meadows SAC or on other areas designated for their nature conservation value.	No specific measures were found to be required because no likely significant effect was identified on the SAC or other designated area. On-site public open space provides the mitigation to deal with recreational impact on the SAC. Note that biodiversity off-setting beyond the red line is to be secured by legal agreement.

10.368. The AAP in paragraph 8.5 points out that large-scale development of this kind will offer a range of training and job opportunities particularly in the

construction phase. Where there are chances to link local people and businesses to the economic opportunities arising from the development or associated supply-chains, the City Council will be encourage their uptake. This ties in with emerging policy E4 (Securing opportunities for local employment, training and businesses), to which limited weight is afforded. A Community Employment Plan is proposed to be secured via legal agreement both for the construction and operational phases of the development.

- 10.369. Requests were made by the Clinical Commissioning Group and Thames Valley Police for funding as a result of this development. As discussed above, CIL is the normally used to secure off-site infrastructure which is required in connection with new development and consequent population or economic growth. This would cover medical facilities and policing infrastructure, neither of which are specified as an infrastructure requirement in the AAP. Careful prioritisation of infrastructure means that these two requests cannot be put ahead of the infrastructure required by the AAP, such as Affordable Housing and sustainable transport measures for this development.
- 10.370. Thames Valley Police have suggested the inclusion of a police “touchdown” facility on site. Officers consider that the nature of the development proposal, being mainly commercial and with on-site management proposed, means that such a facility is unlikely to be appropriate.
- 10.371. Through pre-application discussions, officers at the City and County Councils have sought to identify the infrastructure needed to support the development into that which must be guaranteed and that which, subject to review, should be provided. This exercise has been carried out in order to optimise viability and maximise the quantum of Affordable Housing. This has led to the deferred provision of some items of infrastructure. These items of unfunded infrastructure are recorded below so that, should additional funding become available from this development, from other developments within the AAP boundary, surplus CIL monies, or the recirculation of grant, these items can be considered for funding:
- cost of expanding Wolvercote Primary School
 - Special Educational Needs financial contribution
 - contributions to off-site footpath and cycle links including, cycle routes on Woodstock Road, canal towpath improvements, enhancement of Joe White’s Lane, cycle route improvements to Oxford Parkway via Five Mile Drive and Banbury Road
 - contribution towards the provision of an enhanced Peartree Park and Ride facility with additional spaces, improved waiting facilities and the installation of a decked car park

n. Planning obligations

- 10.372. It is considered that the planning obligations listed in **appendix 4** need to be secured in order for the development to be acceptable. The provisions of CIL Regulation 122 have been considered and it is believed that all of the obligations meet the relevant tests and can therefore be taken into account in determining the application.
- 10.373. It is noted that in order for the planning obligations to be delivered there will need to be an agreement with the applicant, the County Council and the City Council about the use of CIL and other monies. The grant of permission should be conditional on appropriate arrangements having been documented.

o. Other matters

- 10.374. As the application site is located in close proximity to the railway line, Network Rail was consulted as part of the application. In their response they raised no objection but requested a number of conditions be applied to the planning permission. The conditions suggested fail to meet the statutory requirements detailed in paragraph 55 of the NPPF for conditions and therefore an informative has been included requiring the applicant to liaise directly with Network Rail to ensure the development complies with the requirements as set out by Network Rail. It is noted that the applicant responded substantively to the points raised by Network Rail in the resubmission covering letter dated 21 March 2019.
- 10.375. Emerging policy RE5, to which limited weight can be afforded, states that proposals will be supported which help to deliver strong, vibrant and healthy communities and reduce health inequalities. This is not a specific objective of any adopted policies but it is a theme of the NPPF in section 8. Planning obligations are therefore recommended to be secured via legal agreement to ensure that the principles of good design for health and wellbeing are embedded into the design of the development and to explore new and innovative strategies for working in partnership across sectors to deliver the best possible wellbeing outcomes for current and future tenants and residents.

11. OTHER MATERIAL CONSIDERATIONS

Equalities Act

- 11.1. The application has been assessed against the relevant sections of the Equalities Act 2010, and it is not considered that the application discriminates against people with protected characteristics specified in the Act. The protected characteristics are:
- age
 - gender reassignment
 - being married or in a civil partnership

- being pregnant or on maternity leave
- disability
- race including colour, nationality, ethnic or national origin
- religion or belief
- sex
- sexual orientation.

Human Rights Act 1998

- 11.2. 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.

Section 17 of the Crime and Disorder Act 1998

- 11.3. 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.

12. CONCLUSION

- 12.1. Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application. This includes the presumption in favour of sustainable development found at paragraph 11 of the Framework, which requires approving development proposals that accord with an up-to-date development plan without delay.
- 12.2. Section 2 of the NPPF lists the three dimensions to sustainable development: economic, social and environmental. These roles are interdependent and need to be pursued in mutually supportive ways to achieve sustainable development. These roles will now be considered in weighing up the benefits and dis-benefits of the proposed development relative to all material considerations discussed in this report.

Economic impacts

- 12.3. The Northern Gateway is a key strategic site which has been allocated in the Core Strategy for employment space focussed on Oxford's key

strengths in the knowledge economy – science and technology, research, bio-technology and spin-off companies from the universities and hospitals. One of the objectives of the OxLEP Strategic Economic Plan for Oxfordshire 2016 is to deliver flagship gateway developments and projects that stimulate growth. Northern Gateway is identified as such a project.

- 12.4. This application would bring significant economic benefits through provision of employment space tailored to the needs of the city, supporting economic growth, underpinned by the necessary infrastructure to deliver the site. Paragraph 80 of the NPPF states that significant weight should be placed on the need to support economic growth and productivity and therefore this economic benefit of the proposal is afforded significant weight.

Social impacts

- 12.5. The application would provide up to 480 new homes including 168 affordable homes of which 135 units would be social rented and targeted to those in greatest housing need. The urgent need for more homes and the constrained supply in Oxford is well documented and understood; therefore this contribution on an employment-led development would be significant in addressing the shortfall in housing and of clear social benefit. It would support the Government's objective of significantly boosting the supply of homes as set out in paragraph 59 of the NPPF.
- 12.6. The illustrative masterplan and details within the Design and Access Statement: Masterplan demonstrate the proposal's high-quality urban design. The overall landscape proposals and public spaces further assure that the development would be well-designed, thereby providing high-quality public realm and supporting social well-being. As required by the NPPF, officers have had due regard to the supportive comments of the ODRP in assessing the design quality of the proposed scheme.
- 12.7. The overall sustainable transport benefits that the development would bring include hugely improved cycle and bus infrastructure on transformed stretches of the A40 and A44 within the application site. Improved bus services via the Eastern Arc would be delivered, and an obligation to work collaboratively to create a cycle link northwards to Oxford Parkway would be secured. These improvements to sustainable transport bring social benefits by offering healthier travel options and increasing connectivity and accessibility of facilities.
- 12.8. The dis-benefit of the development in social terms is the impact on heritage assets (the setting of both Wolvercote with Godstow Conservation Area and the Manor and Church Farmhouses) set out in **section 10d**. The balancing exercise required by the NPPF for less than substantial harm to heritage assets concluded that the public benefits of the development significantly outweigh the harm. As such, the proposal would meet the test of paragraph 196 of the NPPF and would accord with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Environmental impacts

- 12.9. The social benefit of the transformation of the A40 and A44 in slowing traffic, greening, and improving bus and cycle infrastructure would also deliver significant environmental benefits, transforming what is currently a hostile environment and providing much improved sustainable travel options.
- 12.10. Similarly the high-quality urban design and landscape proposed would bring environmental as well as social benefits.
- 12.11. As set out in the report, air quality, vehicular traffic, noise and drainage can all be appropriately managed to prevent any harmful impact and the proposals comply with the relevant local and national planning policies.
- 12.12. The proposed energy loop provides a significant environmental benefit in bringing power to the development without the need for gas or to produce emissions. The system would be modular allowing each phase to connect to the loop, and has the potential to grow beyond the site.
- 12.13. In ecology terms, there would be a gain in linear habitats on site but a net loss of biodiversity within the site. The latter is a dis-benefit which is to be mitigated through the creation of off-site habitats in nearby Cutteslowe Park. This is anticipated to result in an overall net gain in habitats, as required by the NPPF. Any shortfall would be dealt with through financial contributions to an appropriate scheme, secured by legal agreement.
- 12.14. Overall, the proposed development would bring significant public benefits that accord with the three strands of sustainable development set out in the NPPF. Having taken into account the provisions of the Development Plan, the policies in the NPPF, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval subject to the planning conditions set out in **appendix 3** and a Section 106 legal agreement whose Heads of Terms are set out in **appendix 4**.
- 12.15. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Acting Head of Planning Services) of a legal agreement under Section 106 of the Town and Country Planning Act 1990.

13. APPENDICES

- **Appendix 1** – Site location plan
- **Appendix 2** – List of addresses of public commenters
- **Appendix 3** – Recommended conditions
- **Appendix 4** – Heads of terms of Section 106 legal agreement
- **Appendix 5** – JLL viability report
- **Appendix 6** – Oxford Design Review letters

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OXFORD CITY PLANNING COMMITTEE

10th August 2021

Application number:	21/01495/FUL
Decision due by	29 th July 2021
Extension of time	17 th August 2021
Proposal	Formation of 1no rear dormer in association with a loft conversion and insertion of 3no rooflights to front elevation.
Site address	65 Owens Way, Oxford, OX4 2GG
Ward	Temple Cowley Ward
Case officer	Tim Hunter
Agent:	Applicant: Paul and Rachel Jeffrey
Reason at Committee	The applicant is an employee of Oxford City Council.

1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

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

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

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

2. EXECUTIVE SUMMARY

2.1. This report considers a proposal to erect a rear roof dormer and provide 3 roof-lights to the front roof-slope in association with a loft conversion. Partly because of similar development in the local area the proposal is not considered to be unacceptably harmful to visual or residential amenity. For those reasons the proposals are considered to comply with the relevant planning policies set out in the report and the NPPF.

3. LEGAL AGREEMENT

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

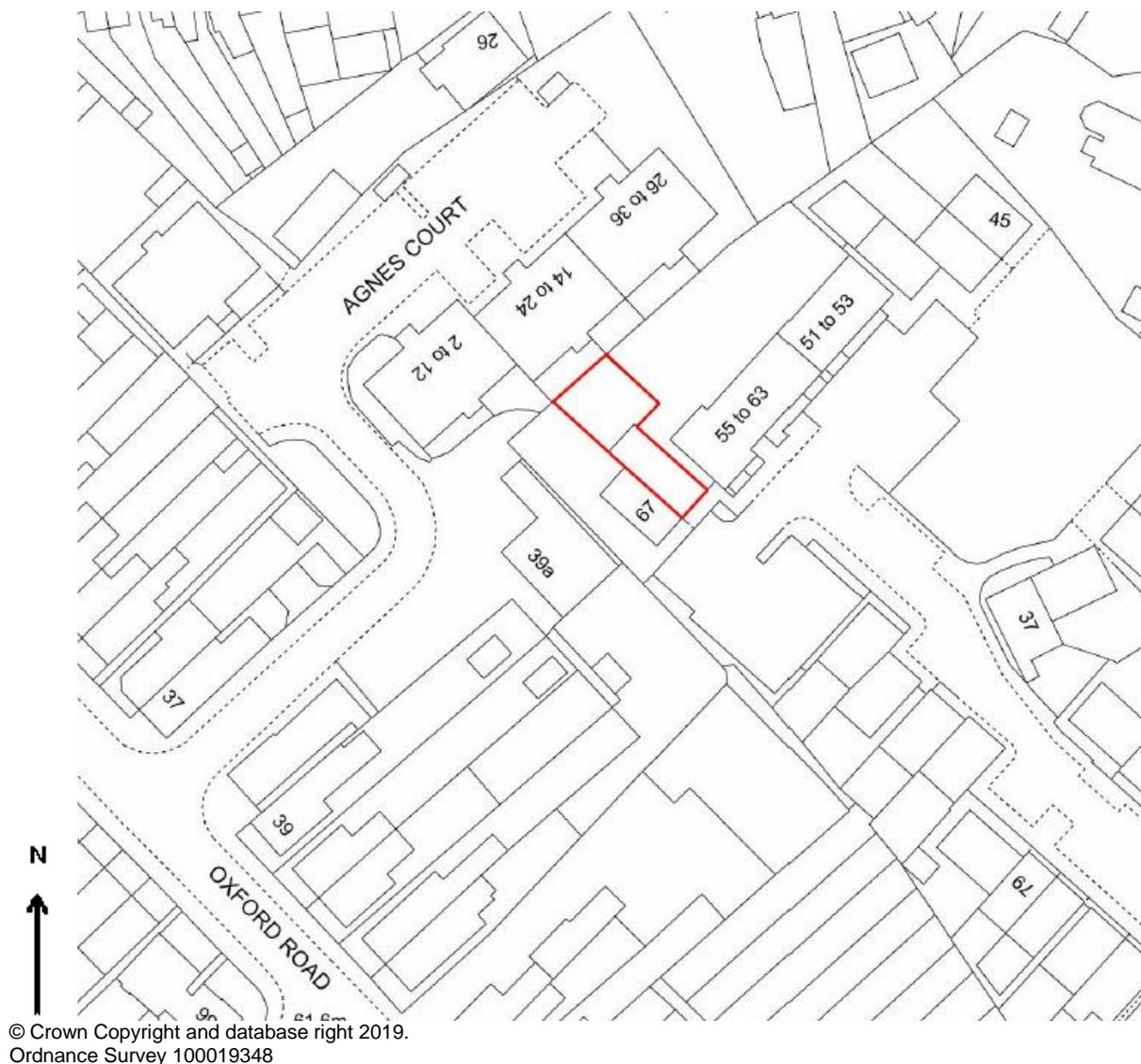
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The site is located in the Temple Cowley area of Oxford to the south-east of the city centre. The application site is a semi-detached house. The area is characterised by a mix of houses and flats, with three storey blocks of flats immediately to the North, North-west and North-east of the application site.

5.2. See site location plan below:



6. PROPOSAL

6.1. Permission is now sought for a rear roof dormer extension and 3 roof-lights to the front roof slope, in association with a loft conversion.

- 6.2. The dormer would be 2.1m high, with a width of 2.6m and would sit within a rear roof slope of 3.75m in height and 4.8m in width. As such, the dormer would preserve much of the existing roof slope and would appear as a small dormer within the roof, rather than as a flat roofed second floor.
- 6.3. It should be noted that planning permission would not normally be required for rear dormers in most cases but as a result of permitted development rights being removed for the property (04/02163/RES) planning permission is required.

7. RELEVANT PLANNING HISTORY

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

No relevant planning application history
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8. RELEVANT PLANNING POLICY

- 8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Oxford Local Plan 2036
Design	117, 122, 124, 127, 128, 130,	DH1 – High quality design and placemaking
Environmental	167, 183-185	H14 – Privacy, daylight and sunlight
Misc	11	S1 – Presumption in favour of sustainable development

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 17th June 2021.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

- 9.2. No comments received.

Natural England

- 9.3. No comments received.

Public representations

9.4. No third party comments received.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Visual amenity
- ii. Neighbouring Amenity

i. Design and Impact on Character of Surrounding Area

10.2. The proposed dormer would be visible from Agnes Court to the rear. However in terms of scale, bulk and mass, the proposed development either reflects or is smaller than other similar development in the nearby local area particularly those at number 35 and 37 Oxford Road, both of which are also visible from Agnes Court.

10.3. The proposed dormer is also very similar (if not identical) to a dormer approved at 81 Owens Way under application 16/02794/FUL.

10.4. Because of its relatively small size in relation to the existing roof slope, the main rear roof slope would appear to be retained, with the dormer sitting within it, rather than replacing it. This accords with the general aims of Oxford City Council's Planning Design Guide 5 – Rear Dormers.

10.5. Officers also note that most of the immediately surrounding properties are three storey blocks of flats with varying features such as two storey bay windows, small gable features etc as well as other dormer windows existing on other properties in the surrounding area, all visible from Agnes Court. The new dormer window and roof lights, serving accommodation at second floor level would therefore reflect the prevailing nature of development in the immediate local area, which is of three storey buildings or two storey buildings some of which have dormer windows as described. Therefore while the proposals will be visible from Agnes Court, in this context the proposals would be in-keeping, not unduly prominent or visually intrusive. As such the proposals would not harm visual amenity.

10.6. The proposed dormer would be clad in matching tiles to the main roof slope and is acceptable in design terms.

10.7. Subject to a condition to control the appearance of materials used in the build, the proposal is not considered to be unacceptably out of character with the existing dwelling or local area for the reasons given and would not result in unacceptable visual harm in compliance with Policy DH1 of the OLP 2036

ii. Impact on Neighbouring Amenity

10.8. Because of its position on the roof, the proposed dormer would not result in overshadowing or loss of daylight to the habitable rooms of the properties

either side of the site. With regard to the block of flats at Agnes Court that are immediately behind the site, the 25 degree line would pass above the proposed dormer, indicating no unacceptable loss of light to the habitable rooms of that building.

- 10.9. The proposed development would not be unduly overbearing, enclosing or oppressive.
- 10.10. In terms of overlooking, there would be the opportunity for mutual overlooking of the flats at Agnes Court and surrounding gardens, but this would be little different to the existing overlooking from first floor windows and highly similar to the potential for overlooking from the second floor windows of the immediately adjacent 57 – 63 Owens Way and Agnes Court. Indeed, overlooking of surrounding gardens would be less from the dormer than from the windows at 57 – 63, because of its set back from the main rear wall.
- 10.11. The proposed roof lights would face the street, where overlooking across public areas is to be expected. In any event, roof lights do not tend to be experienced as so overlooking as vertical panes of glass and overall, the impact of the roof lights on surrounding occupiers would be acceptable.
- 10.12. On the above basis, the impact on adjacent occupiers would be limited and acceptable. The proposal therefore complies with Policy H14 of the OLP 2036.

11. CONCLUSION

- 11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes it clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. 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(c) providing that decision-taking means approving development proposals that accord with an up-to-date development plan without delay. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.
- 11.3. Therefore in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.

- 11.4. Officers would advise members that having considered the application carefully, the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Local Plan 2036, when considered as a whole, and that there are no material considerations that would outweigh these policies. On the basis of the above, Officers recommend that the Oxford City Planning Committee grant planning permission for the proposed development for the reasons set out at the beginning of this report subject to the conditions set out below.

12. CONDITIONS

- 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.

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

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

- 3 Unless otherwise approved in writing by the Local Planning Authority, the materials to be used shall be as specified in the approved plans and supporting documents.

Reason: To ensure that the new development is in keeping with existing building(s) in accordance with policy DH1 of the Oxford Local Plan 2036.

INFORMATIVES :-

- 1 In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.

13. APPENDICES

- **Appendix 1** – Site plan

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

Appendix 1 – Site Plan



Appendix 1 – Location Plan

21/01495/FUL – 65 Owens Way



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Oxford City Planning Committee

10th August 2021

Application number: 19/02816/FUL

Decision due by 27th December 2019

Extension of time 16th February 2021

Proposal Demolition of existing garage and erection of 1 x 4-bed dwelling and 1 x 5-bed dwelling (Use Class C3). Provision of amenity space, car parking and bin and cycle stores. Associated landscaping and boundary treatments. (amended plans)

Site address Land Between 45 And 51, Hill Top Road, Oxford, Oxfordshire – see **Appendix 1** for site plan

Ward St Clement's Ward

Case officer James Paterson

Agent: Mr Stephen Broadley **Applicant:** Mr J Asquith

Reason at Committee This application was called in by Councillors Hayes, Chapman, Tanner, Clarkson, Munkonge and Lygo due to concerns around car parking, amenities, neighbouring amenities, and the use of the site.

The application was previously considered at West Area Planning Committee on 9th February 2021 where the committee resolved to grant planning permission subject to a legal agreement. The application has been brought back to committee as the applicant has not agreed to enter into the legal agreement.

1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

1.1.1. **refuse the application** for the reason given in paragraph 1.1.2 of this the report and delegate authority to the Head of Planning Services to:

- finalise the reason for refusal including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

1.1.2. **The recommended reason for refusal is as follows:**

The application site is already subject to an extant permission for the erection

of a single dwellinghouse (19/02817/FUL), which, if implemented, would be located to the rear of the site. The two dwellings proposed as part of this application would be located to the front of the site and therefore the implementation of this permission would mean that it would not be impossible to implement permission 19/02817/FUL. Therefore, although the proposed development would be acceptable if implemented on its own, the Council has no way to prevent all three dwellings associated with the planning permissions 19/02816/FUL and 19/02817/FUL; the implementation of both permissions would give rise to an unacceptable arrangement on the site which would include an adverse impact on residential amenity and an overdevelopment of the site and failing to accord with Policies RE1, DH1, H14 and H16 of the Oxford Local Plan 2036 or paragraph 127 of the NPPF. The applicant has refused to enter a legal agreement where they agree to only implement one permission and therefore this application must be refused.

2. EXECUTIVE SUMMARY

- 2.1. This report considers an application for the erection of two semi-detached dwellinghouses with stores in the rear gardens. The houses would be set towards the front of the plot, to match the front building line of no. 51 and would be two and a half storeys in height. Outbuildings are proposed to be constructed at the rear and landscaping and boundary treatments are also included in the proposals.
- 2.2. Officers consider that the proposals, in isolation, would accord with the policies of the development plan when considered as a whole and the range of material considerations support the grant of planning permission.
- 2.3. The scheme, when considered in isolation, would also accord with the aims and objectives of the National Planning Policy Framework. The proposal would constitute sustainable development and given conformity with the development plan as a whole.
- 2.4. However, without a legal agreement with the Council or unilateral undertaking being in place, there is no way that the Council can prevent the implementation of the extant permission on the site for a single dwellinghouse (reference 19/02817/FUL). Both that extant permission and any permission resulting from this application could therefore be implemented which would lead to an unacceptable arrangement, in planning terms, on the application site.
- 2.5. Members should note that this application has previously been presented to the West Area Planning Committee in February 2021 with a recommendation to grant planning permission on the basis that the applicant was intending to enter into a legal agreement with the Council; that legal agreement would have precluded them from implementing both the extant permission and the permission associated with these proposals. The committee report from February 2021 has been included as **Appendix 2**. The applicant has now indicated that they will not enter into a legal agreement as they are unwilling to pay the associated fee for the agreement to be drafted by the Council. As a result, notwithstanding the previous committee resolution to grant planning

permission subject to the aforementioned legal agreement officers must now recommend that members consider these proposals in the absence of the legal agreement and officers are recommending planning permission is refused.

3. LEGAL AGREEMENT

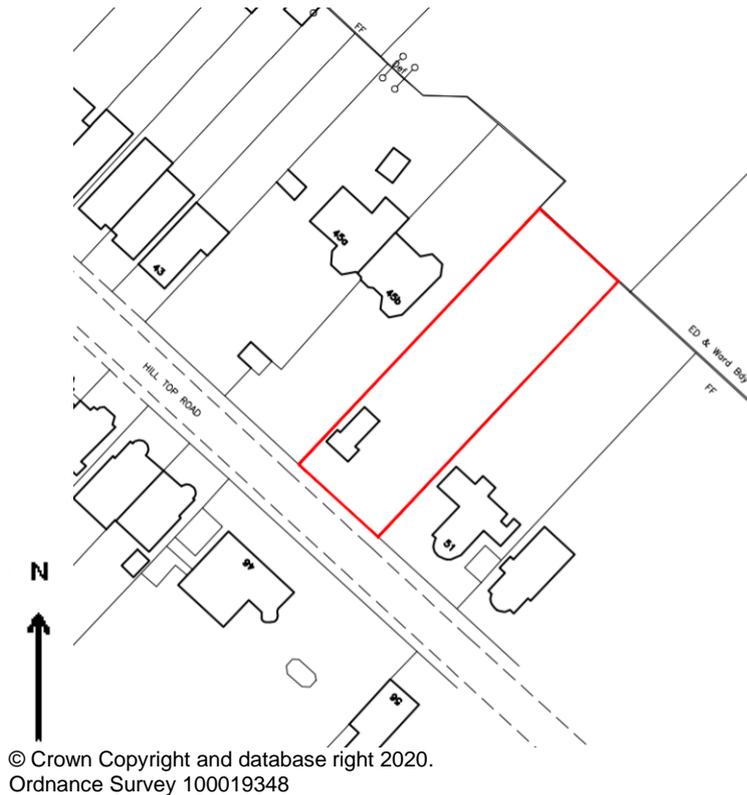
- 3.1. It is recommended that planning permission could only be granted in this case subject to the prior completion of a section 106 unilateral undertaking or agreement to ensure that the applicant could only implement this planning approval or the extant permission for a single dwelling to the rear of the site, 19/02817/FUL. This is because, in the view of planning officers, in isolation both applications would be acceptable however, without a legal agreement in place, both the extant permission, 19/02817FUL and the scheme that is the subject of this report could both be implemented lawfully. However, it would be unacceptable in planning terms for both developments to take place. Therefore a unilateral undertaking or agreement ensuring that the applicant may only implement one permission would be necessary to ensure any development which may take place would be acceptable in planning terms. However, the applicant has refused to enter any such agreement and this application is therefore unacceptable.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is not liable for CIL as officers are recommending refusal.

5. SITE AND SURROUNDINGS

- 5.1. The site is located on the north side of Hill Top Road. The application site consists of an area of scrubland with a disused garage. Several protected and mature trees surround the site, both within and outside the site itself.
- 5.2. The street is characterised by its eclectic mixture of generous late Victorian villas, semi-detached Edwardian houses and later infill developments. To the north lies research and educational facilities associated with the University of Oxford. In all other directions lie residential dwellinghouses. To the north-west lies Nos. 45a and 45b, a pair of semi-detached dwellings, which are something of an anomaly in the street by virtue of their siting towards the rear of their plots. To the south-east lies No. 51, a detached property constructed in an Edwardian style, typical of this portion of the street. To the south lies No. 46. This is a very generously proportioned house which has been significantly extended.
- 5.3. Members should note that there is extant permission on the site for a single dwellinghouse to the rear of the site (19/02817/FUL), which was approved by the West Area Planning Committee in October 2020. The dwellinghouse approved in that application would not overlap the dwellings proposed as part of this application and therefore, without a legal agreement, there is no way to prevent both schemes being implemented.
- 5.4. See location plan below:



6. PROPOSAL

- 6.1. This application proposes to demolish the existing garage, which is located towards the front of the site. A set of two new semi-detached dwellinghouses would be erected towards the front of the site, in line with the dwellinghouse at No. 51 and most of the other dwellings on the north side of the street, being set 6m back from the front boundary. The eastern dwelling would be larger than the western dwelling. The dwellings would be of red brick construction with plain clay tiled roofs and painted timber framed windows. The dwellinghouses would be set across two storeys, with additional accommodation in the roof and basement and would have large, steep roofslopes, which slope away to the front and rear, with two large gables to the front elevation. To the rear, the larger house would have a single gable while the other house would have a staggered rear elevation with no gable to the rear. The houses would be up to 12m wide and the smaller house would be up to 11m deep while the larger house would be 18.8m deep. The height to the eaves would be 5.6m while the height to the ridge of the roof would be 8.9m.
- 6.2. It is also proposed to erect a cycle store in the rear of each garden. These would house 4 cycle parking spaces for the smaller house and 5 for the larger. It is noted that a garden room was also included for the larger dwelling in the site plan. However, this has been removed from the final drawing package given that it was not in the application form or description.
- 6.3. Minor landscaping is also proposed, including the subdivision of the rear garden into two, the creation of a driveway to the front and the erection of a new front boundary treatment.

7. RELEVANT PLANNING HISTORY

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

16/02777/TPO - Raise canopy of 1No. Beech tree (T2) to 4m as identified in City of Oxford Hill Top Road No.1 Tree Preservation Order 1998.. PER 29th November 2016.

17/01832/FUL - Erection of 1 x 6 bed dwellinghouse (Use Class C3). Retention of existing garage for use as utility room/store. Alterations to form new vehicle access. Provision of private amenity space, car parking and bin stores. Approved 14th September 2017.

18/00858/FUL - Erection of 1 x 6 bed dwelling house (Use Class C3). Formation of garage to habitable space and provision of private amenity space, car parking and bin stores.. Approved 31st May 2018.

19/02815/FUL - Demolition of existing garage and erection of a 1 x 4-bed dwelling and a 1 x 6-bed dwelling (Use Class C3). Provision of amenity space, car parking and bin and cycle stores. Associated landscaping and boundary treatments.. Refused 13th January 2021.

19/02817/FUL - Demolition of existing garage. Erection of 1 x 6-bed dwelling (Use Class C3) and erection of detached garage. Provision of amenity space, bin and cycle stores. Associated landscaping and boundary treatments.. Approved at Committee 20th October 2020.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:
Design	130-136	DH1, DH7, H14, RE2		
Conservation/ Heritage	197-202,208	DH4		
Housing	60-80	H15, H16		
Natural environment	174, 180	G7, G8		

Transport	117-123	M2, M3, M4 M5		
Environmental	124-125, 159-169	RE1, RE4, RE7, RE9		
Miscellaneous	11	S1, S2		

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 14th November 2019 and again on 4th December 2020, following the receipt of revised drawings to address the impact on protected trees.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

- 9.2. No objection, conditions required

Public representations

- 9.3. Two local people commented on this application from addresses on Hill Top Road.
- 9.4. In summary, the main points of objection (two residents) were:

- Building Line
- Effect on character of area
- Effect on privacy
- Local ecology, biodiversity
- Scale of development

Officer response

- 9.5. Officers have considered carefully the objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officer's report, that the reasons for the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted. The only basis for refusing planning permission in this case would arise from the opportunity that would exist to implement both the extant scheme (19/02817/FUL) and the proposed scheme in tandem (19/02816/FUL).

10. PLANNING MATERIAL CONSIDERATIONS

- 10.1. Officers consider the determining issues to be:

- i. Principle of Development
- ii. Design
- iii. Neighbouring Amenity
- iv. Occupier Amenity
- v. Archaeology
- vi. Protected Trees
- vii. Drainage
- viii. Ecology
- ix. Land Quality
- x. Car Parking
- xi. Cycle Parking
- xii. Sustainability
- xiii. Other Matters

i. Principle of development

- 10.2. Where proposals are presented for housing development on unallocated brownfield sites, the City Council will take a positive approach, applying the presumption in favour of sustainable development as required by Policy S1 of the Oxford Local Plan 2036.
- 10.3. Policy RE2 states that planning permission will only be granted where development proposals make efficient use of land. Development proposals must make best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford, as well as considering the criteria set out in the policy.
- 10.4. Planning officers consider that the demolition of the existing garage and erection of two new dwellings on the disused plot would make a better use of the land than the existing arrangement. Planning officers note that the site is very generously proportioned and in a sustainable location and have considered whether the proposed development makes sufficiently efficient use of the land; specifically whether the capacity for further dwellings has been considered. This consideration has taken place in the context of there being extant permission (reference 19/02817/FUL) on the land for a single dwelling. That permission was granted, partly on the basis that, at the time of that decision, there was extant permission for a single house (18/00858/FUL), although the footprint of the dwellings of permissions 18/00858/FUL and 19/02817/FUL overlapped so that it would have been impossible to implement both permissions, in addition to the fact that the protected trees constrain the amount of development that may take place on the site. However, since that application was approved, further evidence from the applicant has been submitted in relation to the protected trees and further advice has been received by the Council's technical experts on this matter. With this in mind, it

is considered that the two proposed dwellinghouses could be erected without harming the protected trees.

- 10.5. Planning officers understand the delicate balance between overdevelopment of the site and making an efficient use of the available space. A comprehensive assessment of all of these issues can be found in the following sections of this report; however, in summary, planning officers consider that the proposal, in isolation, maximises the efficiency of the proposed land use in a manner compatible with the site. Indeed, for the most part the proposal would not be dissimilar to the surrounding grain of development when considering the number of large semi-detached Edwardian dwellinghouses nearby which are situated on similarly sized plots of land. However, officers must take into consideration the fact that the dwelling approved as part of 19/02817/FUL could also be readily implemented at any time, which is a material planning consideration. Given that there is no way of reasonably preventing this from occurring without a legal agreement, the possibility of all three houses being erected must be considered as part of this application. Planning officers consider that the proposal would lead to cramped conditions which would overdevelopment the site and would not represent a scale of development that is compatible with its surroundings and therefore would fail to accord with Policy RE2.

ii. Design

- 10.6. Policy DH1 of the Oxford Local Plan 2036 states that planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness. Proposals must be designed to meet the key design objectives and principles for delivering high quality development, set out in Appendix 6.1.
- 10.7. Considering the application in isolation, the overall form and appearance of the houses reflect both the large Victorian villas and Edwardian semi-detached dwellings that characterise the area. The design draws from elements of both of these types of houses by utilising the materiality and roof typology typical of Victorian houses while the bay window, proportions and fenestration reflect Edwardian characteristics. While there would be non-traditional elements to the rear which sit uncomfortably with the rest of the building, such as the long protruding gable of the larger dwelling and the disordered rear elevation of the smaller dwelling, these elements would not be readily visible in the public realm and would therefore have an acceptable impact in terms of design considerations.
- 10.8. Officers have carefully considered the layout of the site and note that a large dwelling, which was set towards the rear of the site, was previously approved on the site (19/002817/FUL). Planning officers consider that this development proposal, where the houses would be set forward in the plot, would better respect the typical arrangement and character of the street and would sit more comfortably in the wider streetscene.
- 10.9. Given the careful consideration in terms of design and the sensitivity of the site, Had the recommendation been to approve, officers would have

recommended a condition to remove permitted development rights so that any future extensions made to the dwellinghouses would require planning permission. This would ensure any future alterations to the houses would have been carefully considered by the Council.

- 10.10. However, when taking into account the cumulative impact that would result from the proposed development as well as the extant permission in the site, 19/028/17/FUL, planning officers consider that the proposed development would not respond to the grain of development in the area, as a result of the erection of generous dwellings built both to the front and rear of the site. The proposal would therefore totally overdevelop the site and lead dwellings that would not sit comfortable on the site and the site itself also being incongruent with the rest of the streetscene.
- 10.11. Having considered the above, the proposal is therefore unacceptable in terms of design and Policy DH1.
- 10.12. Policy DH7 of the Oxford Local Plan 2036 states that permission will only be granted where outdoor needs are properly accommodated, including refuse and recycling storage. Bins should be provided in accordance with Oxford City Council's Technical Advice Note on bin storage.
- 10.13. No bin stores have been proposed, however it is considered that this is acceptable as there is sufficient room on the site to accommodate any bins associated with the proposed dwellings. The proposed cycle stores are acceptable in terms of their size, materials and appearance.
- 10.14. Therefore the proposal is acceptable in terms of Policy DH7, even with the extant permission having been considered.

iii. Impact on neighbouring amenity

- 10.15. Policy H14 of the Oxford Local Plan 2036 states that planning permission will only be granted for new development that provides reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy H14 sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to habitable rooms of the neighbouring dwellings.

Daylight

- 10.16. When considering the proposed dwellings in isolation, the proposal accords with the 25/45 degree access to light test, outlined in Policy H14. Having considered this, the layout of the site and the orientation of the sun, the proposals would not impact the amount of daylight received by the internal rooms of neighbours. While the proposed houses would be large, it is noted that they are set away from the boundaries and sensitive parts of neighbours' outdoor amenity space and are unlikely to lead to a significant daylight loss to neighbours' gardens.
- 10.17. Planning officers note that neighbouring residential occupiers are vulnerable to additional windows and extensions being added to the proposed dwellings at a

later date. However, conditions could have been included curtailing permitted development rights in this respect.

10.18. However, when taking into account the cumulative impact that would result from the proposed development as well as the extant permission in the site, 19/028/17/FUL, planning officers consider that the proposed development would not accord with the 25/45 degree access to light test. Therefore, having also considered the orientation of the sun, the proposed dwellings and the approved dwelling to the rear of the site would unacceptably impinge on one another's daylight and also result in unacceptable overshadowing.

Privacy

10.19. In considering the proposal in isolation from the extant scheme, officers consider that the proposed glazing to the rear of the house is considered acceptable as the views from these windows would be channelled rearwards, away from neighbours, by the extensive vegetation on the boundaries. While the front windows of no. 45b and the rear garden of No. 51 would likely be perceptible from the rear windows of the proposed dwellings, it is considered that there would be sufficient screening to limit these views to unobtrusive glimpses without significant views of the internal rooms or amenity areas of neighbouring dwellings.

10.20. It is noted that the majority of side windows would be at ground floor level and would have their views towards neighbouring dwellings and gardens largely blocked by boundary treatments. The side windows above ground level on the smaller dwelling would face the front garden of no. 45b. These views would not lead to a loss of privacy as they would only have views of some of the front garden which is of low amenity value to the occupiers of no. 45b. In any case, these views would be heavily screened by protected trees. The only side window above ground level which faces no. 51 is a small bedroom window. This would be further to the rear of the plot than the upper side window of no. 51 and so there would not be unacceptable inter-looking of between the internal rooms of the proposed dwelling and the neighbour. While some views would be possible of no. 51's garden these would be limited to glimpses, due to the acute angle, and these views screened by the vegetation on the boundary.

10.21. There would also be sufficient distance between no. 26, across the street, and the proposed dwelling to protect the privacy of occupiers of that dwelling. The distances between no. 26 and the proposed dwelling is typical of the arrangement on Hill Top Road.

10.22. However, when taking into account the cumulative impact that would result from the proposed development as well as the extant permission in the site, 19/028/17/FUL, planning officers consider that the proposed development would result in an unacceptable lack of privacy for both the two dwellings proposed as part of this application and the approved single dwelling. This is because the distance between the rear windows of the proposed 'House 2' would be set only 5m from the front windows of the approved dwelling to the rear of the site. There would therefore be unacceptable inter-looking and views

of private indoor and outdoor amenity space between the dwellings and there would be a total lack of privacy. The proposed arrangement is therefore not acceptable.

Overbearing

- 10.23. Considering this application independent of the extant permission, officers consider that while the proposed development would be of a significant height, it would be set 3m from the mutual boundary with no. 51 and would, for the most part, be built alongside that dwelling and would be of a similar scale. This neighbour would therefore not be unacceptably impacted by the development proposal. The outlook of the side windows of no. 51 would be changed to include views of a large dwelling. However, given the distance of 6m between the dwellings and mature vegetation to screen much of the new dwelling, it is considered that this impact would be acceptable.
- 10.24. The proposed dwelling would not be overbearing on the dwelling of no. 45b due to the fact that this dwelling would be set a significant distance in front of no. 45b. While the proposed development would be set close to the boundary with that neighbour, the fact that this would be next to a low value area of that neighbours' front garden in conjunction with the screening from mature protected trees means that development would not be overbearing to this neighbour.
- 10.25. The proposed cycle stores would not be of significant height and therefore would not be overbearing to the occupants of no. 45b.
- 10.26. However, when taking into account the cumulative impact that would result from the proposed development as well as the extant permission in the site, 19/028/17/FUL, planning officers consider that the proposed dwellings and the approved dwelling would have an unacceptable impact on one another in terms of overbearing. This would be by virtue of their proximity to one another and scale of the houses being proposed; any outlook from the rear windows of the proposed dwellings and the front windows of the approved dwelling would be totally compromised and would cause unacceptable detriment to the amenity of future occupiers. Furthermore, the perception to neighbours of the site would be as a continuous mass of built form resulting from the three dwellings. This would also unacceptably compromise their outlook and would represent an overbearing presence on them.
- 10.27. Considering the above, the proposal would be unacceptable in terms of neighbouring amenity and Policy H14.

iv. Occupier Amenity

- 10.28. Policy H15 of the Oxford Local Plan states that planning permission will only be granted for new dwellings that provide good quality living accommodation for the intended use. All proposals for new build market and affordable homes (across all tenures) must comply with the MHCLG's Technical Housing Standards – Nationally Described Space Standard Level 113.

- 10.29. The proposed dwellings meet the requirements of the relevant space standards and would provide high quality internal space to potential occupants in a layout which is considered acceptable.
- 10.30. Policy H16 of the Oxford Local Plan 2036 states that planning permission will only be granted for dwellings that have direct and convenient access to an area of private open space. H16 sets out the expectations for the size and quality of outdoor space across various types of dwellings.
- 10.31. The proposed outdoor space offered by the proposed scheme in isolation would also be sufficient to meet the policy requirements and provide future occupants with high quality outdoor amenity space.
- 10.32. However, when taking into account the cumulative impact that would result from the proposed development as well as the extant permission in the site, 19/028/17/FUL, planning officers consider there would be insufficient outdoor amenity to serve the proposed two dwellings, as much of the garden would be taken up by development. Officers also consider that the proposed outdoor amenity space would be unacceptably overlooked by the occupants of the approved dwelling to the rear of the site so which would mean that the proposed garden space would offer no real amenity value to occupiers of the proposed dwellings.
- 10.33. The proposal would therefore offer sufficient indoor amenity to future occupiers and accord with Policies H15 but would fail to offer adequate outdoor amenity and would fail to accord with Policy H16.

v. Archaeology

- 10.34. Policy DH4 of the Oxford Local Plan 2036 states that where archaeological deposits that are potentially significant to the historic environment of Oxford are known or suspected to exist anywhere in Oxford, planning applications should include sufficient information to define the character, significance and extent of such deposits so far as reasonably practical. Proposals that will lead to harm to the significance of non-designated archaeological remains or features will be resisted unless a clear and convincing justification through public benefit can be demonstrated to outweigh that harm.
- 10.35. Having consulted the Historic Environment Record, the Council concludes that, on present evidence, this development proposal would be unlikely to have significant archaeological implications
- 10.36. The proposal is therefore acceptable in terms of archaeology and Policy DH4.

vi. Protected Trees

- 10.37. Policy G7 of the Oxford Local Plan 20136 states that planning permission will not be granted where development would result in the loss of green infrastructure features such as hedgerows, trees or woodland, where this would have a significant adverse impact upon public amenity or ecological interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated. Planning permission will not be granted for

development resulting in the loss or deterioration of ancient woodland or ancient or veteran trees except in wholly exceptional circumstances.

- 10.38. It is noted that a recent committee decision, 19/02816/FUL, was made on the basis that the constraints of the protected trees surrounding the site meant that the intensification of the residential use of the site beyond a single dwelling would likely not be possible without having negative impacts on the longevity of the protected trees. Since this decision, further evidence, resulting from further investigation on the site, was submitted by the applicant and further advice was received from Council tree officers, who are technical experts on this subject. Tree officers have been satisfied that the submitted documents serve as sufficient evidence to demonstrate that the proposed development would have an acceptable impact in terms of the protected trees, in principle. However, further details would therefore be required to confirm the retained trees would be adequately considered during construction. These would have been secured by condition if planning permission was granted. The sensitivity of the site in both design and arboricultural terms also means that officers would need a landscaping plan to be submitted prior to the relevant works taking place.
- 10.39. Considering the above, the proposal is acceptable in terms of Policies G7 and G8 and would adequately preserve the protected trees, although conditions would have been needed to ensure the trees would have been protected from harm.

vii. Drainage

- 10.40. Policy RE4 states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. Surface water runoff should be managed as close to its source as possible, in line with the drainage hierarchy outlined in the policy. Applicants must demonstrate that they have had regard to the SuDS Design and Evaluation Guide SPD/ TAN for minor development and Oxfordshire County Council guidance for major development.
- 10.41. The proposed development would not be at significant risk of flooding from any sources. However, in accordance with Policy RE4 of the Oxford Local Plan, all new developments should be drained via a sustainable drainage system. The drainage strategy should be in accordance with Oxford City Council SuDS Design and Evaluation Guide, Non-statutory technical standards for SuDS, and CIRIA C753 - the SuDS Manual. Insufficient evidence has been provided that would show this would be the case. However, these matters could have been dealt with by condition, as officers are satisfied the scheme could have accorded with the relevant requirements.
- 10.42. Subject to conditions the proposal could have been acceptable in terms of flooding and Policy RE4.

viii. Ecology

10.43. Policy G2 of Oxford Local Plan 2036 states that important species and habitats will be expected to be protected from harm, unless the harm can be appropriately mitigated. It also outlines that, where there is opportunity, it will be expected to enhance Oxford's biodiversity. This includes taking opportunities to include features beneficial to biodiversity within new developments throughout Oxford.

10.44. The proposal is unlikely to have an adverse impact on local biodiversity. However, in accordance with Policy G2, a condition would have been included in respect of site enhancements in order to ensure a net ecological enhancement has been achieved, had permission been granted.

10.45. Subject to conditions, the proposal would have with Policy G2 of the Oxford Local Plan and would be acceptable in terms of matters of ecology.

ix. Land Quality

10.46. Policy RE9 states that planning applications where proposals would be affected by contamination or where contamination may present a risk to the surrounding environment, must be accompanied by a report which fulfils the relevant criteria set out in the policy. Where mitigation measures are needed, these will be required as a condition of any planning permission.

10.47. The Council's records show that the site is not at significant risk of suffering from land contamination. Therefore no further measures are required.

10.48. The proposal is therefore acceptable in terms of land quality and Policy RE9.

x. Car Parking

10.49. Policy M3 of the Oxford Local Plan 2036 states that in Controlled Parking Zones or employer-linked housing areas where occupants do not have an operational need for a car where development is located within a 400m walk to frequent public transport services and within 800m walk to a local supermarket or equivalent facilities planning permission will only be granted for residential development that is car-free. In all other locations, M3 states that planning permission will only be granted where the relevant maximum standards set out in Appendix 7.3 are complied with.

10.50. The application site is within 400m of a well-served bus stop and is within a Controlled Parking Zone (CPZ). However the nearest supermarket is over 800m from the site. Therefore one bespoke car parking space is required for each dwelling. This has been proposed to be provided in the front garden of each dwelling and that there is sufficient space for vehicles to safely enter and exit the site. The proposal therefore accords with Policy M3. Planning officers are satisfied that there is insufficient room in the front garden to accommodate any additional cars and the new dwellings would have been excluded from obtaining car parking permits to ensure no additional cars are parked on the street

10.51. Policy M4 of the Oxford Local Plan 2036 requires electrical vehicle charging facilities to be provided to each new car parking space.

10.52. The requirements of Policy M4 are noted and could have been required by condition.

xi. Cycle Parking

10.53. Policy M5 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that complies with or exceeds the minimum bicycle parking provision as set out in Appendix 7.4. Bicycle parking should be, well designed and well-located, convenient, secure, covered (where possible enclosed) and provide level, unobstructed external access to the street. Bicycle parking should be designed to accommodate an appropriate amount of parking for the needs of disabled people, bicycle trailers and cargo bicycles, as well as facilities for electric charging infrastructure.

10.54. The proposed cycle parking would be covered, secure and allow for independent access to each cycle. There would be enough space for sufficient cycles in each. This conforms to the requirements of Policy M5.

10.55. The proposal is therefore acceptable in terms of Policy M5 and cycle parking.

xii. Sustainability

10.56. Policy RE1 of the Oxford Local Plan 2036 states that planning permission will only be granted where it can be demonstrated that sustainable design and construction principles, set out in RE1, have been incorporated. It is expected that 25% of energy will be on-site renewables; water consumption must also meet the requirements of Building Regulations Part G2. An Energy Statement will be submitted to demonstrate compliance with this policy for new-build residential developments (other than householder applications) and new-build non-residential schemes over 1,000m². The Energy Statement will include details as to how the policy will be complied with and monitored.

10.57. The submitted documentation is sufficient to demonstrate that the proposal accords with the general principle of sustainable design, as set out in Policy RE1. However, no calculations are provided which demonstrate compliance with the requirements of the policy in terms of energy efficiency. That being said, planning officers are satisfied that the proposed development can conform to the relevant requirements of RE1. The final calculations could have been provided by condition, prior to the commencement of works; these would have included calculations based on the Dwelling Emission Rate and the Target Emission Rate.

10.58. The proposal would have been acceptable in terms of sustainability and Policy RE1, subject to conditions had the recommendation been to approve.

xiii. Other Matters

10.59. Most of the concerns raised during the consultation period were addressed in the above sections, where they have not been, they are addressed in this section.

10.60. It is noted that concerns have been raised as to the legal requirements of the applicant to build any new dwelling to certain specifications, as outlined in the deeds to the land. This is not a planning matter and had not been considered as part of this application.

11. CONCLUSION

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

11.2. In the context of all proposals paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development. This means approving development that accords with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

11.3. The application seeks planning permission for the erection two new dwellings on the land between 45 and 51 Hill Top Road. Without a legal agreement with the Council or unilateral undertaking being in place, to ensure that if this development were implemented, the extant permission would not be, the Council cannot reasonably prevent the implementation of the extant permission on the site for a single dwellinghouse (reference 19/02817/FUL). Both that extant permission and any permission resulting from this application could therefore be implemented which would lead to an unacceptable arrangement in planning terms on the application site. Such a situation would be of unacceptable design and offer occupants unacceptable amenity and would therefore not comply with Policies RE1, DH1, H14 or H16 of the Oxford Local Plan 2036 or paragraph 130 of the NPPF.

11.4. It is therefore recommended that the Committee resolve to refuse planning permission for the reason given at paragraph 1.1.2 of this report with delegated authority being given to the Head of Planning services to finalise the wording of that reason.

12. APPENDICES

- **Appendix 1 – Site location plan**
- **Appendix 2 – Committee Report for Land Between 45 and 51 Hill Top Road from the West Area Planning Committee in February 2021**

13. HUMAN RIGHTS ACT 1998

13.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse 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.

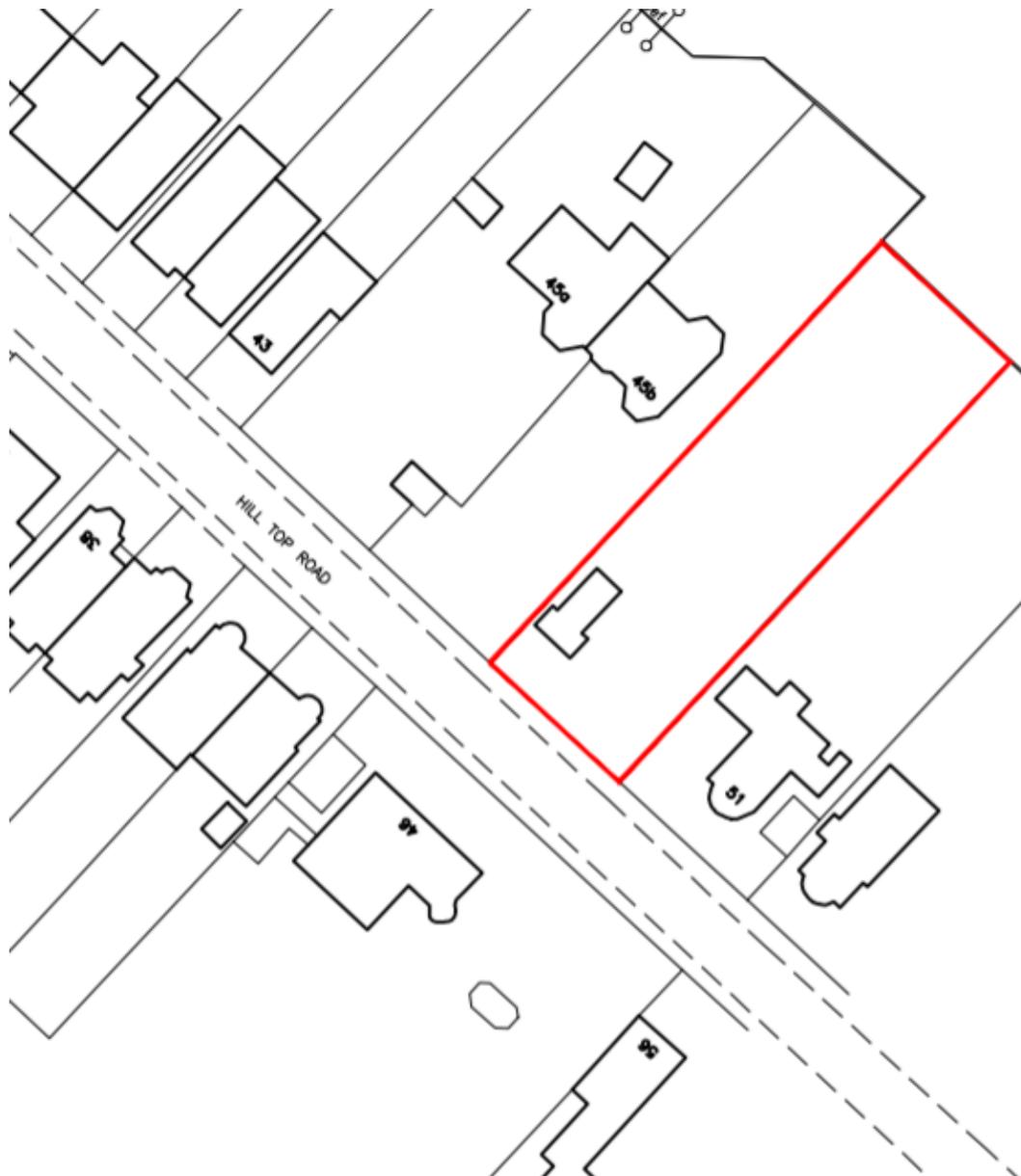
14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

14.1. 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 refuse planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

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Appendix 1 – Location Plan

19/02816/FUL - Land Between 45 And 51



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Appendix 2

West Area Planning Committee

Application number:	19/02816/FUL		
Decision due by	27th December 2019		
Extension of time	16 th February 2021		
Proposal	Demolition of existing garage and erection of 1 x 4-bed dwelling and 1 x 5-bed dwelling (Use Class C3). Provision of amenity space, car parking and bin and cycle stores. Associated landscaping and boundary treatments. (amended plans)		
Site address	Land Between 45 And 51, Hill Top Road, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	St Clement's Ward		
Case officer	James Paterson		
Agent:	Mr Stephen Broadley	Applicant:	Mr J Asquith
Reason at Committee	This application was called in by Councillors Hayes, Chapman, Tanner, Clarkson, Munkonge and Lygo due to concerns around car parking, amenities, neighbouring amenities, and the use of the site.		

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

1.1.1. **refuse the application** for the reason given in paragraph 1.1.2 of this the report and delegate authority to the Head of Planning Services to:

- finalise the reason for refusal including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

1.1.2. **The recommended reason for refusal is as follows:**

- 1 The application site is already subject to an extant permission for the erection of a single dwellinghouse (19/02817/FUL), which, if implemented, would be located to the rear of the site. The two dwellings proposed as part of this application would be located to the front of the site and therefore the implementation of this permission would mean that it would not be impossible to implement permission 19/02817/FUL, this situation is therefore different to

that of the Pilkington Doctrine. Therefore, although the proposed development is acceptable in isolation, the Council has no way to prevent all three houses of applications 19/02816/FUL and 19/02817/FUL being erected through the inclusion of planning conditions and this would not be acceptable in planning terms due to representing an overdevelopment of the site and failing to accord with Policies RE1, DH1, H14 and H16 of the Oxford Local Plan 2036 or paragraph 127 of the NPPF. The applicant has refused to enter a legal agreement where they agree to only implement one permission and therefore this application must be refused.

2. EXECUTIVE SUMMARY

- 2.1. This report considers an application for the erection of two semi-detached dwellinghouses with stores in the rear gardens. The houses would be set towards the front of the plot, to match the front building line of no. 51 and would be two and a half storeys in height. Outbuildings are proposed to be constructed at the rear and landscaping and boundary treatments are also included in the proposals.
- 2.2. Officers consider that the proposals, in isolation, would accord with the policies of the development plan when considered as a whole and the range of material considerations support the grant of planning permission.
- 2.3. The scheme, when considered in isolation, would also accord with the aims and objectives of the National Planning Policy Framework. The proposal would constitute sustainable development and given conformity with the development plan as a whole.
- 2.4. However, without a legal agreement with the Council or unilateral undertaking being in place, there is no way that the Council can reasonably prevent the implementation of the extant permission on the site for a single dwellinghouse (reference 19/02817/FUL). Both that extant permission and any permission resulting from this application could therefore be implemented which would lead to an unacceptable arrangement in planning terms on the application site.
- 2.5. Members should note that this application has previously been presented to the West Area Planning Committee in February 2021 with a recommendation to approve on the basis that the application was intending to enter a legal agreement with the Council. The applicant has now indicated that they will not enter a legal agreement and officers are now presenting this application to the committee with a recommendation to refuse.

3. LEGAL AGREEMENT

- 3.1. It is recommended that planning permission could only be granted in this case subject to the prior completion of a section 106 unilateral undertaking or agreement to ensure that the applicant could only implement this planning approval or the extant permission for a single dwelling to the rear of the site, 19/02817/FUL. This is because, in the view of planning officers, in isolation both applications would be acceptable however, without a planning obligation in place, both the extant permission, 19/02817/FUL and the scheme that is the

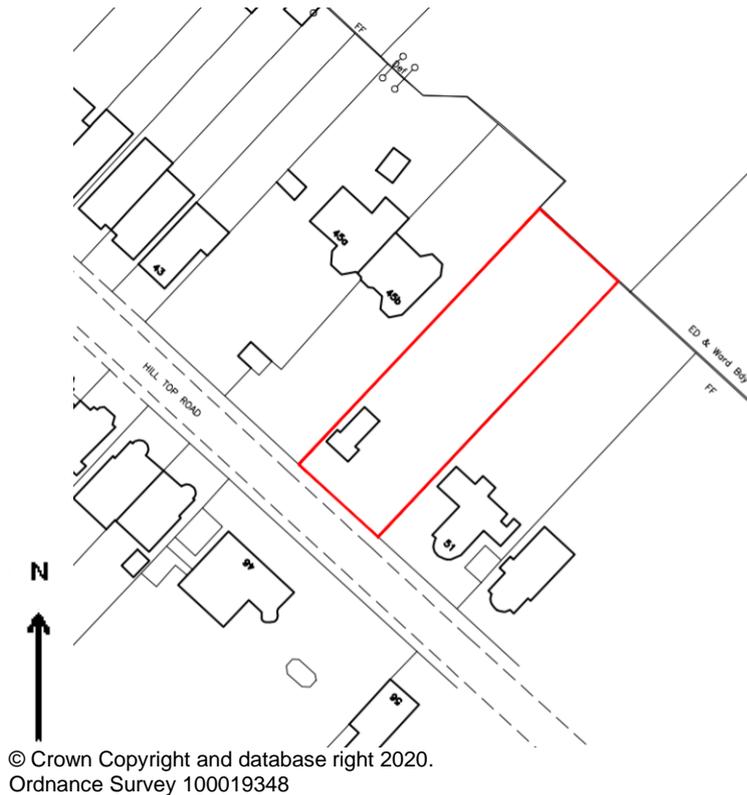
subject of this report could both be erected lawfully. However, it would be unacceptable in planning terms for both developments to take place. Therefore a unilateral undertaking or agreement ensuring that the applicant may only implement one permission is necessary to ensure any development which may take place would be acceptable in planning terms. However, the applicant has indicated that they now do not wish to enter any such agreement

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is not liable for CIL as officers are recommending refusal.

5. SITE AND SURROUNDINGS

- 5.1. The site is located on the north side of Hill Top Road. The application site consists of an area of scrubland with a disused garage. Several protected and mature trees surround the site, both within and without the site itself.
- 5.2. The street is characterised by its eclectic mixture of generous late Victorian villas, semi-detached Edwardian houses and later infill developments. To the north lies research and educational facilities associated with the University of Oxford. In all other directions lie residential dwellinghouses. To the north-west lies Nos. 45a and 45b, a pair of semi-detached dwellings, which are something of an anomaly in the street by virtue of their siting towards the rear of their plots. To the south-east lies No. 51, a detached property constructed in an Edwardian style, typical of this portion of the street. To the south lies No. 46. This is a very generously proportioned house which has been significantly extended.
- 5.3. Members should not that there is extant permission on the site for a single dwellinghouse to the rear of the site (19/02817/FUL), which was approved by the West Area Planning Committee in October 2020. The dwellinghouse approved in that application would not overlap the dwellings proposed as part of this application and therefore, without a legal agreement, there is no way to prevent both schemes being implimented.
- 5.4. See location plan below:



6. PROPOSAL

- 6.1. This application proposes to demolish the existing garage, which is located towards the front of the site. A set of two new semi-detached dwellinghouses would be erected towards the front of the site, in line with the dwellinghouse at No. 51 and most of the other dwellings on the north side of the street, being set 6m back from the front boundary. The eastern dwelling would be larger than the western dwelling. The dwellings would be of red brick construction with plain clay tiled roofs and painted timber framed windows. The dwellinghouses would be set across two storeys, with additional accommodation in the roof and basement and would have large, steep roofslopes, which slope away to the front and rear, with two large gables to the front elevation. To the rear the larger house would have a single gable while the other house would have a staggered rear elevation with no gable to the rear. The houses would be up to 12m wide and the smaller house would be up to 11m deep while the larger house would be 18.8m deep. The height to the eaves would be 5.6m while the height to the ridge of the roof would be 8.9m.
- 6.2. It is also proposed to erect a cycle store in the rear of each garden. These would house 4 cycle parking spaces for the smaller house and 5 for the larger. It is noted that a garden room was also included for the larger dwelling in the site plan. However, this has been removed from the final drawing package given that it was not in the application form or description.
- 6.3. Minor landscaping is also proposed, including the subdivision of the rear garden into two, the creation of a driveway to the front and the erection of a new front boundary treatment.

7. RELEVANT PLANNING HISTORY

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

16/02777/TPO - Raise canopy of 1No. Beech tree (T2) to 4m as identified in City of Oxford Hill Top Road No.1 Tree Preservation Order 1998.. PER 29th November 2016.

17/01832/FUL - Erection of 1 x 6 bed dwellinghouse (Use Class C3). Retention of existing garage for use as utility room/store. Alterations to form new vehicle access. Provision of private amenity space, car parking and bin stores. Approved 14th September 2017.

18/00858/FUL - Erection of 1 x 6 bed dwelling house (Use Class C3). Formation of garage to habitable space and provision of private amenity space, car parking and bin stores.. Approved 31st May 2018.

19/02815/FUL - Demolition of existing garage and erection of a 1 x 4-bed dwelling and a 1 x 6-bed dwelling (Use Class C3). Provision of amenity space, car parking and bin and cycle stores. Associated landscaping and boundary treatments.. Refused 13th January 2021.

19/02817/FUL - Demolition of existing garage. Erection of 1 x 6-bed dwelling (Use Class C3) and erection of detached garage. Provision of amenity space, bin and cycle stores. Associated landscaping and boundary treatments.. Approved at Committee 20th October 2020.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:
Design	117-123, 124-132	DH1, DH7, H14, RE2		
Conservation/Heritage	184-202	DH4		
Housing	59-76	H15, H16		
Natural environment	91-101	G7, G8		

Transport	117-123	M2, M3, M4 M5		
Environmental	117-121, 148-165, 170-183	RE1, RE4, RE7, RE9		
Miscellaneous	7-12	S1, S2		

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 14th November 2019 and again on 4th December 2020, following the receipt of revised drawings to address the impact on protected trees.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

- 9.2. No objection, conditions required

Public representations

- 9.3. Two local people commented on this application from addresses on Hill Top Road.
- 9.4. In summary, the main points of objection (two residents) were:

- Building Line
- Effect on character of area
- Effect on privacy
- Local ecology, biodiversity
- Scale of development

Officer response

- 9.5. Officers have considered carefully the objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officer's report, that the reasons for the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

10. PLANNING MATERIAL CONSIDERATIONS

- 10.1. Officers consider the determining issues to be:

- i. Principle of Development
- ii. Design

- iii. Neighbouring Amenity
- iv. Occupier Amenity
- v. Archaeology
- vi. Protected Trees
- vii. Drainage
- viii. Ecology
- ix. Land Quality
- x. Car Parking
- xi. Cycle Parking
- xii. Sustainability
- xiii. Other Matters

i. Principle of development

- 10.2. Where proposals are presented for housing development on unallocated brownfield sites, the City Council will take a positive approach, applying the presumption in favour of sustainable development as required by Policy S1 of the Oxford Local Plan 2036.
- 10.3. Policy RE2 states that planning permission will only be granted where development proposals make efficient use of land. Development proposals must make best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford, as well as considering the criteria set out in the policy.
- 10.4. Planning officers consider that the demolition of the existing garage and erection of two new dwellings on the disused plot would make a better use of the land than the existing arrangement. Planning officers note that the site is very generously proportioned and in a sustainable location and have considered whether the proposed development makes sufficiently efficient use of the land; specifically whether the capacity for further dwellings has been considered. This consideration has taken place in the context of there being extant permission (reference 19/02817/FUL) on the land for a single dwelling. That permission was granted, partly on the basis that, at the time of that decision, there was extant permission for a single house (18/00858/FUL), although the footprint of the dwellings of permissions 18/00858/FUL and 19/02817/FUL overlapped so that it would have been impossible to implement both permissions, in addition to the fact that the protected trees constrain the amount of development that may take place on the site. However, since that application was approved, further evidence from the applicant has been submitted in relation to the protected trees and further advice has been received by the Council's technical experts on this matter. With this in mind, it is considered that the two proposed dwellinghouses could be erected without harming the protected trees.
- 10.5. Planning officers understand the delicate balance between overdevelopment of the site and making an efficient use of the available space. A comprehensive

assessment of all of these issues can be found in the following sections of this report; however, in summary, planning officers consider that the proposal, in isolation, maximises the efficiency of the proposed land use in a manner compatible with the site. Indeed, for the most part the proposal would not be dissimilar to the surrounding grain of development when considering the number of large semi-detached Edwardian dwellinghouses nearby which are situated on similarly sized plots of land. However, when officers note the fact that the dwelling approved as part of 19/02817/FUL can also be readily implemented, which is a material planning consideration. Given that there is no way of reasonably preventing this from occurring without a legal agreement, the possibility of all three houses being erected must be considered as part of this application. Planning officers consider that the proposal would lead to cramped conditions which would overdevelopment the site and would not represent a scale of development that is compatible with its surroundings.

ii. Design

- 10.6. Policy DH1 of the Oxford Local Plan 2036 states that planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness. Proposals must be designed to meet the key design objectives and principles for delivering high quality development, set out in Appendix 6.1.
- 10.7. Considering the application in isolation, the overall form and appearance of the houses reflect both the large Victorian villas and Edwardian semi-detached dwellings that characterise the area. The design draws from elements of both of these types of houses by utilising the materiality and roof typology typical of Victorian houses while the bay window, proportions and fenestration reflect Edwardian characteristics. While there would be non-traditional elements to the rear which sit uncomfortably with the rest of the building, such as the long protruding gable of the larger dwelling and the disordered rear elevation of the smaller dwelling, these elements would not be readily visible in the public realm and would therefore have an acceptable impact in terms of design considerations.
- 10.8. Officers have carefully considered the layout of the site and note that a large dwelling, which was set towards the rear of the site, was previously approved on the site (19/002817/FUL). Planning officers consider that this development proposal, where the houses would be set forward in the plot, would better respect the typical arrangement and character of the street and would sit more comfortably in the wider streetscene.
- 10.9. Given the careful consideration in terms of design and the sensitivity of the site, Had the recommendation been to approve, officers would have recommended a condition to remove permitted development rights so that any future extensions made to the dwellinghouses would require planning permission. This would ensure any future alterations to the houses would have been carefully considered by the Council.
- 10.10. However, when taking into account the cumulative impact that would result from the proposed development as well as the extant permission in the site,

19/028/17/FUL, planning officers consider that the proposed development would not respond to the grain of development in the area, by having generous dwellings built both to the front and rear of the site. The proposal would therefore totally overdevelop the site and lead to the site being incongruent with the rest of the streetscene.

- 10.11. Having considered the above, the proposal is therefore unacceptable in terms of design and Policy DH1.
- 10.12. Policy DH7 of the Oxford Local Plan 2036 states that permission will only be granted where outdoor needs are properly accommodated, including refuse and recycling storage. Bins should be provided in accordance with Oxford City Council's Technical Advice Note on bin storage.
- 10.13. No bin stores have been proposed, however it is considered that this is acceptable as there is sufficient room on the site to accommodate any bins associated with the proposed dwellings. The proposed cycle stores are acceptable in terms of their size, materials and appearance.
- 10.14. Therefore the proposal is acceptable in terms of Policy DH7, even with the extant permission having been considered.

iii. Impact on neighbouring amenity

- 10.15. Policy H14 of the Oxford Local Plan 2036 states that planning permission will only be granted for new development that provides reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy H14 sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to habitable rooms of the neighbouring dwellings.

Daylight

- 10.16. When considering the proposed dwellings in isolation, the proposal accords with the 25/45 degree access to light test, outlined in Policy H14. Having considered this, the layout of the site and the orientation of the sun, the proposals would not impact the amount of daylight received by the internal rooms of neighbours. While the proposed houses would be large, it is noted that they are set away from the boundaries and sensitive parts of neighbours' outdoor amenity space and are unlikely to lead to a significant daylight loss to neighbours' gardens.
- 10.17. Planning officers note that neighbouring residential occupiers are vulnerable to additional windows and extensions being added to the proposed dwellings at a later date. However, conditions could have been included curtailing permitted development rights in this respect.
- 10.18. However, when taking into account the cumulative impact that would result from the proposed development as well as the extant permission in the site, 19/028/17/FUL, planning officers consider that the proposed development would not accord with the 25/45 degree access to light test as the proposed dwellings

and the approved dwelling to the rear of the site would unacceptably impinge on one another's daylight.

Privacy

- 10.19. In considering the proposal in isolation from the extant scheme, officers consider that the proposed glazing to the rear of the house is considered acceptable as the views from these windows would be channelled rearwards, away from neighbours, by the extensive vegetation on the boundaries. While the front windows of no. 45b and the rear garden of No. 51 would likely be perceptible from the rear windows of the proposed dwellings, it is considered that there would be sufficient screening to limit these views to unobtrusive glimpses without significant views of the internal rooms or amenity areas of neighbouring dwellings.
- 10.20. It is noted that the majority of side windows would be at ground floor level and would have their views towards neighbouring dwellings and gardens largely blocked by boundary treatments. The side windows above ground level on the smaller dwelling would face the front garden of no. 45b. These views would not lead to a loss of privacy as they would only have views of some of the front garden which is of low amenity value to the occupiers of no. 45b. In any case, these views would be heavily screened by protected trees. The only side window above ground level which faces no. 51 is a small bedroom window. This would be further to the rear of the plot than the upper side window of no. 51 and so there would not be unacceptable inter-looking of between the internal rooms of the proposed dwelling and the neighbour. While some views would be possible of no. 51's garden these would be limited to glimpses, due to the acute angle, and these views screened by the vegetation on the boundary.
- 10.21. There would also be sufficient distance between no. 26, across the street, and the proposed dwelling to protect the privacy of occupiers of that dwelling. The distances between no. 26 and the proposed dwelling is typical of the arrangement on Hill Top Road.
- 10.22. However, when taking into account the cumulative impact that would result from the proposed development as well as the extant permission in the site, 19/028/17/FUL, planning officers consider that the proposed development would result in an unacceptable lack of privacy between the proposed two dwellings and the approved single dwelling. This is because the distance between the rear windows of the proposed 'House 2' would be set only 5m from the front windows of the approved dwelling to the rear of the site. There would therefore be unacceptable inter-looking and views of private amenity space between the dwellings and there would be a total lack of privacy. The proposed arrangement is therefore not acceptable.

Overbearing

- 10.23. Considering this application independent of the extant permission, officers consider that while the proposed development would be of a significant height, it would be set 3m from the mutual boundary with no. 51 and would, for the

most part, be built alongside that dwelling and would be of a similar scale. This neighbour would therefore not be unacceptably impacted by the development proposal. The outlook of the side windows of no. 51 would be changed to include views of a large dwelling. However, given the distance of 6m between the dwellings and mature vegetation to screen much of the new dwelling, it is considered that this impact would be acceptable.

10.24. The proposed dwelling would not be overbearing on the dwelling of no. 45b due to the fact that this dwelling would be set a significant distance in front of no. 45b. While the proposed development would be set close to the boundary with that neighbour, the fact that this would be next to a low value area of that neighbours' front garden in conjunction with a the screening from mature protected trees means that development would not be overbearing to this neighbour.

10.25. The proposed cycle stores would not be of significant height and therefore would not be overbearing to the occupants of no. 45b.

10.26. However, when taking into account the cumulative impact that would result from the proposed development as well as the extant permission in the site, 19/028/17/FUL, planning officers consider that the proposed dwellings and the approved dwelling would have an unacceptable impact on one another in terms of overbearing. This would be by virtue of their proximity to one another and scale of the houses being proposed; any outlook from the rear windows of the proposed dwellings and the front windows of the approved dwellings would be totally compromised and would cause unacceptable detriment to the amenity of future occupiers. Furthermore, the perception of neighbouring occupiers of the site would be as a mass of built form resulting from the three dwellings. This would also unacceptable compromise their outlook and would represent an overbearing presence.

10.27. Considering the above, the proposal would be unacceptable in terms of neighbouring amenity and Policy H14.

iv. Occupier Amenity

10.28. Policy H15 of the Oxford Local Plan states that planning permission will only be granted for new dwellings that provide good quality living accommodation for the intended use. All proposals for new build market and affordable homes (across all tenures) must comply with the MHCLG's Technical Housing Standards – Nationally Described Space Standard Level 113.

10.29. The proposed dwellings meet the requirements of the relevant space standards and would provide high quality internal space to potential occupants in a layout which is considered acceptable.

10.30. Policy H16 of the Oxford Local Plan 2036 states that planning permission will only be granted for dwellings that have direct and convenient access to an area of private open space. H16 sets out the expectations for the size and quality of outdoor space across various types of dwellings.

10.31. The proposed outdoor space offered by the proposed scheme in isolation would also be sufficient to meet the policy requirements and provide future occupants with high quality outdoor amenity space.

10.32. However, when taking into account the cumulative impact that would result from the proposed development as well as the extant permission in the site, 19/028/17/FUL, planning officers consider there would be insufficient outdoor amenity to serve the proposed two dwellings and that the proposed outdoor amenity space would be unacceptable overlooked by the occupants of the approved dwelling so as to offer no real amenity value to occupiers of the proposed dwellings.

10.33. The proposal would therefore offer sufficient indoor amenity to future occupiers and accord with Policies H15 but would fail to offer adequate outdoor amenity and would fail to accord with Policy H16.

v. Archaeology

10.34. Policy DH4 of the Oxford Local Plan 2036 states that where archaeological deposits that are potentially significant to the historic environment of Oxford are known or suspected to exist anywhere in Oxford, planning applications should include sufficient information to define the character, significance and extent of such deposits so far as reasonably practical. Proposals that will lead to harm to the significance of non-designated archaeological remains or features will be resisted unless a clear and convincing justification through public benefit can be demonstrated to outweigh that harm.

10.35. Having consulted the Historic Environment Record, the Council concludes that, on present evidence, this development proposal would be unlikely to have significant archaeological implications

10.36. The proposal is therefore acceptable in terms of archaeology and Policy DH4.

vi. Protected Trees

10.37. Policy G7 of the Oxford Local Plan 20136 states that planning permission will not be granted where development would result in the loss of green infrastructure features such as hedgerows, trees or woodland, where this would have a significant adverse impact upon public amenity or ecological interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated. Planning permission will not be granted for development resulting in the loss or deterioration of ancient woodland or ancient or veteran trees except in wholly exceptional circumstances.

10.38. It is noted that a recent committee decision, 19/02816/FUL, was made on the basis that the constraints of the protected trees surrounding the site meant that the intensification of the residential use of the site beyond a single dwelling would likely not be possible without having negative impacts on the longevity of the protected trees. Since this decision, further evidence, resulting from further investigation on the site, was submitted by the applicant and further advice was received from Council tree officers, who are technical

experts on this subject. Tree officers have been satisfied that the submitted documents serve as sufficient evidence to demonstrate that the proposed development would have an acceptable impact in terms of the protected trees, in principle. However, further details would therefore be required to confirm the retained trees would be adequately considered during construction. These have been secured by condition. The sensitivity of the site in both design and aboricultural terms also means that officers would need a landscaping plan to be submitted prior to the relevant works taking place.

10.39. Considering the above, the proposal is acceptable in terms of Policies G7 and G8 and would adequately preserve the protected trees, although conditions would have been needed to ensure the trees would have been protected from harm.

vii. Drainage

10.40. Policy RE4 states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. Surface water runoff should be managed as close to its source as possible, in line with the drainage hierarchy outlined in the policy. Applicants must demonstrate that they have had regard to the SuDS Design and Evaluation Guide SPD/ TAN for minor development and Oxfordshire County Council guidance for major development.

10.41. The proposed development would not be at significant risk of flooding from any sources. However, in accordance with Policy RE4 of the Oxford Local Plan, all new developments should be drained via a sustainable drainage system. The drainage strategy should be in accordance with Oxford City Council SuDS Design and Evaluation Guide, Non-statutory technical standards for SuDS, and CIRIA C753 - the SuDS Manual. Insufficient evidence has been provided that would show this would be the case. However, these matters could have been dealt with by condition, as officers are satisfied the scheme could have accorded with the relevant requirements.

10.42. Subject to conditions the proposal could have been acceptable in terms of flooding and Policy RE4.

viii. Ecology

10.43. Policy G2 of Oxford Local Plan 2036 states that important species and habitats will be expected to be protected from harm, unless the harm can be appropriately mitigated. It also outlines that, where there is opportunity, it will be expected to enhance Oxford's biodiversity. This includes taking opportunities to include features beneficial to biodiversity within new developments throughout Oxford.

10.44. The proposal is unlikely to have an adverse impact on local biodiversity. However, in accordance with Policy G2, a condition would have been included in respect of site enhancements in order to ensure a net ecological enhancement has been achieved, had permission been granted.

10.45. Subject to conditions, the proposal would have with Policy G2 of the Oxford Local Plan and would be acceptable in terms of matters of ecology.

ix. Land Quality

10.46. Policy RE9 states that planning applications where proposals would be affected by contamination or where contamination may present a risk to the surrounding environment, must be accompanied by a report which fulfils the relevant criteria set out in the policy. Where mitigation measures are needed, these will be required as a condition of any planning permission.

10.47. The Council's records show that the site is not at significant risk of suffering from land contamination. Therefore no further measures are required.

10.48. The proposal is therefore acceptable in terms of land quality and Policy RE9.

x. Car Parking

10.49. Policy M3 of the Oxford Local Plan 2036 states that in Controlled Parking Zones or employer-linked housing areas where occupants do not have an operational need for a car where development is located within a 400m walk to frequent public transport services and within 800m walk to a local supermarket or equivalent facilities planning permission will only be granted for residential development that is car-free. In all other locations, M3 states that planning permission will only be granted where the relevant maximum standards set out in Appendix 7.3 are complied with.

10.50. The application site is within 400m of a well-served bus stop and is within a Controlled Parking Zone (CPZ). However the nearest supermarket is over 800m from the site. Therefore one bespoke car parking space is required for each dwelling. This has been proposed to be provided in the front garden of each dwelling and that there is sufficient space for vehicles to safely enter and exit the site. The proposal therefore accords with Policy M3. Planning officers are satisfied that there is insufficient room in the front garden to accommodate any additional cars and the new dwellings shall be excluded from obtaining car parking permits to ensure no additional cars are parked on the street

10.51. Policy M4 of the Oxford Local Plan 2036 requires electrical vehicle charging facilities to be provided to each new car parking space.

10.52. The requirements of Policy M4 are noted and condition 10 has been included to ensure this takes place.

xi. Cycle Parking

10.53. Policy M5 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that complies with or exceeds the minimum bicycle parking provision as set out in Appendix 7.47.3. Bicycle parking should be, well designed and well-located, convenient, secure, covered (where possible enclosed) and provide level, unobstructed external access to the street. Bicycle parking should be designed to accommodate an appropriate

amount of parking for the needs of disabled people, bicycle trailers and cargo bicycles, as well as and facilities for electric charging infrastructure.

10.54. The proposed cycle parking would be covered, secure and allow for independent access to each cycle. There would be enough space for sufficient cycles in each. This conforms to the requirements of Policy M5.

10.55. The proposal is therefore acceptable in terms of Policy M5 and cycle parking.

xii. Sustainability

10.56. Policy RE1 of the Oxford Local Plan 2036 states that planning permission will only be granted where it can be demonstrated that sustainable design and construction principles, set out in RE1, have been incorporated. It is expected that 25% of energy will be on-site renewables; water consumption must also meet the requirements of Building Regulations Part G2. An Energy Statement will be submitted to demonstrate compliance with this policy for new-build residential developments (other than householder applications) and new-build non-residential schemes over 1,000m². The Energy Statement will include details as to how the policy will be complied with and monitored.

10.57. The submitted documentation is sufficient to demonstrate that the proposal accords with the general principle of sustainable design, as set out in Policy RE1. However, no calculations are provided which demonstrate compliance with the requirements of the policy in terms of energy efficiency. That being said, planning officers are satisfied that the proposed development can conform to the relevant requirements of RE1. The final calculations are to be provided by condition, prior to the commencement of works; these shall include calculations based on the Dwelling Emission Rate and the Target Emission Rate.

10.58. Subject to condition 19, the proposal is acceptable in terms of sustainability and Policy RE1.

xiii. Other Matters

10.59. Most of the concerns raised during the consultation period were addressed in the above sections, where they have not been, they are addressed in this section.

10.60. It is noted that concerns have been raised as to the legal requirements of the applicant to build any new dwelling to certain specifications, as outlined in the deeds to the land. This is not a planning matter and had not been considered as part of this application.

11. CONCLUSION

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

- 11.2. In the context of all proposals paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development. This means approving development that accords with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 11.3. The application seeks planning permission for the erection two new dwellings on the land between 45 and 51 Hill Top Road. However, without a legal agreement with the Council or unilateral undertaking being in place, there is no way that the Council can reasonably prevent the implementation of the extant permission on the site for a single dwellinghouse (reference 19/02817/FUL). Both that extant permission and any permission resulting from this application could therefore be implemented which would lead to an unacceptable arrangement in planning terms on the application site. Such a situation would be of unacceptable design and offer occupants unacceptable amenity and would therefore not comply with Policies RE1, DH1, H14 or H16 of the Oxford Local Plan 2036 or paragraph 127 of the NPPF.
- 11.4. It is therefore recommended that the Committee resolve to refuse planning permission for the reason given at paragraph 1.1.2 of this report with delegated authority being given to the Head of Planning services to finalise the wording of that reason.

12. APPENDICES

- **Appendix 1** – Site location plan

13. HUMAN RIGHTS ACT 1998

- 13.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse 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.

14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 14.1. 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 refuse planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

Minutes of a meeting of the Planning - Oxford City Planning Committee on Tuesday 13 July 2021

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Committee members present:

Councillor Cook (Chair)	Councillor Chapman (Vice-Chair)
Councillor Abrishami	Councillor Diggins
Councillor Fouweather	Councillor Hollingsworth
Councillor Hunt	Councillor Pegg
Councillor Rehman	Councillor Upton
Councillor Snowton (for Councillor Altaf-Khan)	

Officers present for all or part of the meeting:

Andrew Murdoch, Development Management Service Manager
Hayley Jeffery, Development Management Team Leader (East)
Louise Greene, Planning Lawyer
Felicity Byrne, Principal Planner
Catherine Phythian, Committee and Member Services Officer

Apologies:

Councillor(s) Altaf-Khan sent apologies.
Substitutes are shown above.

16. Declarations of interest

General

Councillor Cook stated that as a Council appointed trustee for the Oxford Preservation Trust and as a member of the Oxford Civic Society, he had taken no part in those organisations' discussions or decision making regarding the applications before the Committee. He said that he was approaching all of the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

Councillor Upton stated that as a Council appointed trustee for the Oxford Preservation Trust and a member of the Oxford Civic Society, she had taken no part in those organisations' discussions or decision making regarding the applications before the Committee and that she was approaching the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

Councillor Snowton stated that he was a member of the campaigning group Oxford YIMBY, but was not aware that the group had taken any stances on these applications and he was approaching the applications with an open mind.

21/01255/FUL

Councillor Upton stated that she had called the application in to committee but she had expressed no view on the application and had not made her mind up on the matter and approached it with an open mind.

Councillor Snowton stated that he intended to submit a personal planning application for the installation of photovoltaic plates at his own property and for that reason he would not take part in the consideration of the application before the committee and would leave the meeting.

17. 20/02417/FUL: Development of 76 & 78 Banbury Road, Oxford

The Committee considered an application (20/02417/FUL) for planning permission for demolitions, conversion and re-development at Nos.76 and 78 Banbury Road to provide offices, meeting rooms, multi-purpose hall and general facilities in conjunction with No.76 Banbury Road that is currently occupied by the Ravi Zacharias International Ministries Trust (RZIM) as their office headquarters. Also provision of a new replacement 3 bed residential dwelling in lieu of the converted No.78 Banbury Road.

The application was before the Committee as it had been called in by Councillors Wade, Goddard, Landell Mills, R Smith and ex-councillors Garden and Harris.

The Planning Officer presented the report. She advised the Committee that she proposed to revise the wording of Condition 5 to address concerns raised about parking controls (proposed changes shown in italics):

Condition 5: The development shall not be brought into use until the car parking area has been be constructed and laid out in accordance with the revised site plan drawing no.6.3.0a showing car parking for the development. Thereafter the areas shall be retained solely for the purpose of the parking of vehicles in relation to the occupiers of Nos.76 and 78 Banbury Road only. ~~and~~ *There shall be no parking spaces for the residential dwelling at any time and for the avoidance of doubt this shall include any occupier associated with and/or employed by and/or under a leasehold or any other form of rental agreement with the main occupier of No.76 and 78 Banbury Road or as freeholder of the new dwelling hereby approved.*

Mr Philip Green, representing the Linton Road Neighbourhood Association spoke against the application.

Mr Ian Smith and Mr Arthur Smith, representing the applicant, spoke in favour of the application.

In discussion the Committee explored the implications of the development on the local area in terms of traffic levels, parking and road safety, noting the concerns raised by local residents and by the public speaker but acknowledging that these matters would

be addressed by conditions and that the Highways Authority, as the statutory consultee, had raised no objections to the proposed development.

The Committee also considered the detailed design features of some elements of the proposed development; the impact of the development on the conservation area; and sought clarity on the proposals to use the “multifunctional hall” for community events and weddings.

In reaching its decision, the Committee considered all the information put before it.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer’s recommendation to approve the application subject to the amendment to the wording of Condition 5 as detailed above and the inclusion of a further condition to secure details of measures to close the unused existing accesses on to the Banbury Road to ensure the proposed one way system through the site between Banbury Road and Bardwell Road. Such mitigation measures would also reduce confusion of which access to use and should ensure that there was ready access to the site to avoid the Banbury Road becoming a “dropping off or collection zone”.

The Oxford City Planning Committee resolved to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and the subject to the amendment to Condition 5 and the introduction of further condition relating to traffic control as detailed above; and grant planning permission;
2. **delegate authority** to the Head of Planning Services to:
 - finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary; and
 - issue the planning permission.

Cllr Smowton left the meeting at the end of this item.

18. 21/01255/FUL: 3 Boults Close, Old Marston

The Committee considered an application (21/01255/FUL) for planning permission for the installation of 18no. photovoltaic plates to the roof slopes of the application site.

The application was before the Committee as it had been called in by Councillors Clarkson, Pressel, Fry, Munkonge, Rowley, Upton and Bely-Summers.

The Planning Officer presented the report.

In reaching its decision, the Committee considered all the information put before it and noted the reasons for refusal as detailed in the officer report and appendices.

In discussion the Committee reflected on the challenge of determining individual planning applications for this type of development whilst balancing the requirements of

local and national planning policies particularly in respect of the protection of conservation areas and designated heritage assets and the great weight to be afforded to that against the Council's ambition to create a Zero Carbon Oxford by 2040 and the personal desire of local residents to address the climate emergency and the different ways that could be achieved.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to refuse the application.

The Oxford City Planning Committee resolved to:

1. **Refuse the application** for the reasons given in paragraph 1.1.2 of the report and stated below and to delegate authority to the Head of Planning Service to:
 - finalise the reasons for refusal including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

The reason for refusal was as follows:

The photovoltaic panels proposed to the eastern and southern roof slopes facing Boults Lane, by reason of their design, number, mass and siting, would result in the cluttering of the roofscape and appearance of the building. The proposal would be out of keeping with the surrounding area and detrimental to the character and appearance of the Old Marston Conservation Area, resulting in less than substantial harm that would not be outweighed by any public benefits. The application would be contrary to Policies DH1 and DH3 of the Oxford Local Plan, the NPPF, and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

19. Minutes

The Committee resolved to approve the minutes of the meeting held on 15 June 2021 as a true and accurate record.

20. Forthcoming applications

The Committee noted the list of forthcoming applications.

21. Dates of future meetings

The Committee noted the dates of the future meetings.

The meeting started at 6.00 pm and ended at 7.45 pm

Chair

Date: Tuesday 10 August 2021

When decisions take effect:

Cabinet: after the call-in and review period has expired

Planning Committees: after the call-in and review period has expired and the formal decision notice is issued

*All other committees: immediately.
Details are in the Council's Constitution.*

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