

Agenda

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Planning - Oxford City Planning Committee

This meeting will be held on:

Date: **Tuesday 9 November 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	apologies;
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;
Councillor James Fry	Walton Manor; substitute for Cllr Diggins

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

Cllr Diggins has sent apologies; Cllr Fry will substitute.

2 Declarations of interest

3 21/02007/PA18: Oxford Railway Station

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Site address: Oxford Railway Station, Park End Street, Oxford

Proposal: Application for Prior Approval - Part 18 of General Permitted Development Order (GPDO). Oxford railway station proposed west side engineering works to construct an additional platform 5 railway line with associated platform canopy cover and platform enclosures providing passenger facilities, along with a stair and lift access to a subway connection to a proposed secondary station entrance incorporating retail, public toilets, an open concourse, staff accommodation and a relocated station refuse area. Proposed replacement rail and pedestrian bridges over Botley Road along with alterations to the road to provide grade separated pavements each side. Reconfiguration of Roger Dudman Way to connect onto Cripsey Road and replacement of Sheepwash Bridge. Proposed demolition of the single storey railway buildings at the

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rear of platform 4, along with the Youth Hostel and removal of two small single storey commercial units between Cripsey Road and Roger Dudman Way. Formation of public realm to the west side of the proposed station building along with cycle parking facilities (PLEASE NOTE THIS IS NOT A PLANNING APPLICATION BUT A NOTIFICATION SUBMITTED BY NETWORK RAIL FOR PRIOR APPROVAL BY OXFORD CITY COUNCIL)

Reason at Committee: This application has been called in by Councillors Cook, Pressel, Clarkson, Upton, Munkonge and Rowley due to concerns about delivering a high public realm and sufficient cycle parking.

Recommendation:

The Oxford City Planning Committee is recommended to:

1. Delegate authority to the Head of Planning Services to:
 - grant prior approval, provided he is satisfied the flooding issues have been satisfactorily addressed and to also include the updating of plans to ensure they are correctly cross referenced, for the reasons given in the report and subject to the required conditions as set out in section 11, including such refinements, amendments, additions and/or deletions to those conditions and plans as the Head of Planning Services considers reasonably necessary.

4 21/02053/FUL- Unit 1 And Unit 2, Botley Road

83 - 114

Site address: Unit 1 And Unit 2, Botley Road, Oxford

Proposal: Erection of extensions to the front and rear and external alterations throughout, including the installation of cladding and new glazing. Provision of dedicated foot/cycle access from Botley Road, cycle parking, erection of substation, external lighting, hard and soft landscaping, external loading bay, means of enclosure (including car park barriers) and associated works to enable the use of the building within Use Class E (Commercial,

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Business and Service) for research and development.

Reason at Committee: This is a major planning application

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, subject to:
 - the satisfactory completion of a legal agreement (or unilateral undertaking) 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 the report; and
 - the receipt of comments from the Environment Agency.
2. **agree to delegate authority** to the Head of Planning Services to:
 - decide whether the application needs to be referred back to the committee on receipt of a response from the Environment Agency; and
 - 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 recommended legal agreement (or unilateral undertaking) under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning Services considers reasonably necessary; and
 - following the completion of the section 106 legal agreement (or unilateral undertaking) referred to above issue the planning permission.

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5 21/00672: 4 Bladon Close, Oxford, OX2 8AD

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Site address: 4 Bladon Close, Oxford, OX2 8AD

Proposal: Demolition of existing dwellinghouse and garage. Erection of 5 x 2 bedroom flats (Use Class C3). Provision of amenity space, bin and cycle stores.

Reason at Committee: This application was called in by Councillors Wade, Landell-Mills, Gant, Goddard, Roz Smith, Altaf Khan due to concerns around design, car parking, neighbouring amenities, legal covenants, land subsistence, asbestos, drainage, access, bin storage and sustainability.

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.
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.

6 Minutes

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Recommendation: to approve the minutes of the meeting held on 12 October 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.

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20/00934/FUL: Land To The Rear Of The George Inn, 5 Sandford Road, Littlemore, Oxford, OX4 4PU	Major
20/01276/FUL: Land At Jericho Canal Side And Community Centre, 33A Canal Street, Oxford, OX2 6BX	Major
20/01277/LBC: Land At Jericho Canal Side And Community Centre, 33A Canal Street, Oxford, OX2 6BX	Major
21/00110/FUL: The Clarendon Centre, Cornmarket Street, Oxford, OX1 3JD	Major
21/00300/FUL: 17, 17A, 17B And 19 Between Towns Road, Oxford, OX4 3LX	Major
21/01261/FUL: St Hilda's College, Cowley Place, Oxford, OX4 1DY	Major
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	Major
21/01449/FUL: Land South West Of St Frideswide Farm, Banbury Road, Oxford	Major
21/01743/VAR: Rhodes House, South Parks Road, Oxford, OX1 3RG	
21/01695/FUL: Thornhill Park, London Road, Headington, Oxford, OX3 9RX	Major
21/01176/FUL: Former Dominion Oils Site, Railway Lane, Oxford, OX4 4PY	Major
21/01645/FUL: 472-474 Banbury Road, Oxford, OX2 7RG	Major
21/02120/OUT: Plot 18 And Plots 23-26, Oxford Science Park, Grenoble Road, Oxford, OX4 4GB	Major
21/02160/VAR: Site Of Former Lucy Faithfull House, 8 Speedwell Street, Oxford, OX1 1PX	Major
21/02580/FUL: Marston Paddock, Butts Lane, Oxford, OX3 0QN	Major
21/02431/FUL: Meadow Larkins, Larkins Lane, Oxford, OX3 9DW	called in
21/02432/LBC: Meadow Larkins, Larkins Lane, Oxford, OX3 9DW	called in
21/02639/FUL: Land West Of 75 Town Furze, Oxford, OX3 7EW	called in
21/02581/FUL: 1 North Street, Oxford, OX2 0AY	called in

8 Dates of future meetings

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

2021	2022
22 November	25 January

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7 December	15 February
	8 March
	12 April

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

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 PLANNING COMMITTEE

9th November 2021

Application number: 21/02007/PA18

Decision due by 17th November 2021

Extension of time Not applicable

Proposal Application for Prior Approval - Part 18 of General Permitted Development Order (GPDO). Oxford railway station proposed west side engineering works to construct an additional platform 5 railway line with associated platform canopy cover and platform enclosures providing passenger facilities, along with a stair and lift access to a subway connection to a proposed secondary station entrance incorporating retail, public toilets, an open concourse, staff accommodation and a relocated station refuse area. Proposed replacement rail and pedestrian bridges over Botley Road along with alterations to the road to provide grade separated pavements each side. Reconfiguration of Roger Dudman Way to connect onto Cripsey Road and replacement of Sheepwash Bridge. Proposed demolition of the single storey railway buildings at the rear of platform 4, along with the Youth Hostel and removal of two small single storey commercial units between Cripsey Road and Roger Dudman Way. Formation of public realm to the west side of the proposed station building along with cycle parking facilities (PLEASE NOTE THIS IS NOT A PLANNING APPLICATION BUT A NOTIFICATION SUBMITTED BY NETWORK RAIL FOR PRIOR APPROVAL BY OXFORD CITY COUNCIL)

Site address Oxford Railway Station, Park End Street, Oxford, Oxfordshire – see **Appendix 1** for site plan

Ward Osney And St. Thomas Ward

Case officer Sarah De La Coze

Agent: N/A **Applicant:** Network Rail

Reason at Committee This application has been called in by Councillors Cook, Pressel, Clarkson, Upton, Munkonge and Rowley due to concerns about delivering a high public realm and sufficient cycle parking.

1. RECOMMENDATION

1.1. The Oxford City Planning Committee is recommended to:

Delegate authority to the Head of Planning Services to:

- grant prior approval, provided he is satisfied the flooding issues have been satisfactorily addressed and to also include the updating of plans to ensure they are correctly cross referenced, for the reasons given in this report and subject to the required conditions as set out in section 11, including such refinements, amendments, additions and/or deletions to those conditions and plans as the Head of Planning Services considers reasonably necessary.

2. LEGAL AND PLANNING POLICY CONTEXT

Prior Approval Application Process

- 2.1. This is not an application for planning permission. This is an application for Prior Approval. The application is made under Part 18 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended ('GPDO').
- 2.2. The scope for consideration by members of the Planning Committee in determining this application is limited by the GPDO, that states prior approval is not to be refused nor are conditions to be imposed unless the local authority is satisfied a) that the development ought to be and could reasonably be carried out elsewhere on the land; or b) the design and external appearance of any building, bridge, aqueduct, pier or dam would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.
- 2.3. The below extract of the GPDO is included for reference:

PART 18
Miscellaneous development

Class A – development under local or private Acts or Order

Permitted development

A. Development authorised by—

- (a) *a local or private Act of Parliament,*
- (b) *an order approved by both Houses of Parliament, or*
- (c) *an order under section 14 or 16 of the Harbours Act 1964 (orders for securing harbour efficiency etc, and orders conferring powers for improvement, construction etc of harbours)(1),*

which designates specifically the nature of the development authorised and the land upon which it may be carried out.

Conditions

A.1 Development is not permitted by Class A if it consists of or includes—

- (a) the erection, construction, alteration or extension of any building, bridge, aqueduct, pier or dam; or
- (b) the formation, laying out or alteration of a means of access to any highway used by vehicular traffic,

unless the prior approval of the appropriate authority to the detailed plans and specifications is first obtained.

A.2 The prior approval referred to in paragraph A.1 is not to be refused by the appropriate authority nor are conditions to be imposed unless they are satisfied that—

- (a) the development (other than the provision of or works carried out to a dam) ought to be and could reasonably be carried out elsewhere on the land; or
- (b) the design or external appearance of any building, bridge, aqueduct, pier or dam would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.

Interpretation of Class A

A.3 For the purposes of Class A, "appropriate authority" means—

- (a) in Greater London or a metropolitan county, the local planning authority;
- (b) in a National Park, outside a metropolitan county, the county planning authority; and
- (c) in any other case, the district planning authority(2).

- 2.4. Network Rail (NR) has substantial Permitted Development rights under Part 18 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO). Part 18 allows development that has been authorised by a local or private Act of Parliament which specifically allows the type of development proposed and specifies the land upon which it may be carried out.
- 2.5. In this matter for Network Rail, this is the nineteenth century Act of Parliament under which the Railway was built. Section 16 of The Railway Clauses Consolidation Act 1845 confers powers for the Railway Company and its successors in title (now Network Rail) to construct works such as bridges, tunnels and embankments, etc as the Company sees fit, and 'erect and construct such houses, warehouses, offices, and other buildings, yards, stations, wharfs, engines, machinery, apparatus, and other works and conveniences, as they think proper'.
- 2.6. The applicant (Network Rail) benefits from the following Acts:
 - The Railway Clauses and Consolidation Act (RCCA) 1845
 - Oxford and Rugby Railway Act (ORRA) 1845 – authorising act for the line between Oxford and Rugby – now known as the DCL.

- Great Western (Additional Powers) Act 1865 – authorised the purchase of lands in the Parish of St Thomas, Oxford near Oxford Station.
- Great Western Railway (Further Powers) Act 1866 – authorised the purchase of lands between River Sheepwash Bridge and Castle Mill Stream Bridges and the stopping up and construction of Osney Lane Footbridge
- Great Western Railway (Additional Powers) Act 1936 – authorised the purchase of lands to allow the widening of River Sheepwash Bridge.
- Also in addition to when we carried out works on the eastern side of the railway track (for Becket Street Bay Platform Project in 2010 and TOC building/ Bay Platforms in 2015) we also relied on the following;
- Oxford, Worcester & Wolverhampton Railway Act 1845

All of the above Railway Acts have incorporated the provisions of the RCCA 1845 and therefore Network Rail benefits from PD rights under part 18.

- 2.7. For the purposes of this current project Network Rail rely on the powers of the ORRA 1845.
- 2.8. Part 18 of the GPDO requires Prior Approval to be obtained from the local planning authority and states that:
- 2.9. The prior approval is not to be refused by the appropriate authority nor are conditions to be imposed unless they are satisfied that—
 - (a) The development (other than the provision of or works carried out to a dam) ought to be and could reasonably be carried out elsewhere on the land; or
 - (b) The design or external appearance of any building, bridge, aqueduct, pier or dam would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.
- 2.10. The legislation is very clear that only those two considerations shall be taken in to account by the local authority when making their decision.
- 2.11. When considering the application against the aforementioned points of Part 18, only when it relates specifically to point a) and b) referenced above can local and national planning policy be considered. The National Planning Policy Guidance (NPPG) further reiterates this point and states that *“A local planning authority cannot consider any other matters when determining a prior approval application.”*
- 2.12. In addition, it also must be understood that some elements of the scheme whilst detailed and included in the description and application details, do not

require consent from the local authority through this prior approval process, specifically:

- **The change in layout of Botley Road to include a raised cycle and pedestrian path.**

- 2.13. This element has been included in the application for completeness but does not require prior approval as part of this application. The works under Botley Road Bridge which include the new pedestrian and cycle path would require separate technical approval from Oxfordshire County Council as the local highway authority. Therefore the prior approval cannot be refused with regard to this element nor can conditions be imposed that make specific requirements for that part of the scheme.
- 2.14. In addition to the above, the proposed development is considered Environmental Impact Assessment (EIA) development. The initial scoping request submitted to the Council proposed a different scheme which was much larger in scale and fell under Schedule 2 Category 10d (Infrastructure: Construction of Railways) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (2017 Regulations) which has the potential to give rise to significant effects. The scheme that has now been submitted refers to a much smaller scheme, and was submitted with an Environmental Statement (ES), as such, for the purposes of the 2017 Regulations, the application is classified as an Environmental Impact Assessment application under Schedule 2 Category 10d (Infrastructure: Construction of Railways) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (2017 Regulations).
- 2.15. The ES submitted was the one completed for the larger scheme. Whilst a new ES was not submitted for this smaller scheme, the ES has been relied upon as it addresses the significant effects of the proposal on the environment that are likely to arise as a result of the proposed development, and more, and details the worst case scenario with regard to environmental impacts. This has enabled the likely effects of the development on the environment to be identified and taken into consideration in the decision making process.
- 2.16. The Cripsey Road and Abbey Road residents association have questioned the validity of the ES and what the point of it was given the limited powers afforded to the Local Planning Authority when determining a part 18 prior approval. The Planning Policy Guidance sets out the guidance that should be applied when considering and determining applications that have been subject to an EIA assessment. Officers are satisfied that the EIA assessment and resulting Environmental Statement adequately covers the main environmental effects of the proposed development. Mitigation measures proposed in an Environmental Statement are designed to limit or remove any significant adverse environmental effects of a development. The ES therefore allows officers to consider the environmental impacts that relate to the criteria set out in part 18, and the use of appropriately worded conditions can be applied to ensure that these mitigation measures are implemented.

3. EXECUTIVE SUMMARY

- 3.1. A prior approval application has been submitted for works to Oxford Railway station. The proposal relates to the development of the Oxford Phase 2 Capacity Improvement Scheme, which would include the following elements:
- A new track would be introduced through the station to the west of the existing Platform 4 including construction of a new platform (Platform 5) with associated waiting room, toilets, shop/café.
 - Sheepwash Bridge on Roger Dudman Way to the north would be altered to allow for the installation of a new railway line and replacement road and pedestrian bridge.
 - To the west of the railway, a new western entrance building would be built to allow entry to the station from Botley Road. This would be a single-storey building, 4.3m high. It would include ticket machines, shop or cafe, a subway and lifts to the platforms and an outside forecourt with bicycle parking.
 - Botley Road Bridge would be replaced, and a new bridge span would be installed to carry the extra track to the new Platform 5. A replacement pedestrian bridge would also be provided.
 - Alterations would be made to Roger Dudman Way including removal of its current junction with Botley Road and creation of a new junction with Cripsey Road.
- 3.2. The Scheme is designed to increase the efficient operation of the station and would provide additional capacity for the rail network. The proposals and improvements are part of much wider strategic objectives for the county which include the Oxford Economic Growth Strategy, Connecting Oxfordshire local transport plan (including the Oxfordshire Rail Strategy) the Strategic Economic Plan and the emerging Local Industrial Strategy. Given the scale of housing growth anticipated in Oxfordshire between 2011 and 2021 (100,000 new homes) and further growth anticipated as the Oxfordshire Plan 2050 is prepared, Oxfordshire County Council consider that the additional capacity is essential. In addition the development would unlock further strategic opportunities such as:
- the extension / expansion of East-West Rail services through Oxford;
 - the development of passenger services and stations on the Cowley Line; and
 - further opportunities for development of the Cotswold Line
- 3.3. The approval of the scheme has the potential to not only enhance the transport links in this part of the city but will allow other areas such as the Cowley Branch Line to be unlocked allowing for its delivery which could bring with it significant economic benefits. The provision of passenger services on the Cowley Branch Line is also considered key in terms of facilitating the delivery of a number of key allocated housing and employment sites identified in the Oxford Local Plan (2036).

- 3.4. The proposal would require a large number of changes to the western side of Botley Road Bridge to accommodate the works. The proposal would change the character and appearance of this part of the city due to the works required to deliver the infrastructure. It is acknowledged that a number of trees would need to be removed to accommodate the additional track and associated bridge works, which would cause some harm to the setting of the neighbouring Conservation Areas. Officers are satisfied that with appropriately worded conditions, the harm can be minimised and mitigated.
- 3.5. The works to Botley Road and the associated cycle and pedestrian path would not be subject to the prior approval. Notwithstanding this, NR have provided the Council with assurances that through a legal agreement with Oxfordshire County Council, NR will enter into separate talks with the County as well as an independent highway specialist to find the best solution with regard to the Botley Road arrangement.
- 3.6. In making the decision on both the siting and design and appearance of the building, bridges and road works to Cripsey Road and Roger Dudman Way, great weight has been given to section 12 (achieving well-designed places), 15 (conserving and enhancing the natural environment) and 16 (conserving and enhancing the historic environment) of the National Planning Policy Framework (NPPF). The benefits of the scheme are considered to outweigh the less than substantial harm caused and the development therefore complies with the requirements of Paragraph 202 of the NPPF.
- 3.7. Whilst the local authority has limited powers as to what can be considered as part of the application it is considered that the development requiring Prior Approval is acceptable within the constraints of Part 18 of the GPDO, for the following reasons:
- The application cannot reasonably be carried out elsewhere on the land.
 - The design and external appearance of the proposals would not injure the amenity of the neighbourhood by the inclusion of appropriately worded conditions
- 3.8. Officers are therefore recommending that prior approval is granted provided that the flooding issues have been satisfactorily addressed.

4. SITE AND SURROUNDINGS

- 4.1. Oxford Railway Station is located in the west of the City. The site is located northwest of Frideswide Square, at the eastern end of Botley Road. The station comprises the main station building to the east of the railway which includes cycle parking, bus stops and taxi drop off points. A staff and short stay car park and GWR staff accommodation is located to the north of the main station building. To the south is Becket Street station car park (480 spaces) which is linked to the station by a pedestrian and cycle bridge which crosses Botley Road. To the west of the railway line is the youth hostel (YHA) as well as a number of NR operational buildings. It also benefits from a peak hour only entrance. Frideswide Square and the Said Business School are

located to the east of the station; the latter was the site of the former Oxford Rewley Road Railway Station.

- 4.2. Botley Road is located to the south of the station and is the main route into Oxford from the West. Botley Road Bridge currently has insufficient clearance to allow normal heights double decker buses to pass underneath.
- 4.3. Roger Dudman Way to the west of the railway leads over Sheepwash Bridge towards Castle Mill student accommodation, to the north of the application site. Roger Dudman Way is maintained by Network Rail. To the northern end of the Scheme is Sheepwash Bridge (for road and railway) which crosses over the Sheepwash Channel and a Public Right of Way (footpath 320 10/10). The Co-operative Childcare building is located adjacent to Roger Dudman Way just north of Sheepwash Bridge. The existing railway tracks run alongside Roger Dudman Way. Roger Dudman Way and Cripsey Road to the west of the station is a residential area.
- 4.4. The area immediately to the west of the station is characterised by later C19 and early C20 housing. The Galpin Estate, including Abbey Road and Cripsey Road was developed on former Thames meadow land owned by Christchurch. The larger semi-detached houses at the southern end of the estate are tall, cream brick buildings with stone dressings. Further to the north, the buildings reduce in size becoming relatively modest two storey, some with converted attics, terraces of darker, mixed buff and grey bricks with interesting, continuous stone lintels above ground floor window heads. On the Botley Road there is a more eclectic mix of buildings and uses including some terraces of late C19 houses and a former tollhouse that marked the beginning of the Botley Turnpike Road.
- 4.5. The site is not located in a Conservation Area but sits between two. The Central Conservation Area western boundary extended in 2019 lies on the east side of the railway lines. The area to the west of the Conservation Area boundary promotes its more distinctly suburban character – housing built on open meadows that ran along the edges of the River Thames. The visible presence beyond the elevated railway lines from within the Conservation Area are of a number of groups of tree canopies, indicating generous public realm and survivals from more open landscape. This setting in turn informing or contributing to the significance of the Central Conservation Area.
- 4.6. To the south and east of the application site lies the western edge of the Central Conservation Area which is characterised by essentially industrial activity, the former Coopers' Oxford Marmalade Factory – the Jam Factory, C19 breweries, early C20 car showrooms and garages, evidenced in the surviving buildings and architecture with small scale, modest domestic housing including 'social housing', that can be seen in Christchurch Buildings, through the area known as St Thomas replacing earlier, medieval housing that sat outside the town's medieval walls. This area was bisected by the railway in the mid C19.
- 4.7. Osney Conservation Area sits to the south of the western side of the station and includes Osney Bridge which forms part of the built context to the

application site. The southern end of the site, including the area proposed for the new station building can be seen clearly from the eastern side of the bridge. Historically what was known as North Osney was bisected by the railway and the continuity of mid to late C19 architecture can be seen both to the east and west of the present railway line. The present conservation area is particularly characterised by modest, late C19/early C20 brick built workers' housing built to support Oxford's growing industries, Lucy's ironworks, breweries, motor industries, industries associated with the canal and the railway.

4.8. In addition to the Conservation Areas there are a number of other historic assets that would be impacted by the proposed development specifically:

- The Toll House. A non-designated heritage asset of high, local significance due to its association with the Botley Turnpike and it having been designed in 1850 by H J Underwood an architect who was working prolifically in the city at the time – associated in particular with the design of a number of C19 public houses.
- The River Hotel, formerly known as Bridge House. A non-designated heritage asset – of high, local significance due to it having been the home of the renowned Oxford builder Thomas Henry Kingerlee, an alderman of the City of Oxford and well-known local figure whose firm is still building in Oxford today.
- The Swing Bridge. A scheduled Ancient Monument. Sheepwash Bridge sits immediately alongside the Swing Bridge. The building is not listed but the Swing Bridge is a SAM and potentially Sheepwash Bridge sits within the setting of the monument. The original abutments of Sheepwash Bridge are probably C19, large brick structures. The surviving brickwork is of some local significance as an example of railway/bridge engineering but not of sufficient merit to be considered a local or non-designated heritage asset. However the Sheepwash stream or channel is considered to be a non-designated heritage asset of high local significance for its historical value being associated, as its name suggests with the washing of sheep in the stream prior to their being taken to market. The channel forms part of the connection of waterways between the River Thames and the Oxford Canal.
- The Environmental Statement (ES) identifies that 117 heritage assets were identified within 300m of the red line boundary, comprising 71 archaeological sites, 32 historic buildings (including three Scheduled Monuments), three Conservation Areas, and 11 historic urban character areas.

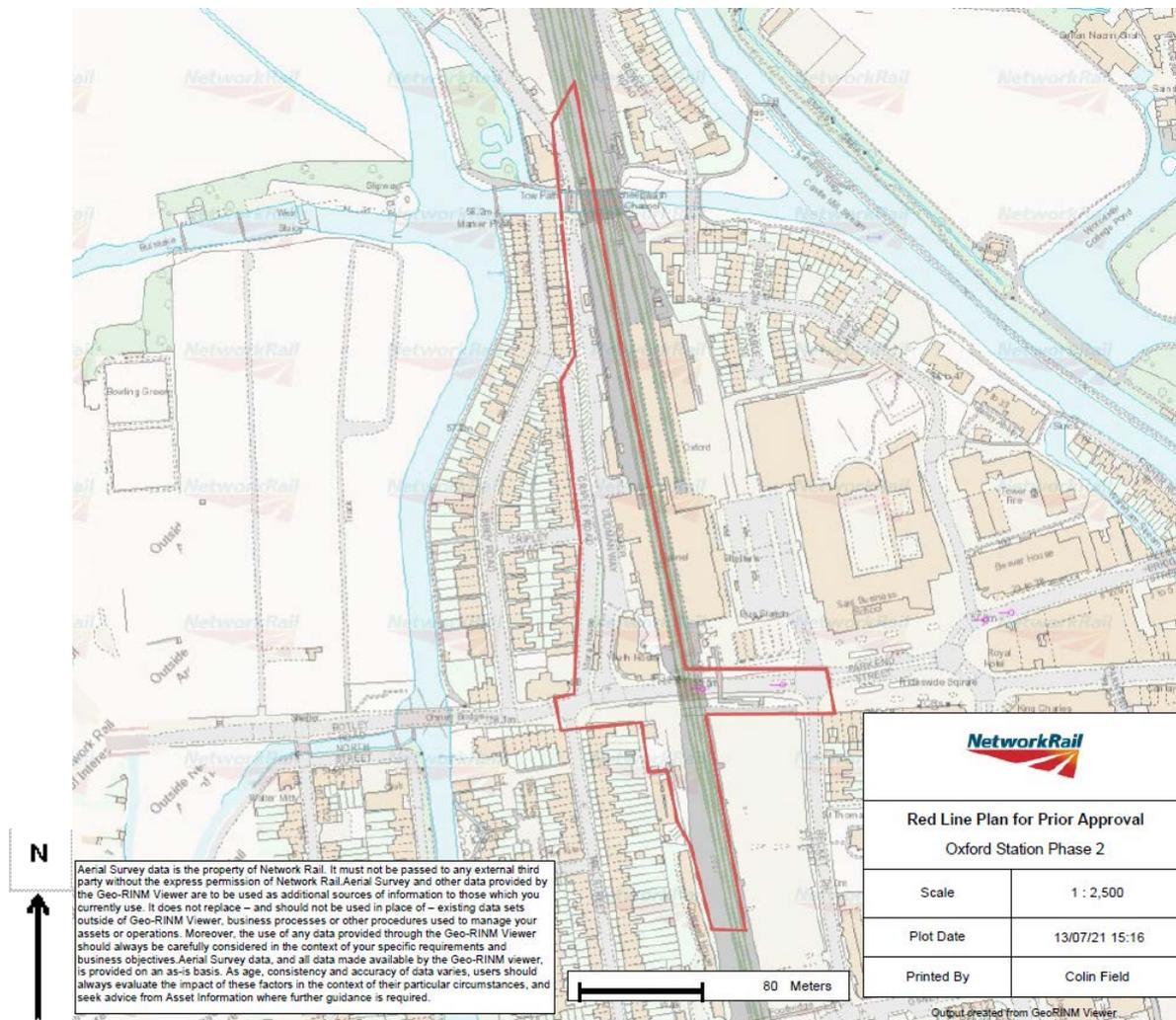
4.9. As well as historic assets the ES has identified the following main local environmental constraints:

- Approximately 700m north of the Scheme there is a European designated ecological site: Oxford Meadows Special Area of Conservation (SAC).

- Port Meadow with Wolvercote Common and Green SSSI is the closest, located approximately 700m north of the Scheme.
- The whole of Oxford city centre is an Air Quality Management Area (AQMA).
- There are a number of main rivers within the area including the River Thames to the west and the Sheepwash Channel to the north of the Scheme

There are several Public Rights of Way (PRoW) and footpaths in the area surrounding the Scheme, including 320/10/10 (F1) a footpath which crosses beneath Sheepwash Bridge.

4.10. See location plan below:



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Ordnance Survey 100019348

5. PROPOSAL

5.1. This is an application for Prior Approval. The application is made under Part 18 of Schedule 2 of the Town and Country Planning (General Permitted

Development) (England) Order 2015 as amended ('GPDO'). The proposals relate to the development of the Oxford Phase 2 Capacity Improvement Scheme. The Scheme is designed to increase the efficient operation of the station and would provide additional capacity for the rail network.

- 5.2. The scheme proposes the following elements:
- 5.3. A new track would be introduced through the station to the west of the existing Platform 4 including construction of a new platform (Platform 5) with associated waiting room, toilets, shop and an extended canopy to protect passengers.
- 5.4. Sheepwash Bridge on Roger Dudman Way to the north would be altered to accommodate a new span carrying a single track (that will serve Platform 5) and a new replacement pedestrian and road bridge would be built.
- 5.5. To the west of the railway, a new western entrance building would be built to allow entry to the station from Botley Road. This would be a single-storey building, 4.3m high. It would include ticket machines, shop/cafe, a subway, lifts to the platforms and an outside forecourt with bicycle parking following demolition of the existing YHA, two single storey commercial buildings and demolition of the existing railway buildings. It would also incorporate the new retaining wall which would also form the noise barrier.
- 5.6. Botley Road Bridge would be replaced, and a new bridge span would be installed to carry the new track to the new Platform 5. Botley Road would be lowered to increase clearance under the bridge. A replacement footbridge over Botley Road to link station car park to main station building is also proposed (as an interim basis this would be provided on an adapted bridge deck which will accommodate a future railway line as part of a future phase of the station redevelopment. It is proposed as part of that future phase that a new purpose built pedestrian and cycle footbridge would be constructed to the east of the new span proposed in this phase).
- 5.7. Alterations would be made to Roger Dudman Way including removal of its current junction with Botley Road and creation of a new junction with Cripsey Road, which would require the removal of 1 mature lime tree. The construction of a new 2.2m combined noise and retaining wall parallel to the new railway line between Botley road and Sheepwash Bridge is also proposed.
- 5.8. In addition to the above proposed works the Co-operative Childcare nursery currently located on Roger Dudman Way would be relocated to the southern end of Becket Street station car park for a period of 3 months and would be in a standalone portacabin. Once the works are completed the nursery will be relocated back to their original location in Roger Dudman Way.
- 5.9. The proposals and improvements are part of much wider strategic objectives for the county such as the Oxford Economic Growth Strategy, Connecting Oxfordshire local transport plan which is seeking to improve infrastructure to support population and economic growth.

- 5.10. The development would also unlock further strategic opportunities such as
- the extension / expansion of East-West Rail services through Oxford;
 - the development of passenger services and stations on the Cowley Line; and
 - further opportunities for development of the Cotswold Line.
- 5.11. Alongside this application, work is ongoing to complete a new Station Masterplan for Oxford Railway Station; this will inform future phases of development of the wider station site.
- 5.12. The application supporting documents sets out how the Oxford Phase 2 works integrates in to wider transport ambitions including the provision of new or improved rail services.
- 5.13. The Government's strategy for the railways for the investment periods up to 2024 is built around four strategic priorities, of which three directly impact on Oxford and Oxfordshire:
- The creation of a high-capacity passenger and freight corridor running from Southampton to Oxford and dividing at Oxford for the East Midlands and South Yorkshire, and for the West Midlands and North West.
 - The introduction of faster, longer, and more reliable electric trains to increase capacity and reduce journey times.
 - A new rail connect to allow for the provision of direct rail services to Heathrow Airport from the West.
- 5.14. Investment in the strategic rail corridor through Oxford is also an essential part of the transport strategy as a whole, as increasing the capacity of the rail network (for both passengers and freight) reduces pressure and congestion on the strategic highway network, particularly the A34.
- 5.15. The need for the scheme is detailed in the Environmental Statement: Chapter 1 – Introduction.
- 5.16. *Oxford Station and the Oxford Corridor provide for inter-regional passenger connectivity through Oxfordshire, with Oxford being the main traffic destination. The Oxford Corridor is a strategic part of the Western Rail Route and is busy for both passenger and freight services. The station is currently the fourth busiest station in the Western Route. The existing infrastructure cannot accommodate the proposed growth of these services and it is this growth and constraints along the Oxford Corridor that have driven the capacity requirements for the Scheme.*
- 5.17. *The overall objective of the Oxford Corridor Capacity Improvement Scheme is to improve capacity and capability as well as operational efficiency through the Oxford Corridor. This is to meet the Strategic Business Plan objectives for capacity enhancement and journey time improvements for the route between Didcot (North Junction) and Oxford (including to Wolvercote Junction). The*

objectives will facilitate the future aspirations and objectives of the Oxford Station Area Supplementary Planning document which sets out the Station Masterplan (OCC, 2017), known as the 'Masterplan'. This states that:

- 5.18. *'The objective for the Masterplan is to develop a rail hub and interchange for Oxford, with enhanced station and passenger facilities, providing sufficient capacity to accommodate predicted growth in passenger numbers for the next 30 years and fulfil its role on the core cross country network at the heart of the 'electric spine'*
- 5.19. *The Scheme, which forms Phase 2, would enable these aspirations to be delivered. To deliver these aspirations, there is a need to improve efficiency and customer access at the existing Oxford Station. It is expected that installation of a new western entrance and Platform 5 would provide a 50% increase in through-platform capacity for freight and passenger traffic. It would also improve pedestrian movement through and around the station, allowing access to and from the west of Oxford Station. The overall customer experience is expected to be enhanced by the Scheme, encouraging more people to choose to travel by train.*
- 5.20. *There is a need to encourage greener access choices to the station. Provision of improved cycle and pedestrian access under Botley Road Bridge and increased cycle parking areas would encourage increased use of these modes of transport. Improved segregation from car traffic is expected to improve safety along Botley Road. Realignment of Botley Road Bridge to allow for standard double decker buses would further promote the use of public transport.*
- 5.21. *The application and proposed works are therefore considered not only as locally significant but are considered to impact on the wider area. The determination of the application will have an impact on the future delivery of rail services across the county and beyond.*
- 5.22. *Network Rail have set out the timetable for the work if prior approval is granted. If approved the construction would follow the following proposed construction programme as detailed in *Environmental Impact Assessment – Environmental Statement: Chapter 2 – Description of the Scheme**

Table 2.2: Proposed construction programme

Construction Area	Anticipated Start Date	Anticipated Finish Date
Start on site	November 2022	N/A
Roger Dudman Way and Sheepwash Bridge replacement	November 2022	September 2023
Platform 5 and new buildings	December 2022	November 2024
Botley Road works	April 2023	December 2023
Botley Road span replacement (100 hour possession)	August 2023	August 2023
Western retaining wall	October 2023	November 2023
New western entrance building	November 2023	November 2024
Entry into service	December 2024	N/A

6. MOST RELEVANT PLANNING HISTORY

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

65/15475/A_H - Outline application for rebuilding of the east side of the station with offices over. REF 13th July 1965.

67/19361/A_H - Reconstruction of railway station. PER 14th November 1967.

70/19361/A_H - Reconstruction of railway station (revised). PER 16th August 1970.

71/19361/AB_H - Demolition of canopies & platform buildings except existing parcels office on downside. Construct new platform, canopy & integral parcels area, erection of two passenger shelters, new platform lighting, platform surfacing & boundary fencing. PER 13th July 1971.

71/19361/AC_H - Erection of new parcels offices to replace existing timber structure. PER 23rd November 1971.

71/24016/A_H - British Railways sidings north of Oxford Station. Erection of new depot building consisting of offices, stores, toilets and mess room. PER 8th June 1971.

74/00961/C_H - Construction of public catering facilities, staff amenity building on down platform on west side of the station. PER 6th November 1974.

76/00539/P_H - 3 48 sheet hoardings, station approach facing Botley Rd; 1 48 & 1 96 sheet hoarding. Station car park facing station entrance & approach road; 1 48 sheet hoarding on embankment adjacent to railway bridge over Botley Rd facing Cripsey Rd. PER 11th August 1976.

77/00744/A_H - Reconstruction of superstructure of bridge on Botley Road. PER 24th October 1977.

84/00689/NOZ - Outline application for new station and forecourt, offices, supermarket, shops, wine bar and restaurant. 788 car parking spaces (one multilevel car park). 4.5 acres residential development with ancillary parking (Amended Plans). WDN 8th January 1986.

84/00690/NOZ - New station and forecourt, offices, supermarket, shops, wine bar and restaurant, 788 car parking spaces (one multi-level car park). 4.5 acres residential development with ancillary parking (Amended Plans). WDN 8th January 1986.

86/00895/NF - Information dispenser adjacent to tourist information board at top of steps leading to short term car park. PER 23rd October 1986.

87/00517/NF - Demolition of railway station. Erection of new station building including associated alterations to station forecourt (+ new traffic arrangements, car, taxi & bus parking & cycle parking.) Erection of temporary accommodation. PER 24th August 1987.

87/00929/NOZ - Business premises (Class B1) hotel, residential, sheltered accommodation, retail premises, new public open space, car parks, access, bridges, decked commuter car park at Station area and Becket Street Development, Oxford. ALW 2nd February 1989.

88/00611/NF - Construction of new footbridge and closure of existing subway. Extension of 'UP' platform canopy. PER 4th August 1988.

98/01772/NF - Building on 4 levels for Youth Hostel (42 beds. 1 bedsit & 1x2 bed apartments for staff). Use of Railtrack parking & coach off-loading. Alterations & pedestrian access from Botley Rd & Station Approach (West). 30 cycle parking spaces.. PER 19th April 1999.

79/01158/A_H - Outline application for retail development including store of 36.000 sq ft net retail floorspace, an area of low rise residential development to the Castle Mill Stream of up to 5.5 acres. Rebuilt/extended railway station, 700 parking spaces in multi-level structure, a hotel with up to 230 bedrooms and/or up to 2.3 acre for relocation and expansion of existing Oxford Industrial users adjacent to Beckett Street. REF 23rd March 1961.

10/01413/FUL - Construction of "transfer deck" across Botley Road linking existing railway station to proposed new bay platform at Becket Street car park.. PER 8th October 2010.

15/00096/PA18 - Application seeking prior approval for development comprising extension to the length of existing north bay platforms, replacement platform canopies, new re-locatable rail staff accommodation building and reconfiguration of short stay and staff car parking under Part 11 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995. (PLEASE

NOTE THIS IS NOT A PLANNING APPLICATION BUT A NOTIFICATION SUBMITTED BY NETWORK RAIL FOR PRIOR APPROVAL BY OXFORD CITY COUNCIL.) Following an options assessment, the building has been relocated 2.5m to the south and has been reduced in size at first floor level by 186 sq.m; revised parking layout (AMENDED PLANS). 2PA 10th September 2015.

15/03087/VAR - Variation of condition 7 (Time limit of 3 years) of prior approval 15/00096/PA18 (Application seeking prior approval for development comprising extension to the length of existing north bay platforms, replacement platform canopies, new re-locatable rail staff accommodation building and reconfiguration of short stay and staff car parking under Part 11 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.) to allow the approved TOC accommodation building to remain for 6 years from occupation of the building.. PER 1st December 2015.

20/00182/VAR - Removal of condition 7 (Time limit of 6 years from occupation) of planning permission 15/03087/VAR (Variation of condition 7 (Time limit of 3 years) of prior approval 15/00096/PA18 (Application seeking prior approval for development comprising extension to the length of existing north bay platforms, replacement platform canopies, new re-locatable rail staff accommodation building and reconfiguration of short stay and staff car parking under Part 11 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.)) to allow the approved TOC accommodation building to remain permanently.(amended description). PER 30th July 2020.

7. RELEVANT PLANNING POLICY

7.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents
Design	126-136	DH1, DH6, DH7, V8	
Conservation/ Heritage	189-208	DH3,DH4	
Housing	60-80	H14	

Natural environment	174-182	G7,G8	
Transport	104-113	M1,M2, M3, M4 M5	Parking Standards SPD
Environmental	174-182	S1, RE1, RE2, RE3, RE4,RE6,RE7, RE8,RE9, G2	Energy Statement TAN
Miscellaneous		V5,SP1	External Wall Insulation TAN,

8. CONSULTATION RESPONSES

- 8.1. Site notices were displayed around the application site on 10th August 2021 and an advertisement was published in The Oxford Times newspaper on 5th August 2021. The EIA regulations also require publicity to be completed. The application has also been subject to advertisement in line with the EIA regulations.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

- 8.2. The Prior Approval application request covers part of what is described by Network Rail (NR) as Oxford Corridor Phase 2. A future Oxford Corridor Phase 3 project will involve an additional rail span to the east, an additional platform and redevelopment of the existing station building.
- 8.3. These improvements as well as the redevelopment at Oxford Station are in accordance with the Local Transport Plan (including the Oxfordshire Rail Strategy), the Strategy Economic Plan and the emerging Local Industrial Strategy. It will enable growth through the creation of additional passenger and freight capacity. Given the scale of housing growth anticipated in Oxfordshire between 2011 and 2031 (100,000 new homes) and further growth anticipated as the Oxfordshire Plan 2050 is prepared, we consider that this additional capacity is essential, as it would potentially enable and support other rail projects and development of services, including further phases of East West Rail, redevelopment of the Cotswold Line and reopening of the Cowley branch line.
- 8.4. Oxfordshire County Council as the Local Highway Authority is supportive of the provision of additional rail capacity and redevelopment at Oxford Station. The improvements will help increase rail use to and from Oxford and is therefore in accordance with the vision set out in Connecting Oxfordshire: Local Transport Plan.

8.5. While the context of this application does not cover the entire site, it is noted that the Botley Road bridge is the nexus between rail and highway ahead of the Oxford Railway Station development. Getting this vital infrastructure right is critical on how infrastructure for other modes such as pedestrians, cyclists and vehicles shall fit in. Without a comprehensive masterplan showing how the overall scheme shall be set out, the County Council are not confident in how arrangements under this application sit alongside the existing infrastructure and the further planned works due to the eastern, northern and southern ends of the station.

8.6. Additionally, we have reviewed the documents submitted in support of this Prior Approval application and wish to raise the following points of concern:

1. The shared pedestrian/cycle path provisions under the Botley Road bridge are noted to be 4.0m wide on each side. Whilst the County Council acknowledges that the proposed arrangements are a betterment to the existing, the 4.0m wide shared footway/cycleways on either side of the carriageway under the bridge are not consistent with guidance set out in DfT's Cycle Infrastructure Design guidance (LTN 1/20). In view of the very busy walking and cycling environment, the County expects NR to provide infrastructure that meets the standards. The County Council is working with NR through a separate process to modify/ widen the shared infrastructure under the bridge.

2. The proposed plans do not show a distinction between the pedestrian/cycle pathways and the public realm at the new western end; and also fail to show where pedestrians and cyclists would leave and re-join the existing infrastructure.

It is not clear how cyclists and pedestrians would link up to Botley Road (west) across Cripsey Road and Mill Street. There is a safety-related need to improve convenience at points where movement interchange happens. Well-designed crossings at the Botley Road junctions with Mill Street and Cripsey Road need to be considered and presented for our review.

The junctions of Cripsey Road and Roger Dudman Way have in the past been the locations of serious cycle personal injury collisions. Roger Dudman Way is a popular cycle route to the station and provides access to large student accommodation blocks further north. The design of the area in front of the new western entrance area should consider a large number of walking and cycling movements passing through to the student accommodation as well those accessing the station and the city. (See Drwg No: W1002D-TTS-DRG-EMG-600111 Rev B01)

The new Cripsey Road/ Roger Dudman Way and Botley Road/ Cripsey Road junctions need to be compliant to LTN1/20 where raised entry treatment is in place. This would give pedestrians and cyclists priority to crossing at side road junctions.

To the east of the Botley Road bridge, again, the submission has not provided sufficient detail on how cyclists and pedestrians shall merge onto the high quality public realm at Frideswide Square. Instead, the plans show

the 4.0m wide shared footway/cycleway narrowing down to unacceptable widths around the junctions prior to the crossings of Beckett Street and Station Approach. (See Drwg No: W1002D-TTS-DRG-EMG-600111 Rev B01). Again, this level of detail is expected at this stage more so, at these locations where there is a high volume of users. See above comment on the commission for a design review of the latest proposals. Where the cycling and walking facilities leave and re-join the existing highway to the west and east is within scope of the review.

3. Network Rail intends to replace the footbridge over Botley Road. The current footbridge is about 2.5m wide. As part of this scheme, it is expected that passenger numbers are likely to increase and in turn, demand on this footbridge will increase. There is therefore a justifiable requirement to provide a wider footbridge that would enable pedestrians to conveniently cross from the station forecourt to the south of Botley Road and to Becket Street and beyond.

The southern end ramp of the footbridge is noted to be 2.0m wide – inconsistent with the footbridge width Drwg No: W1002B-TTS-DRG-ECV-702101 Rev A05.

Also, the footbridge does not complement the Frideswide Square public realm and the proposed improvements to the station at large. The County considers a like-for-like replacement of this footbridge as inadequate mitigation of the impacts of this development.

4. The cycle parking provision to the western entrance is not consistent with our previous position shared with NR and City on the Station masterplan. Plans submitted show 26 sheffield stands arranged to the north of the western entrance building. We are concerned by the level of cycle parking provision indicated. In order to provide more spaces, we suggest instead of Sheffield stands, an introduction of a two-tier parking design that would allow more spaces to be accommodated on a smaller footprint. Additional cycle parking should be provided in accordance with adopted cycle parking standards and these should be covered and secure – in line with Policy M5 of the Oxford Local Plan.

Inadequate cycle parking on the western entrance would be inconvenient to cyclists whose origins/destinations are to the west of the station.

- 8.7. The impact of the scheme on local traffic and transport was explored in detail with Oxfordshire County Council. It was forecast that the scheme shall have negligible impact on the local highway. Because the development does not propose any parking, it is unlikely that there shall be an increase in development related traffic. That said, our concern remains with construction traffic. This will be a highly complex project to construct and construction will have major impacts on highway and rail users. A detailed Construction Traffic Management Plan needs to be developed in partnership with the County Council and appropriate stakeholders (such as bus operators). This needs to be developed alongside the scheme design.

- 8.8. The impact on the county's strategic bus network needs to be assessed as the Botley Road bridge spans several important bus services.
- 8.9. Public transport users and operators need very clear information about the route patterns which can be operated at different stages of the work. Should any 'one-way' provision under the bridge be proposed, then the impact on the full length of each bus route should be considered. It may or may not be more logical to re-route in both directions.
- 8.10. We trust that the above comments are useful for the City Council in considering this proposal submitted under Part 18 (Class A, Schedule 2) of the GPDO 2015 as permitted development. We welcome any further discussions on the scope to modify the scheme and impose conditions.
- 8.11. Conditions (Details to be submitted prior to commencement)
- Cycle Parking
 - Footbridge details

Thames Water

8.12. Waste Comments

- 8.13. With the information provided, Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for FOUL WATER drainage, but have been unable to do so in the time available and as such, Thames Water request that the following condition be added to any planning permission. "No development shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

The proposed development is located within 15 metres of a strategic sewer. Thames Water requests the following condition to be added to any planning permission. "No piling shall take place until a PILING METHOD STATEMENT

(detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement." Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

8.14. Water Comments

The proposed development is located within 15m of a strategic water main. Thames Water request that the following condition be added to any planning permission. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email:developer.services@thameswater.co.uk

Canal and River Trust

- 8.15. Based on the information available the Trust has no comment to make on the proposal.

Network Rail

- 8.16. Network Rail are in full support of the above application.

Historic England

- 8.17. 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.

Cherwell District Council

- 8.18. I write for and on behalf of Cherwell District Council to inform you that this Council raises no objection to the above development proposal submitted by Network Rail Infrastructure Ltd at Oxford Railway Station.

Natural England

- 8.19. Natural England has no comment on this application with regards to statutory designated sites.

The Gardens Trust

- 8.20. We have considered the information provided in support of the application and on the basis of this confirm we do not wish to comment on the proposals at this stage. We would however emphasise that this does not in any way signify either our approval or disapproval of the proposals.

Highways England

- 8.21. 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 development proposal, our interest is in the A34.

The proposed works are associated with the Oxford Corridor Phase 2 Capacity Improvement Scheme. Highways England do not have any concerns with the proposed traffic impacts on the SRN as a result of the proposals, however given the scale of the works, the construction strategy is significant. A two-year construction programme is proposed commencing November 2022 until November 2024. The supporting Transport Assessment (TA) sets out an indicative construction statement which is subject to change upon appointment of a Principle Contractor.

The designated route for all construction HGV trips approaching the site would be via the A34, followed by travelling south along the A420 slip towards the junction with West Way (B4044). It would then head east along Botley Road (A420) towards the southern junction roughly 1.37 km away, near Roger Dudman Way. HGVs leaving the site would make the reverse journey.

Within the programme there are proposed closures on Botley Road which would result in significant traffic rerouting along signed diversion routes. Paragraph 6.314 of the supporting TA states:-

Network Rail has highlighted to Oxfordshire County Council that Botley Road is the main arterial route into Oxford and that closing this road for even a short duration would potentially cause significant city-wide traffic distribution. It was suggested that the above scenarios for the six-month period be modelled using the Oxford's Strategic Network Model (VISSIM). However, from the Oxfordshire County Council response received on 03/04/2020 (see Annex A) it was decided that "because works under the Botley Rail Bridge are likely to be delivered at the same time as a number of other big schemes around the city, discussions are still ongoing on how all these would be aligned. So, a construction modelling will at least need to recognise these other arrangements. For the sake of advancing this application, it is my opinion that construction modelling work in isolation would potentially be abortive until discussions on other projects on the network have been fully drawn up."

Based upon this advice from OCC, the Applicant has not undertaken a modelling assessment at this stage. An Outline Construction Traffic Management Plan (CTMP) has been produced which sets out strategy for a Transport Management Working Group (TMWG). The main responsibility of the group would be to monitor the CTMP, while also allowing direct communication between Network Rail, the contractor, Oxfordshire County Council and Highways England. The A34 junction with the A420 and the A34 junction with the A423 will likely see increases in demand from both construction traffic and potential rerouting of existing traffic as result of road closures.

At a time when construction traffic is modelled using Oxford's Strategic Network Model (VISSIM), Highways England wish to be consulted and engage with local partners to ensure safe and suitable access to the SRN through the construction programme.

Environment Agency

8.22. Environment Agency Position

8.23. We object to the above application as the design of the building, bridge and road changes would injure the amenity of the neighbourhood and is reasonably capable of modification.

Reason(s)

The development as proposed poses an unacceptable risk of injure to the amenity of the neighbourhood by increasing the risk of flooding to the residents of Botley Road and additional road closures due to flooding. This increase in risk of flooding to surrounding areas is contrary to national planning policy.

Climate Change Allowance

The proposal relates to railway infrastructure improvement works which under Table 2 of the PPG are deemed as essential infrastructure, with the works lying with Flood Zone 2 and 3. The Flood Risk Assessment (FRA) (Rev

A01June 2021), has considered the Higher Central (35%) and Upper End (70%) Climate Change Allowances. However, the application has applied the Upper end allowance (70%) for climate change as some of the elements have varying design lifetime (60-120 years according to the FRA).

The climate change allowance guidance has now changed as of 20 July 2021, therefore for the 2080s epoch, the Upper End Allowance is no longer 70% but 84% and the Higher Central Allowance is no longer 35% but 41%. We would request that applicant make an assessment using the new allowances to assess the possible future flood risk for all elements of the scheme. We do not have an 84% allowance so extrapolation of the data would need to be undertaken to understand the potential change. As detriment flood modelling has been undertaken to assess offsite impacts a re-run of the model with the higher allowance will be required.

'With scheme' Modelling

- 8.24. The FRA has made an assessment of the flood risk, comparing 'with scheme' and 'baseline' to determine whether there is any potential flood risk implications to each of the elements (as shown in figures a14.9, a14.8, a14.7, a14.6, a14.5, a14.4, a14.14.a14.13, a14.11 and a14.10 on the LPA portal).

In section 5.4.4 it states "The Scheme is not shown to significantly increase flood risk elsewhere" and then in section 6.4.1 of the FRA it states the scheme "currently shows negligible increase in flood risk elsewhere, with an increases within model tolerance of 10mm". The FRA provides the results of the modelling but no detail on the methodology. We would request a model summary or report to be submitted with this application to explain how the 'with scheme' modelling was undertaken. Due to the scale and nature of the development, we would request the 'with scheme' modelling files for review to ensure it is suitable for use within an FRA. As a model report and model files has not been submitted we have not reviewed these. As such, we have been unable to fully assess whether the proposed development is adequately represented within the model. We are unable to identify whether the resolution of the model has been adjusted. A grid resolution within the 2D domain greater than 5 metres may be insufficient to robustly test offsite detriment. We would recommend the resolution be reduced to 5 metres or less if the model is being used for the purpose of testing offsite detriment.

Built Footprint

The application includes the removal of some buildings (single storey railway buildings, Youth Hostel and removal of two small single storey commercial units between Cripsey Road and Roger Dudman Way) and the installation of a secondary station (western) entrance. The application needs to demonstrate whether there is a change in built footprint by showing what is being removed and what is being built. In the FRA there is no detail provided only stating in section 6.3.1 that the scheme "does not result in a loss of floodplain storage". We assume there is an increase in built footprint proposed as detriment modelling runs have been undertaken to assess whether there is offsite detriment resulting from the proposed development. We would expect the

applicant to confirm whether or not there is an increase in build footprint within the appropriate allowance for climate change and state the change.

Western Entrance of Railway Station

The location of the proposed new western entrance is within Flood Zone 3 based on our Flood Map for Planning. According to the information submitted in the FRA the baseline modelling shows the area is at risk of flooding up to and including the 1% Annual Exceedance Probability (AEP) plus 70% climate change allowance. We note that the western entrance siting is limited as it needs to be located near to the existing rail infrastructure.

In section 3.4.8 and Table A3.3 within the FRA it shows that maximum flood depths for the western entrance would be up to 1.15m for a 1% AEP plus 70% climate change allowance flood, which is an increase of 0.6m when compared with the baseline modelling. We would recommend that the FRA assess with the latest climate change allowances and that the design of the building be considered further to reduce flood risk to users.

It is proposed that there will be a subterranean underpass built to join the two halves of the station. This will be at significant risk of flooding and present a significant risk to users. An overpass would be more suitable and the design is reasonably capable of modification in this respect.

We note that the FRA has stated that options have been explored to prevent flooding such as raising floor levels and blocking flood flows with a barrier but these were considered not practical. However, it is not clear whether they have designed the western entrance to be floodable or not, to effectively make it flood compatible. Based on the visualisation plans (for example W1158C-IDM-DRG-EAR-000711 (Rev P01) (dated 19/07/2021)) submitted it suggests that only part of the building would allow flood waters to enter. Will this be sufficient to compensate for any increase in built footprint?

In the FRA the proposed mitigation is to have an emergency plan for the western entrance and that it will be closed in periods of significant flooding (Section 4.2.3). It is not clear who will be responsible for closing the western entrance – Network Rail or LLFA. It also does not state what triggers would be in place for closing the station such as when a flood alert or warning is issued or if depths reached a certain level.

In addition, it is not clear whether the entrance will be allowed to flood or whether there would a barrier to ensure no public access to this entrance.

Botley Road

The proposal involved the lowering of Botley Road by around 2m. According to the FAQ document submitted with the application the road requires deepening because an additional span will need to be installed to carry the new line over the road and to facilitate double decker buses. This section of Botley Road is located within Flood Zone 3 based on our Flood Map for Planning.

The FRA states in section 3.5.22 'any increase in flood risk is therefore likely to be within the area of Botley Road that is already at risk of flooding'. This is still an increase in risk of flooding as the flood depths will increase and should be considered as such.

In Table A3.3 of the FRA it states that with the scheme, the maximum flood depth in a 1% AEP plus 70% allowance for climate change is 3.8m which is an increase of 1.05m from baseline according to the modelling. This is also shown in plan 'With Scheme' Modelling -1% AEP +70% Climate Change Allowance Ref 163390 -JAC-SKE-EEN-140112.

In section 3.4.11 of the FRA it acknowledges there may be an 'increase in duration of flooding due to the increased volume of water that would need to be removed by the drainage network' and states in section 5.4.4 that there are increased flood depths are seen in the 1% AEP plus 70% climate change allowance for the Botley Road Underpass. As a result, this would mean that potentially the road is unavailable/inaccessible for a longer period of time to Botley Road residents reducing the amenity of the neighbourhood. Please note the FRA should now assess with the latest climate change allowances as it is likely that the flood levels, volumes and duration will increase under the new higher allowances.

The Non-Technical Summary by Jacobs (June 2021) states that Botley Road would not be safe for users during a 1% AEP flood scenario both in a baseline and 'with scheme' scenario. By lowering the road and increasing the flood depth along Botley Road, the proposal will see an increase in flood hazard. The local planning authority will need to consider the change in flood hazard with regard to access/ egress for this development and other development in close proximity.

The proposed mitigation measure in the application is to ensure the road is not used in flood. It is not clear whether the LLFA or Oxfordshire County Council as the Highways Authority will be responsible for road closures and whether there is an existing emergency plan with specific triggers for when to close the road. Regardless there would need to be an agreement in place clearly setting out the responsibilities. This may need to be a legal agreement. There will need to be an amendment made to the emergency plan and this be clearly communicated to the neighbourhood and other Botley Road users.

It lies with the LLFA/Highways Authority on whether the approach is acceptable considering that the area is prone to flooding and that Botley Road is one of the key roads in Oxford. Increasing the hazard level and potential flooding in lower level pluvial and fluvial floods will also impact the amenity of the neighbourhood and the use of Botley Road.

We note that there is a proposed surface water drainage system which will provide a greater capacity than the current drainage (Section 3.5.30) but it will lie with the LLFA on whether this is acceptable or not as its failure will impact the amenity of the neighbourhood and Botley Road users.

Sheepwash Bridge

Sheepwash Bridge replacement is located within the flood zones as it is crossing the Castle Mill Stream. In section 3.4.4 of the FRA it states that “the replacement will be wider than the existing bridge at 5.5m with a narrower combined footpath and cycle path at 1.2m”.

The plan (DCL 63 48 Sheepwash Bridge Proposed General Arrangement ref W1002B-TTS-DRG-ECV-802101) indicates the bridge soffit will be set above Castle Mill Stream and in section 3.4.6 of the FRA it states that the bridge soffit is “above the predicted flood level”. However, the predicted flood level have not been clearly specified within the FRA or plan. It is also not clear whether there is encroachment towards the river bank in regards to the abutments. These elements could increase flood risk to the neighbourhood and impact amenity.

The bridge replacement would require a Flood Risk Permit. In section 3.4.24 of the FRA it states that they do not expect ‘any in-channel works’ and that the ‘platform areas are proposed to be situated above the mean water level and are easily demountable’. They also go on to state that these could be removed in an event of a flood and methodology of how the bridge will be installed and any associated temporary works would be addressed at permitting stage. Given the lack of information we are unable to comment on the likelihood of a permit.

Other Components

There is mention of soft and hard landscaping as part of the scheme. We would not want any land raising to occur within the floodplain as this would increase flood risk elsewhere. However, as mentioned previously these will need to be assessed with the latest climate change allowances.

Overcoming our Objection

In order to ensure there is no injury to the amenity of the neighbourhood we request that the flood modelling and model reports are submitted for review so we can assess if the modelling is ‘fit for purpose’ and accurately reflects the impacts to flood risk and therefore neighbourhood amenity. The modelling should use the latest climate change allowance guidance published 20 July 2021. We would require the resolution be reduced to 5 metres or less if the model is being used for the purpose of testing offsite detriment.

We would expect the applicant to confirm whether or not there is an increase in build footprint for the entire scheme within the appropriate allowance for climate change and state the change if any. If there is an increase in build footprint please provide calculations of how the floodable western entrance building (or other design features) will compensate for this increase so as to not increase flood risk elsewhere and impact the amenity of the neighbourhood.

To ensure there is no increase in flood risk elsewhere and impact to the amenity of the neighbourhood posed by the development of the western station building, it should be designed to be flood compatible to compensate

for the impact of the development. Details should be provided on how this will be achieved. In addition, there should be consideration given to substituting the underpass for an overpass as this would be a reasonable modification. If it can be demonstrated why this is not possible a sufficient drainage system for the underpass should be designed as it will likely be susceptible to flooding from pluvial, fluvial and possibly groundwater sources.

In regards to Botley Road, we need to ensure that there is a sufficient drainage system in place to factor fluvial and pluvial so that it does not pose a flood risk elsewhere due to the presence of properties in the immediate area (to the south of Botley Road) and that the amenity of the neighbourhood is not impacted by additional road closures.

In regards to Sheepwash Bridge, please provide the bridge soffit level above Castle Mill Stream and the predicted flood level. Please clarify whether there is encroachment towards the river bank in regards to the abutments.

Advice to Applicant – Environmental Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river
- on or within 8 metres of a flood defence structure or culverted main river
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure and you don't already have planning permission

Public representations

8.25. 4 letters of representations were made.

8.26. In summary, the main points were (full copies of the letters can be viewed on the planning website):

- Generally supportive.
- No enough thought has been given to how the new walkways and carriage way under the bridge accommodate cyclists.
- The drawings of the approaches to the bridge show no provision for how cycles using the pedestrian/cycle pathways leave or rejoin the flow of traffic on the road.
- Roger Dudman Way has become increasingly unattractive. A dedicated storage area should be provided to accommodate all waste.
- It is not clear if facilities will be made for an existing ambulance or police vehicle layover facility as currently exists.

- Not clear what is happening to the speed humps.
- Acoustic fencing is welcomed.
- Privacy screening should be provided between the access road and the properties along Cripsey Road.
- The proposals also feature works to the railway bridge crossing the Sheepwash Channel. Currently there is a footpath under this bridge along the northern edge of the channel linking the Thames towpath to Rewley Road and the canal towpath beyond. The footpath is dark and unattractive with low headroom but is well used as a pedestrian route which can only become more popular if the proposals for the nearby Jericho Canalside development reach fruition. As part of the extensive works now proposed to the rail bridge, an opportunity exists to improve conditions here by lowering the level of the footpath to provide proper headroom and eliminate the potential for accidents.
- There is no consideration as to how the current proposals would fit in with the wider development. A comprehensive masterplan should be drawn up to ensure a coordinated approach is being taken and that changes now would not compromise the wider objectives and vision.
- The design of the new station building and surrounding areas of public realm will have a detrimental effect on the surrounding neighbourhood. In particular it is concerned by the very engineered approach to the changes to the railway bridge and paths adjacent to it.
- Landscaping should be included to soften the needed hard engineering and improve the appearance. In addition, the choice of materials should be reconsidered to better blend in with the surroundings rather than utilisation of concrete.
- Noise and light pollution is likely to have a detrimental effect on the existing residential properties that will now have views directly over the new building/new square.
- A single storey building, replacing a three storey structure which currently provides much needed affordable visitor accommodation does not make efficient use of land as required by the NPPF and Local Plan policy
- The City Council should review how to control drop off/pick up from the new entrance which is adjacent to a high density residential neighbourhood. The effects of noise, pollution and impact on the amenity of the local residents needs to be assessed.
- The EIA is inadequate.
- The café is welcome.
- Welcome the accent on greening, retention of trees and TPO and green roof.
- New bridge will make cycling or walking into town safer.
- Low rise station is better than previously proposed larger station.
- Local residents were not consulted.

- Concern over vibration from freight trains.
- Concern over loss of parking bays.
- Assessment of noise/vibration during construction is inadequate.
- The council should consult on s61 applications.
- The height of the acoustic wall should be increased.
- Vibrations from heavy trains should be acknowledged.

Officer response to public comments

8.27. Matters raised within the public comments are covered in the relevant sections of the report.

9. PLANNING MATERIAL CONSIDERATIONS

9.1. The report has been written in two sections. The first runs through the individual elements that form part of the prior approval consideration a) siting and b) design and external appearance. The second part runs through the supporting environmental matters c).

- a) Siting
- b) Design and external appearance
- c) Environmental matters

a. Siting

New track to the west of the existing Platform 4 including construction of a new platform (Platform 5) with associated waiting room, toilets, shops and an extended canopy to protect passengers.

9.2. The application seeks to provide a new track to the west of the existing platform 4 as well as the creation of a new platform with associated facilities. The additional track would enable high speed crossovers which would support the East West rail service. The new track will link to existing track, allowing trains to move between parallel lines. The construction of this aspect would require demolition of the existing waiting room and associated paraphernalia on platform 4.

9.3. The new platform 5 would be approximately 270m long to enable the operation of through trains up to 10 cars in length. As part of the creation of a new platform a new retaining wall is proposed to support the track alignment. The retaining wall would also form the noise barrier. This supporting wall would vary in height due to the change in levels at the site ranging from 1.5m-4m in height. The siting of the new platform is considered logical as there are limited practical options as it needs to be located in close proximity to the existing railway station.

- 9.4. The additional track would allow high speed crossovers at Oxford North Junction (approximately 1 mile north of Oxford Station) and is therefore required in this location. Notwithstanding this, the addition of track on the railway could be carried out under permitted development right without the need for the prior approval process.
- 9.5. The associated proposed facilities would allow for improved facilities for those using the train station. These improvements are proposed to be located along the new platform. The proposed facilities would be sufficiently distanced from residential properties and given the single storey nature of the buildings would not be considered overbearing or impact on light or privacy. The design, colour and materials proposed for the new platform canopy will match those recently constructed on the extended bay platforms (that serve rail services to London Marylebone from Oxford). The supporting information sets out that the platform buildings and canopies have been designed for the future electrification of the railway and their position and design has been considered with a view to facilitating future overhead line equipment.
- 9.6. Oxford Station is nearing full capacity and cannot robustly accommodate the further service enhancement set out in the 2024 train service specification. The proposed development of the additional platform and track has been carefully and robustly justified by Network Rail as the most practical means to accommodate the increasing rail services.
- 9.7. The location of the track and associated facilities is considered to be acceptable and is not considered to be able to be reasonably capable of being located elsewhere and is acceptable with regard to Part 18 of the GPDO.
- 9.8. The later sections of this report goes in to further detail surrounding the environmental impacts of the scheme including their impact on neighbouring amenity. Notwithstanding this, issues such as operational noise that would arise from the new platform and associated paraphernalia is considered acceptable and can be controlled through conditions. The location of the new platform is therefore acceptable in accordance with Part 18 of the GPDO.

Replacement of Sheepwash Bridge on Roger Dudman Way

- 9.9. Sheepwash Bridge is located at the northern end of the application site. The bridge accommodates a number of rail spans, a road span and a pedestrian span over the Sheepwash Channel. The application proposes the part of the removal of the existing bridge and the addition of a new rail span and a replacement road and pedestrian bridge. Its replacement is essential to accommodate the new infrastructure works. It is considered that its replacement is appropriate and acceptable in order to facilitate the track upgrades. The application proposes the bridge to be as similar as possible to the existing bridge in terms of specification for all users.
- 9.10. Due to the position of the bridge over a water way a separate consent would also be required from the Environment Agency to ensure it meets the correct standards.

- 9.11. It is considered that the replacement of Sheepwash Bridge is required in order to accommodate the works and could not reasonably be carried out elsewhere and therefore is acceptable in accordance with Part 18 of the GPDO.

New western station entrance building to include ticket machines, shops or cafe, a subway and lifts to the platforms and an outside forecourt with bicycle parking

- 9.12. A new western station building is proposed for the western side of the station to allow direct access on to platform 5. It would be a secondary station entrance building and therefore has been designed to be secondary in its scale and with regard to the facilities it provides and its siting. The design and location of the building has gone through a number of design iterations and previous options have been presented to the design review panel.
- 9.13. It is considered that the location of the western entrance is logical in its siting. Its position allows it to correspond to the main station entrance and allow connectivity to the new platform and track. Its location also allows for a large area of public realm to be created that would create sufficient space for circulation of pedestrians and users of the station.
- 9.14. The location of the station in this position would also allow direct access for those approaching the station from the west of the city. Currently there is a staffed exit on the western side which allows people to leave the station from this direction, but is not considered an ideal solution due to it only be available at peak times. In addition there are a number of operational buildings already located on the western side. The inclusion of a new western building would allow the buildings to be rationalised to allow a more cohesive and condensed operation which would improve the amenity of the area as well as delivering a significantly better accessible entrance.
- 9.15. Due to the ground level changes, the building would include a subway and lift to allow access on to the platform. The inclusion of a subway in this location not only allows for access to the proposed new platform (Platforms 4 and 5) but would also allow for future access to the station on the eastern side if and when one may be required as part of any station redevelopment on the eastern side. The inclusion of a subway does raise other issues such as flooding as highlighted in the Environment Agency's (EA) initial response. It is considered that the inclusion of a subway would have a lesser effect on the amenity of the area than an over bridge allowing for access on to the platform as it can incorporate a lift in a more integrated manner. Therefore whilst the EA state that this element could be sited elsewhere, there would be a visual impact of replacing the subway with another method and whilst the EA have objected on flooding grounds, NR have provided further information to address the flooding concerns. The issue of flooding is a technical matter which officers are confident can be addressed through the submission of additional information and as a result, officers are requesting that members delegate authority to officers to grant prior approval subject to the submission of the information that addresses the flooding objections raised by the EA.

- 9.16. The siting of the western station building would lead to the loss of the existing Youth Hostel Association (YHA) building. Previous options for the site sought to retain the YHA above the new station building. The YHA did not consider this option appropriate as it would mean that the business would have to stop for a number of years. NR are therefore working with the YHA to look at alternative sites which could accommodate the YHA.
- 9.17. As part of the works to the western side, cycle parking would be provided. Concern has been raised as to whether there will be sufficient cycle parking on this side. Currently the application proposes 26 Sheffield stands. NR have provided indicative plans showing where additional cycle parking could be incorporated into the scheme, the exact number would depend on the type of rack installed but the county are of the opinion that potentially a total of 340 spaces may be able to be delivered on NR land. Officers are satisfied that the inclusion of an appropriately worded condition could secure additional cycle parking spaces on the western side to support the new station building and NR have agreed with this approach.
- 9.18. Officers have carefully considered the provision of passenger drop off and pick up points. The Oxford Station Supplementary Planning Document (SPD) sought to include pick up and drop off points at the western side of the station. Whilst the inclusion of a taxi and car drop off point sits outside of the scope of this prior approval application, the inclusion of a drop off point could be implemented by the County Council through highway improvements or through the new Station Masterplan and this is further explored in the highways section of this report.
- 9.19. Oxfordshire County Council have concluded in their comments that they raise no objection to the scheme and acknowledge that it supports the provision of additional rail capacity and the redevelopment of the Oxford Station. They raise no objection and are satisfied that the scheme will have a negligible impact on the local highway network.
- 9.20. The new western building is supported with a landscape plan that sets out the public realm for the area. The station building seeks to retain the trees along Cripsey Road (except for one that needs to be removed for the new junction) and would also incorporate additional planting.
- 9.21. The ability to retain the prominent trees along Cripsey Road (which are subject to a Tree Preservation Order) would enhance the new public realm. The contribution of the trees along Cripsey Road is discussed in further detail later in this report. Officers consider that the station building should ensure the retention of the trees which are considered to enhance the area. A condition has therefore been included requiring three of the most prominent trees to be retained as part of this prior approval application. This condition has been included as officers believe that in the event that it was asserted that the trees needed to be removed then an alternative siting of the building could be achieved which would still allow for a western entrance building to be constructed without the need to remove the trees. It is considered that were those three specific trees to be removed then it would injure the amenity. NR are confident that the trees could be retained but acknowledge that until the

engineering calculations have been carried out they cannot guarantee their survival with the current scheme. Officers therefore consider a condition to be the most appropriate way to deal with the issue; this requires the trees to be retained and if the calculations from NR demonstrate that they cannot be retained then a further application would have to be made to remove the condition.

- 9.22. The siting of the western entrance is therefore considered acceptable given the existing station arrangements and operational buildings, its siting is considered acceptable in line with Part 18 of the GPDO. It is also considered that the addition of a western station building aligns with the aspirations of the station masterplan and wider movement ambitions for the area albeit the masterplan cannot form part of the determination of this application.

Replacement of Botley Road Bridge and Improved dedicated pedestrian and cycle routes under Botley Road Bridge

- 9.23. Botley Road Bridge would be replaced, a new bridge would be erected to carry the new western track and a replacement pedestrian bridge (which in fact is specified to be capable of carrying a rail line in the future, as detailed below) would be installed. A total of three new bridge spans are therefore proposed. A new pedestrian bridge is required due to the changes to the width of the highway arrangements underneath. There are aspirations for an enhanced pedestrian and cycle bridge to be provided over Botley Road in the future that have previously been included in the Oxford Station SPD. Until a time when this can come forward, NR have sought to ensure that this can be delivered by providing a new rail span bridge which would be required for phase 3 as part of this application. The new rail span bridge would be adapted for pedestrian use for phase 2 with the capability of being used for new track as proposed in phase 3. The rail span would have a width of 2.9m for pedestrians and would include handrails. The new bridge to accommodate the new western track would be the most visible when approaching from the west. It has therefore been designed to complement the new western station and would continue the contemporary design which is proposed for the new retaining wall, allowing for the works to have a unified materiality and homogenous appearance.
- 9.24. The three bridges would sit separately across Botley Road which in turn would allow natural light to be experienced under the bridge in order to make the carriageway and pedestrian/cycle routes feel less confined. Lighting is also proposed underneath the bridge.
- 9.25. The new bridges and alterations to Botley Road Bridge are considered acceptable and necessary with regard to their siting in accordance with Part 18 of the GPDO.
- 9.26. It should be made clear that whilst the new bridges require prior approval consent, the works to the highway including the cycle and footpaths does not require prior approval consent and can be carried out under other permitted development rights held by NR. In addition, any changes to the highway would require technical approval from the highway authority. This element

has been included in the prior approval application for completeness. It should be understood that the scheme cannot be refused due to the highway arrangement under Botley Road Bridge as the works are not in the scope of Part 18 of the GPDO. Notwithstanding this, as the details are included within the application documents it seems necessary to comment on the general principles.

- 9.27. The alterations to Botley Road would see the inclusion of two widened pedestrian and cycle paths. These would be elevated above the road level and have been designed to be 4m wide. There has been concern raised by Oxfordshire County Council and local residents about the proposed new configuration especially with regard to how cyclists would transition between the cycle path and road, and the fact that it does not conform with the guidance set out in Department for Transport's (DfT) cycle infrastructure Design guidance (LTN 1/20). In order to address this issue NR have entered into a legal agreement with the County Council to look at the arrangement in more detail when it moves in to the technical phase before finalising the design. As part of that agreement NR have agreed to be part of an independent design review with independent advisors which will look at the design of the pedestrian and cycle paths under Botley Road Bridge. The appointed consultant will be required to produce a report that:
- reviews the latest design, highlighting both positive and negative aspects with reference to LTN 1/20 and best practice from elsewhere (especially the UK)
 - recommends changes as necessary to the design in order for it to be compliant with LTN 1/20 - the ideal design
 - recommends how and where best to make improvements to the design if only limited additional space is available – the best partially compromised design
 - recommends how best to use the existing space available i.e. if no more width were to be available - the best fully compromised design
- 9.28. Officers are therefore satisfied that with the input of an independent advisor as well as the County Council it will allow for the most appropriate option regarding the layout of the road to be delivered. As the work sits outside of the scope of Part 18 of the GPDO it is acknowledged that this element sits outside the control of this prior approval and therefore cannot form part of the decision making process with regard to the acceptability of the prior approval.
- 9.29. One tree subject to a tree preservation order (TPO) along with a number of other trees that line Botley Road would be removed as a result of the Botley Road Bridge improvements. This is due to their proximity to the bridge. The loss of the trees are considered unavoidable in order to deliver the infrastructure upgrades and whilst there would be a change to the amenity of the area, it is not considered that these works could be reasonably located elsewhere.
- 9.30. Given the limitations of the existing bridge in order to deliver new track and services without the upgrade, it is considered that there is no reasonable

alternative to the replacement of the bridges and therefore the siting of the bridges acceptable with regard to Part 18 of the GPDO.

Alterations to Roger Dudman Way including removal of its current junction with Botley Road and creation of a new junction with Cripsey Road.

- 9.31. The proposals would see alterations to Cripsey Road and Roger Dudman Way. The scheme would see the consolidation of the two junctions on to Botley Road to one. Cripsey Road would be used as the main junction on to Botley Road. A new junction would then be created between Roger Dudman Way and Cripsey Road. One TPO lime tree is required to be removed to facilitate the junction. As there is a line of trees along Cripsey Road, it is considered that it is likely that wherever the junction is proposed it would require the removal of a tree. The proposed position allows access to NR offices as well as properties further down Roger Dudman Way.
- 9.32. As part of the proposed road arrangement the existing buildings (food takeaway building and visa and immigration building) that sits between Cripsey Road and Roger Dudman Way would need to be demolished and the parking spaces rearranged. NR has come to an agreement with the business owners in terms of them vacating the buildings. The building is not considered to have any architectural merit and therefore its loss is considered acceptable.
- 9.33. Oxfordshire County Council raise no object to the reconfiguration of the roads in this location.
- 9.34. The realignment of the road would bring the road and track in much closer proximity to the properties on Abbey Road especially those closest to Sheepwash Bridge. Whilst the road will be closer to the rear gardens and properties the overall movements down that road is not considered to change.
- 9.35. The rearrangement of these roads will open up the views down Cripsey Road. It has been raised from local residents that work should be done to ensure the amenity along these road are improved. Officers understand the concern about the amenity along this road and given that the scheme would change their outlook as well as require the inclusion of NR safety paraphernalia, a condition requiring further details of these proposed barriers is to be included to ensure that the boundary treatment is acceptable for resident living in this location. With regard to the picket boundary fence, given that the houses sit lower than the road and the existing picket fence allows light to pass in to the gardens, officers are of the opinion that a new fence that would provide screening as well as retain light in to the properties would be hard to achieve and therefore have not required a new boundary treatment to be installed.
- 9.36. The new arrangement would allow for a large public realm to be delivered as part of the new station building which would be seen to enhance this side of the station. A condition will be included requiring details of the hard and soft landscaping to ensure that the landscaping is appropriate for the area

9.37. The proposed location of the road works is therefore considered acceptable with regard to siting in accordance to Part 18 of the GPDO.

b. Design and external appearance

New track to the west of the existing Platform 4 including construction of a new platform (Platform 5) with associated waiting room, toilets, shops and an extended canopy to protect passengers.

9.38. The new platform 5 would serve the new western track and would be supported by a new western retaining wall. The new platform would see the demolition of the existing platform 4 facilities and a new waiting room, café and toilet building. The design of the track and platform and associated buildings conform to a fairly standard design of buildings within a railway station. The building would feature a canopy above the platforms to protect passengers from the weather. The elevations would feature white cladding and a standing seam roof. It is considered that the practical and functional design of the buildings within the railway station and any paraphernalia that is proposed for the functioning of the railways would not injure the amenity of the area.

9.39. The retaining wall would be constructed to support the new track. It would range in height to accommodate the change in level across Roger Dudman Way. The architects have sought to try and make a feature of the wall given its prominence in the street scene. It is proposed to be constructed using pre cast concrete panels which can incorporate a pattern to add visual interest. The pattern can then be carried in to other elements of the design such as the Botley Road works to provide a unified materiality.

9.40. The proposed pattern is shown in the visualisations of the retaining wall. The design shown is inspired by the gothic constructions of Oxford. The pattern generated from a perpendicular arch, referencing Oxford's classical vernacular is repeated on the acoustic retaining wall and screen that sits at platform level above the building as well as in the metalwork of railings that provide separation between the upper footpaths and cycleways and the lower carriageways of a re-ordered Botley Road.

9.41. Whilst these works in combination would change the entrance to the city from the west the design of the these elements are not considered to injure the amenity of the area and therefore represent acceptable elements for the purposes of Part 18 of the GPDO and would comply with policy DH1 of the Oxford local plan.

Replacement of Sheepwash Bridge on Roger Dudman Way

9.42. Sheepwash Bridge would be altered and would require widening through the addition of an extra rail span and replacement road and pedestrian bridge. The design of the proposed alterations to abutments and the new deck are unashamedly functional elements of engineering. Cast concrete beams or channels are proposed to sit on the reduced, existing brick piers. There is a degree of elegance in the simplicity of the design which is appropriate in the

context of the adjacent swing bridge but the peripheral elements such as railings between railway and road sections of the bridge have very little design contribution and are purely functional.

- 9.43. The design and appearance of the replacement Sheepwash Bridge is not considered to injury the amenity of the area and therefore considered acceptable in accordance with Part 19 of the GPDO and would comply with policy DH1 of the Oxford local Plan.

New western station entrance building to include ticket machines, shops or cafe, a subway and lifts to the platforms and an outside forecourt with bicycle parking

- 9.44. The new western entrance building has gone through various design iterations following input from the Design Review Panel. The western entrance is considered to be secondary to the main entrance and the design has sought to reflect this. Comments have been received stating that the design of the new station will have a detrimental impact on the surrounding area neighbourhood and the use of concrete should be reconsidered.
- 9.45. The scale, size and proportion of elements that make up the building are relatively modest and are not considered to compete with the immediate surroundings but instead are considered to offer the sense of a well-crafted building that will complement the quality of the late C19 buildings, those on Botley Road slightly faded and worn in appearance.
- 9.46. The landscape to the front of the building is designed as a simple, orthogonal space, open and uncluttered to accommodate peak flows of passengers into and out of the station. The natural topography of the ground is accommodated with a generous ramp that runs alongside the northern, more enclosed section of building façade and shallow steps down from the Cripsey Road pavement. Stepped seating provides a sense of enclosure as well as potentially accommodating the threat of floodwater.
- 9.47. Conditions are recommended to ensure appropriate hard and soft landscaping is incorporated in to the scheme as well as ensure appropriate materials are used in both the landscaping and the building itself. Officers acknowledge the concern with the use of concrete. Officers have no objection to the choice of materials chosen and the use of conditions will allow for the colour and imprint design to be controlled to ensure a finish is achieved that will not result in injury to the neighbourhood. A green roof is proposed which will give the building a soft edge whilst also providing biodiversity enhancements.
- 9.48. The building has been designed to sit off the wall that retains the platforms above with a glazed gap accommodating the complexity of varying distance and alignment so that the building itself can appear simply aligned north-south within the site. Set back from the new shared pedestrian and cycle tunnel beneath the railway lines the building allows a generous approach to the tunnel giving a greater sense of safety to users than at present. The subway would allow passengers to reach the platform and will allow for further connectivity to the other side if required in the future.

- 9.49. The building is considered to sit comfortably on the western side allowing for cues of Oxford to be apparent through the use of the gothic pattern that would be imprinted on to concrete. The low lying nature of the building is considered to be in keeping with the aspirations of a secondary station entrance and would allow for a new public realm to be provided that can be enjoyed by those using the facilities.
- 9.50. The design of the building is well considered and through the inclusion of conditions will ensure that the amenity is not injured. The western entrance and subway is therefore considered acceptable in accordance with Part 18 of the GPDO and policy DH1 of the Oxford local Plan.

Replacement of Botley Road Bridge and Improved dedicated pedestrian and cycle routes under Botley Road Bridge.

- 9.51. As set out previously the replacement of Botley Road Bridge and the inclusion of a new footbridge and bridge to accommodate the new track is in the scope of the prior approval. The works under Botley Road Bridge do not require prior approval but are included for completeness and are referred to in general terms.
- 9.52. Comments have been received with regard to the design of the bridge and its appearance with all the other associated works.
- 9.53. The realignment of Botley Road around the railway bridge, the increased width of the area underneath the arches of the bridge and the cutting back or splaying of entrances to and from the bridge will all have an impact on the setting of the buildings that sit to the west of the bridge as well as the views out of the Central Conservation Area to the 'suburban' green edge beyond the railway line (allotments, playing fields and further out – river meadows including Port Meadow).
- 9.54. The widening of the space beneath the bridge would create a stronger or closer visual connection between east and west of the railway. The strong visual elements of patterned, pre-cast concrete panels repeated along the sides of the undercroft and over the top of the bridge will provide a visual connection between the new building and the associated engineering works presenting a single, modern intervention. The historical schism or slicing apart of Osney, following the intervention of the railway would be further reinforced by the strong, modern structure in between. The bridge has been designed to reflect the design of the station building and the new pedestrian bridge is considered a temporary solution to allow for a new bridge to be provided to as part of phase 3 to align with the aspirations of a landmark bridge.
- 9.55. As mentioned previously with regard to siting, the reconfiguration of the bridges will require the loss of a number of trees which will in turn impact on views and on the setting of the surrounding Conservation Areas.
- 9.56. Most of the trees apart from one are not subject to a TPO and could therefore be removed without the need for permission. Taking that in to account along with the fact that given the proximity to the bridges, the loss of the trees are

inevitable in order to deliver the infrastructure. The loss of the trees would result in a change in the approach in and out of the city. Their removal are considered to give rise to a moderate level of less than substantial harm, given the benefits that come with having a new station entrance it is not considered that the new bridges would injure the amenity of the area in such a way that would make it unacceptable. This is discussed in further detail later in this report. The proposed new arrangement is therefore considered acceptable in accordance with Part 18 of the GPDO and policies DH1, DH3 and G7 of the Oxford local Plan.

Alterations to Roger Dudman Way including removal of its current junction with Botley Road and creation of a new junction with Cripsey Road.

- 9.57. The changes to Roger Dudman Way and Cripsey Road would consolidate the road arrangement in this location. The creation of a new junction between Cripsey Road and Roger Dudman Way would see the loss of one of the TPO trees.
- 9.58. The consolidation of the road network in this location would allow a new public realm to be delivered as part of the proposal. As part of the reconfiguration, 8 on-street parking spaces would be lost. Neighbours have commented on the loss of these parking spaces and the fact that a new station entrance may bring with it additional car drop offs and congestion. Oxfordshire County Council raise no objection to this aspect and state that changes to the highway traffic will be negligible. In addition given that this a prior approval application and not a planning application, the control of parking sits outside the prior approval application. The County Council as the Highway Authority have separate powers with regard to highways that they can utilise such as enforcement measures or reconfigurations as and when it is required in the future.
- 9.59. As mentioned previously a condition will be included to ensure appropriate landscaping is provided, a condition will be also included requiring the details of the utilities are to be provided to ensure they don't fetter the retention of key trees along Cripsey Road. The proposed new arrangement is therefore considered acceptable in accordance with Part 18 of the GPDO and policies DH1, DH3 and G7 of the Oxford local Plan.

c. Other matters

Highways

- 9.60. As detailed previously some elements of the highway work fall within the scope of the prior approval application and others such as the work to the Botley Road fall outside of the scope of the application. This is because the prior approval states that prior approval would be required for "*the formation, laying out or alteration of a means of access to any highway used by vehicular traffic*". The Botley Road works do not require the formation, layout

out or alteration to a means of access. The works fall outside the scope of the prior approval application.

- 9.61. Concern has been raised with regard to changes to Botley Road and as set out previously in the report. Network Rail will need to gain separate approval from the County Council for works to a highway and this will be completed through a S.278 agreement and a railway bridge agreement. In addition NR state that they have entered in to a separate legal agreement to give the County comfort *“that the correct highway safety standards will be delivered (for elements of the project that are not subject to prior approval) a commitment to collaborate and co-operate with the Council in formulating final designs for the development to address any reasonable requests the Council may have relating to highway, traffic or transport issues in particular highway safety and specifically to revise current designs to (a) improve the convenience and safety of all points where cyclists leave and re-join the carriageway and (b) increase the width of the footway/cycleways on both sides of Botley Road so far as is reasonably practicable within the existing highway boundary.”*
- 9.62. The County Council also raised concern over the width of the new pedestrian bridge that will go over Botley Road. Again through the agreed legal agreement NR has provided assurances to the County Council that *“outlines the commitments made to provide a pedestrian bridge prior to the commencement of starting works. Within the Agreement of Deed, Network Rail have confirmed that the existing footbridge over Botley Road will not be removed until County Council and Network Rail have agreed upon a permanent replacement footbridge to be constructed by Network Rail as part of the Development and for that to be made available to the public prior to the Development being first brought into use.”*
- 9.63. The County Council have confirmed that they agree to the terms of the joint agreement in a letter dated 20th October, there letter states: *“Overall, the County finds the commitment in NR’s letter alongside the legal agreement proposed do address our concerns raised in response to the Prior Approval application. The County shall keep working with NR to come up with a reasonable agreeable solution (within the terms of the legal agreement) and we accept that it sits outside the strict terms of the Prior Approval Application.”*
- 9.64. Officers are therefore satisfied that the works sit outside the prior approval process and will be dealt with separately by the County Council.
- 9.65. With regard to cycle parking, Oxfordshire County Council raised concerns about the number of spaces being provided for the western side. NR have indicatively shown areas where additional cycling parking can be provided through a range of cycle racks. A condition requiring additional cycle parking to be provided has been included and as a part of that the County will be able to approve additional cycle parking spaces in the most appropriate form.
- 9.66. The lack of taxi and car parking drop off points have been raised by residents and the impact on this to the amenity of the area. In itself parking and drop off points are not within the scope if the prior approval application.

Notwithstanding this, it is acknowledged by officers as a concern. NR have provided options to the Council for future drop off points on the western side. There are various options that have been explored including planting the replacement trees along Cripsey Road in planting pits so it can be converted into a drop off points in the future, or making Cripsey Road a one way system to allow for drop off points to be created. Both of these options can be delivered outside the scope of this prior approval application through other means of legislation. Oxfordshire County Council state in their comments that the scheme is likely to have a negligible effect on traffic in the area. Therefore there are no technical objections with the lack of drop off point in this location and as previously stated a drop off point falls outside the scope of a part 18 Prior approval application and therefore cannot form the basis of consideration as part of this application. A condition has been included requiring NR to provide detailed measures that discourage pick up/drop off at the western entrance to ensure the correct measures are in place to minimise any potential dropping off/picking up issues on neighbouring roads.

- 9.67. Officers are satisfied that NR has acknowledged the concerns and has provided the County Council with different options with regard to a drop off point that could be implemented in the future if it deemed necessary. In addition there are other traffic control measures that could be implemented to ensure that ad hoc parking does not occur and the County Council have the opportunities to bring in these controls if necessary. Therefore whilst officers understand the points raised with regard to ad hoc drop off on Cripsey Road, it does not form part of the scope of the prior approval and the application could not be refused on these grounds.
- 9.68. Issues of construction traffic have also been raised by neighbours with regard to the scheme and a condition will be included requiring a construction environmental management plan to be provided to satisfy both the County Council and Highways England. It is likely that construction traffic would access the site along the Botley Road from the west via the A34 and NR consider it feasible to use the railway to deliver materials and remove waste. It is anticipated that Sheepwash Bridge would be closed overnight and the tow path temporarily diverted. With regard to Botley Road it is anticipated that it would be closed to traffic for 4 days and in addition traffic would be reduced to a single lane in for approximately 6 months.
- 9.69. It is acknowledged by officers that the construction phase would cause disruptions to local residents but a construction management plan is required by condition in order to minimise the disruption as best possible.

Air Quality and Odour

- 9.70. The Application Site is located within the Oxford city-wide Air Quality Management Area (AQMA).
- 9.71. According to Chapter 6 of the ES, Oxford's railway line is not identified as heavily trafficked by diesel passenger trains in the Defra LAQM TG16 guidance (Defra, 2018). It is therefore not highlighted as a rail line adjacent to which there are potential air quality concerns. Air pollution background levels

in the railway station area are also below 25ug/m³, which is the current threshold for the potential impacts of railway emissions to be considered – this was also verified in the Air Quality monitoring survey that was conducted in the area. The Scheme is also anticipated to result in no changes to the operation of the up carriage sidings (those to the east) compared to current operations.

- 9.72. Given the above, it is concluded that the Scheme would not lead to exceedances of the relevant AQOs and there would not be a significant negative effect on air quality with regard to diesel train emissions.
- 9.73. The impacts of demolition and construction work on dust soiling and ambient fine particulate matter concentrations have been assessed on the EIA Appendix 6.2 Construction Risk Assessment. The document concluded that there is a medium risk for dust soiling impacts at sensitive human receptors and a medium risk for human health impacts. The risk of dust causing a loss of local amenity and increased exposure to PM₁₀ concentrations has been used to identify appropriate mitigation measures. Provided these measures are implemented and included within a dust management plan, the residual impacts are considered to be not significant. A condition has therefore been included to ensure mitigation measures are applied to the scheme.
- 9.74. The review of documents, allow to conclude that that the air quality levels at this development will be below current limit values for NO₂, PM₁₀ and PM_{2.5} as long as the imposed conditions are fulfilled.

Contaminated Land

- 9.75. The area of the proposed development has had several potentially contaminative historical uses, including; as a railway sidings, fuel storage, a coal yard, depots and other commercial uses. Therefore it is considered likely that contamination risks may be present on site. The information submitted to date indicates several locations within the curtilage of the development site where ground contamination has been identified that could present a potentially significant risk to human health, controlled waters and the wider environment. Some of these areas of contamination are due to be investigated further through additional phases of ground investigation. Due to the requirement to conduct further contamination investigation to refine the conceptual model for the site, three conditions have been included, to quantify potential contamination risks and determine what remedial works may be required to mitigate any significant risks and render the site suitable for the proposed use.

Trees and Landscaping

- 9.76. The LVIA study included as part of the ES submitted with the application sets out the worst case scenario in terms of loss of trees around the site. Local residents have raised concern about the loss of vegetation and the screening that it provides for the properties along Cripsey Road and Abbey Road.
- 9.77. Three Tree Preservation Orders (TPOs) apply to the site. These are:

- 9.78. Oxford City Council - Cripsey Road (No.1) Tree Preservation Order 2017 (17/00005/ORDER), which applies to four individual lime trees and a belt of mixed deciduous trees, together standing in a contiguous belt between Cripsey Road and Roger Dudman Way;
- 9.79. Oxford City Council - Oxford Railway Station Forecourt - Park End Street (No.1) Tree Preservation Order 2012 (12/00001/ORDER), which as Group 1 includes x9 London Plane - standing at Oxford Railway Station forecourt, west side of the railway; and
- 9.80. Oxford City Council Park End Street (No.1) Tree Preservation Order 1998 (98/00013/WE) covers T1. Standing at the west end of a group of trees on the Park End Street frontage of Oxford Station.
- 9.81. The proposed worst case scenario would see the loss of trees that line Botley Road which includes a TPO in order to accommodate the new bridges. In addition the application is showing that one TPO tree would have to be removed to create the new access in to Roger Dudman Way. Notwithstanding this, NR have confirmed that they cannot guarantee that these are the only trees to be lost and would not be able to confirm until they start detailed engineer designs. Therefore the worst case scenario as outlined in the ES is a consideration in the determination of the prior approval.
- 9.82. The four TPO lime trees between Cripsey Road and Roger Dudman Way are categorised as A2; Trees of high quality with an estimated remaining life of at least 40 years of particular visual importance as arboricultural and or landscape features.
- 9.83. It is acknowledged that until the engineering designs have been completed there is some level of unknown with regard to which trees have to be removed, which can be retained and where replacement planting would be acceptable. Notwithstanding this, the proposal and the most recent landscape plan is showing the most visually important trees to be retained.
- 9.84. Looking at the worst case scenario detailed in the ES in which all the trees have to be removed to accommodate the proposal, potential mitigation options are explored.
- 9.85. With regard to the trees lost along Botley Road and Beckett Street, the ES states that there is the opportunity for replacement planting which would go some way towards mitigating the harm from the loss of trees.
- 9.86. With regard to the non TPO trees, it is acknowledged that permission would not be required to remove the trees, but there would be the opportunity to enhance the area and therefore officer would expect any future landscaping plan to include mitigation planting in this location.
- 9.87. With regard to the TPO trees along Cripsey Road the ES states "*This would result in a medium-term major adverse significance of effect. The removal of all the TPO trees within the red line boundary and partial removal of a TPO group would be perceived as a major loss of these valuable, protected and*

key landscape components. This major adverse effect would be sustained into year 15 of operation. It would be unlikely to match the maturity, quality and integrity of the TPO trees and tree groups lost to the Scheme. Mitigation planting would not at this stage replace the skyline features of the existing TPO trees along Cripsey Road. The permanent gap created by the introduction of the new junction between Roger Dudman Way and Cripsey Road prevents the opportunity to replace the continuous screening vegetation to match what would be lost”.

- 9.88. The ES concludes that there will be a significant environmental effect with regard to landscape and visuals, specifically with regard to the loss of TPO trees.
- 9.89. It is clear from the LVIA that the introduction of a station building and improvements to the track would have an impact on the visual appearance of the area specifically because of the level of potential tree removal required. Views towards the city from Botley Road especially in the summer months would drastically change.
- 9.90. In addition to short views of the site the visual effects full assessment demonstrates that the TPO trees in Cripsey Road are visible from other areas of the city such as Castle Mound, Botley Park and Raleigh Park. In the different views the loss of the trees would be viewed in different context. In longer views such as Raleigh Park the LVIA acknowledges that the development would see the loss of some of these tree tops but it is assessed as a neutral effect as the loss of the tree tops would be un-identifying given the panoramic view in combination with the distance. In the shorter views the loss would be more apparent and the loss would also impact on the neighbouring Conservation Areas. Great weight is given to the conservation of designated heritage assets.
- 9.91. The setting of Osney Conservation area is fundamentally defined by the water courses, the River Thames and its various bifurcating streams that surround this area creating the island with its particular character and appearance. In views out of the Conservation Area looking east the trees along Botley Road and those that sit in Cripsey Road, including a number of trees that are protected by TPOs and in particular the canopies of these trees do provide an important backdrop. The total loss of these trees would result in some harm to the setting and thereby significance of the Osney Conservation Area however it is considered that the contribution of the trees to significance of the heritage asset is small and that therefore the loss of the trees in terms of the impact of that on the significance of the heritage asset (the Conservation Area) would result in a very low level of less than substantial harm being caused to the significance of the heritage asset.
- 9.92. The setting of the Central Conservation Area at its western edge (an adopted extension to the Conservation Area that was made in 2019) is characterised by the sense of continuity of architecture, the C19 terrace that bounds the southern edge of Frideswide Square, truncated by the railway and continuing in the C19 terraces that front onto Botley Road to the west of the railway lines. It is also characterised by a visual connection to a greener suburb surrounded

by open spaces, Port Meadow to the north and the Thames meadows to the south. This is emphasised by the important contribution that the groups of trees that line both sides of Botley Road, forming a strong, green avenue running out of the city to the west, as well as the clearly visible upper canopies of the group of trees that border the eastern edge of Cripsey Road make to these green connections. Not only connections to a greener suburb but also importantly bringing the sense of Oxford's surrounding green edge – the western hills close in views out of the city and specifically in the context of heritage assets in views out of the Central Conservation Area. Views into this Conservation Area from the west are also informed by the change from a green, semi-rural edge to an urban, formerly industrial quarter of the city with the existing trees as previously identified reinforcing the character of the greener, suburban edge. The total loss of these groups of trees, the worst case scenario would result in harm to the setting of the Central Conservation Area and to the contribution that this setting makes to the significance of the conservation area or heritage asset. It is considered that the contribution of the trees to the significance of the heritage asset is small but important to the assets setting and that consequently their total loss would cause a moderate level of less than substantial harm to the setting which in turn would translate to a low level of harm to the overall significance of the heritage asset. In both cases it is considered that the harm would be less than substantial not substantial, and this harm has been weighed against the public benefits of the scheme as outlined in this report.

- 9.93. Officers would not want to see the total loss of the Trees along Cripsey Road given that it is clear that any replacement planting would fail to mitigate the harm in upwards of 40+ years with regard to canopy cover. Officers consider three specific lime trees 12A, 12B and 12C on the Tree Removals and Retentions Plan drawing No.163390-JAC-SKE-EEN-090200 (R01) to be the most important in the row and a condition will be included requiring their retention. This condition should secure their future and if they are required to be removed then NR would have to apply to vary or remove the condition. This would allow an application to come forward to allow officers the opportunity to look at why the trees cannot be retained and determine the acceptability of it with the benefit of more detailed engineering documents. With regard to the other vegetation along Cripsey Road NR have stated they will be looking to retain as much as possible, a landscape condition will also be included to allow additional mitigation planting to be delivered which should help improve the screening between the properties along Cripsey Road and the station.
- 9.94. It is considered that the trees add significantly to the amenity of the area and if they are required to be removed officers would require robust supporting information to be provided to justify their loss and only then could a view be taken as to the acceptability of their removal. It is considered that the loss of the identified trees would lead to injury to the amenity of the neighbourhood. Only with sufficient supporting information which would include detailed engineering design from NR could their loss be considered. The proposal with the inclusion of conditions is therefore considered to comply with policies RE7, G7, G8 and DH1 of the Oxford Local Plan and section 15 of the NPPF.

Biodiversity

A desk and field study was undertaken for a preliminary ecological appraisal. A number of surveys were undertaken which included:

- Survey of invasive non-native plants within 10m of the red line boundary, including land along the railway in a seasonally appropriate time.
- Survey for bats at the bridges over the Sheepwash Channel and the seven buildings identified in this report as having potential to support roosting bats. Surveys comprised (reported separately in Appendix 4.3):
 - hibernation check of the bridges between November and February (inclusive);
 - internal inspection of buildings, if possible, to identify whether they could be used by roosting bats; and
 - emergence and re-entry surveys between May and September (inclusive) to determine whether buildings are in use by bats.
- Survey of two trees identified as having moderate potential to support roosting bats. Trees were surveyed twice to identify whether they supported bat roosts by an emergence and re-entry survey

9.95. The only habitat of importance for nature conservation identified within the Preliminary Ecological Appraisal was a stand of wet woodland habitat of principal importance to the west of the Co-operative Childcare, outside the red line boundary.

9.96. There are no designated sites within the Scheme red line boundary. The closest statutory designated sites are Oxford Meadows SAC and Port Meadow with Wolvercote Common & Green SSSI. The latter is the closest component site of the SAC and is located approximately 0.5km to the northwest of the red line boundary and upstream of the red line boundary along the River Thames. Other statutory designated sites are over 1km from the red line boundary

9.97. The report outlines mitigation measures that will be undertaken as part of the construction of the scheme. The scheme is committed to providing a biodiversity net gain and has used the Defra biodiversity metric calculator to set out the biodiversity requirements to ensure a net gain on the site.

9.98. A number of conditions has therefore been included to ensure that the biodiversity requirements are met on site.

Flooding

9.99. Chapter 14 of the ES relates to water resources and flooding. The water resources and flood risk assessment consider the following:

- flood risk and surface water drainage;
- water quality; and

- groundwater.

- 9.100. The site according to the Environment is mostly located within Flood Zone 1, although mapping shows that areas of the scheme, particularly in proximity to Sheepwash Channel, fall within Environment Agency Flood Zones 2 and 3. The ES considers that the scheme elements that are at high risk of fluvial flooding are Cripsey Road, Botley Road and the western entrance. Flooding in the vicinity of Sheepwash Channel is shown to be within the watercourse and would not impact the level of the bridge works proposed.
- 9.101. The ES sets out that *“A review of the Environment Agency’s Risk of Flooding from Surface Water mapping (see Volume 3 – Figure A14.12) identifies that the majority of the Scheme site is within an area of very low: less than 0.1% (1 in 1000) AEP flood risk. There are however areas of medium: 1% (1 in 100) to 3.33% (1 in 30) AEP and low 0.1% (1 in 1000) to 1% (1 in 100) AEP probability of surface water flooding. These are predominantly located on roads or the railway and within modelled fluvial 1% (1 in 100) AEP plus climate change flood extent areas. Botley Road is at high risk of surface water flooding to an area extending approximately 15m either side of the Botley Road Bridge. The risk reduces as the road’s elevation increases either side of the bridge.”*
- 9.102. *“Groundwater flood risk in the area is considered to be medium. However, groundwater flooding is considered unlikely to occur independently of fluvial flooding as groundwater levels in this area are closely associated with water levels on the River Thames.”*
- 9.103. *“Groundwater flood risk in the area is considered to be medium. However, groundwater flooding is considered unlikely to occur independently of fluvial flooding as groundwater levels in this area are closely associated with water levels on the River Thames.”*
- 9.104. *“Groundwater flood risk in the area is considered to be medium. However, groundwater flooding is considered unlikely to occur independently of fluvial flooding as groundwater levels in this area are closely associated with water levels on the River Thames.”*
- 9.105. The scheme will incorporate the mitigation measures with regard to flooding. As a result of these additional mitigation measures, the ES considers the only residual significant environmental effects for water resources and flood risk would be:
- *Major significant increase in risk of fluvial flooding to the site of the western entrance and Botley Road as a result of the increased flood depths in high magnitude flood events.*
 - *Major significant increase in surface water flood risk on Botley Road as a result of potential increases in flood depth in high magnitude rainfall events.*

9.106. The Environment Agency (EA) were consulted in the application and have raised an objection. They state that “the design of the building, bridge and road changes would injure the amenity of the neighbourhood and is reasonably capable of modification.” And that “*the development as proposed poses an unacceptable risk of injure to the amenity of the neighbourhood by increasing the risk of flooding to the residents of Botley Road and additional road closures due to flooding. This increase in risk of flooding to surrounding areas is contrary to national planning policy.*”

9.107. The EA are not satisfied with the data modelling used by NR and further data modelling has been requested. NR have provided the EA with the additional information requested and it is currently being considered by the EA.

9.108. The EA also requested specific information regarding the amount of existing and proposed built footprint. This information has been provided by NR in the table below

The current footprint of the structures to be demolished is:

Structure to be demolished	Footprint (m ²)
YHA	725
BTP	267
GWR	423
Old Signal Box	228
FTN core node	30
Small commercial units on Cripely Rd	100
Total	1773

The future footprint of the Project is:

Structure	Footprint (m ²)
Western entrance	793
Platform 5 and retaining wall	1200
Area lowered in from of western entrance and on Roger Dudman Way	-214
Total	1779

9.109. The net increase in footprint from the proposal will therefore be 6m².

9.110. The EA have raised concern with regard to the entrance to the western entrance as it sits within flood zone 3 yet includes a subterranean underpass which would be a significant risk of flooding and would present significant risk to users. The EA suggest that an overpass would be more suitable and therefore the design is reasonably capable of modification. NR state that both a subway and a footbridge were considered but a footbridge would have a number of drawbacks including the relocation of most of the platform buildings to the ends of the platform and the amount of vertical travel that would be required. In response NR also state that the inclusion of a subway would not give rise to significant risk to users as there would be an Emergency Plan which would ensure that the western entrance would be closed to customers before flood water entered and if for whatever reason this did not happen the flood water would rise gradually as the wider streets water level gradually rose allowing users time to exit. If that were to occur the highest water depth is anticipated to be 1.15m.

- 9.111. Other issues such as whether the building would be flood compatible have also been raised and who would be in charge of an Emergency evacuation plan have been raised.
- 9.112. With regard to Sheepwash Bridge it is acknowledge by NR that a separate consent would be required to do work to Sheepwash Bridge as the works are above a watercourse. Therefore the EA would still have control through other technical approvals that would be required with regard to changes to Sheepwash Bridge.
- 9.113. Following the response from the EA, NR have provided the EA with the additional information requested. That information is currently being considered by the EA and officers are hoping to be able to give a verbal update at the committee meeting with regard to the EA's position. Officers are therefore requesting that members delegate the approval back to officers to allow the application to be approved if the EA removes their objection as part of ongoing discussions.

Wider Historic Environment

- 9.114. Chapter 8 of the ES sets out the context of the historic environment of the area. There are nine Scheduled Monuments within the landscape study area. The closest of which are: Swing Bridge, Osney Abbey and Rewley Abbey. There are no listed buildings within the red line boundary, the closest being Cooper's Marmalade Factory which is grade II Listed located within Frideswide Square. There are nine Scheduled Monuments within the landscape study area. The closest of which are the Swing Bridge Osney Abbey and Rewley Abbey. The site is also located in the setting of the Central Oxford conservation Area and Osney Conservation Area.
- 9.115. The area immediately to the west of the station is characterised by later C19 and early C20 housing. In views from the west, from Osney Bridge, the turnpike Toll House sits as the foreground to the site which is considered a non-designated heritage asset local significance due to its association with the Botley Turnpike and it having been designed in 1850 by H J Underwood an architect whose was working prolifically in the city at the time. On the other side of the road is the River Hotel which is also considered a non-designated heritage asset formerly known as Bridge House is of high, local significance due to its having been the home of the renowned Oxford builder Thomas Henry Kingerlee, an alderman of the City of Oxford and well-known local figure whose firm is still building in Oxford today. The proposals are not considered to harm the setting of these two non-designated heritage assets.
- 9.116. The impact of the proposal on the neighbouring Conservation Areas are discussed with regard to the loss of trees earlier in the report.
- 9.117. Some of the works such as those proposed for the Botley Road pedestrian tunnel would be completely removed during the realignment of the bridge. Whilst it is considered a feature of low historic interest, NR has committed to recording the features of the tunnel prior to the removal to address the impact of its loss.

- 9.118. The ES identifies the site of Osney Abbey precinct as the only archaeological site of medium value within the site. The new track has been aligned to avoid this asset so that there would be no impact on the site. The Sheepwash Channel in the north of the Scheme would be affected by construction. It is however, considered to be of low value.
- 9.119. The ES acknowledges that there are likely unknown archaeological remains across the site of the scheme and NR have committed to allow for investigations to confirm whether there are remains on site and record them as necessary.
- 9.120. The recording set out in section 8.12 comprises an archaeological watching brief during construction of the:
- western entrance foundations;
 - platform canopy support foundations;
 - any excavations associated with Becket Street compound, pumping chamber compound, existing
 - Network Rail compound, and temporary Co-operative Childcare relocation compound;
 - interim footbridge abutments;
 - Sheepwash Bridge replacement abutments; and
 - Botley Road drainage launch and receipt pits.
- 9.121. Officers are content that the assets likely to be impacted by the scheme have been adequately assessed and identified and that the recording set out in Environmental Assessment is appropriate. A condition will therefore be included to ensure this is carried out. Great weight has been given to the conservation of the heritage assets. The proposal has been considered in line with policy DH3 of the Oxford Local Plan and paragraph 202 of the NPPF, and the public benefits are considered to outweigh the harm.

Noise

- 9.122. Chapter 10 of the ES looks at noise and vibration. The study has looked at the effects of construction, construction traffic and operational railway noise on the local area.
- 9.123. Concern has been raised from neighbours with regard to both construction noise as well as operational noise specifically with regard to vibration from freight trains, increased trains and increased speeds.
- 9.124. A study of operational railway noise for the Scheme has identified a likely major negative effect in terms of changes in noise levels for the residents along Cripsey Road and moderate negative effects along Mill Street, Abbey Road and at the Co-operative Childcare building.
- 9.125. The operational impacts from the Scheme have been determined by comparing the existing noise level at receptor locations with that expected with the Scheme. The assessment of operational noise impacts includes the noise from the passenger services, including when stationary at the station, and the noise from additional train information announcements on the new Platform 5.

- 9.126. During operation, significant adverse effects from noise have been identified at the dwellings to the west of the station along Cripsey Road and Abbey Road. The identified adverse effects are due to train movements on the down Oxford passenger loop and stationary noise sources at the new Platform 5.
- 9.127. Mitigation measures were considered as part of the ES. Whilst it was determined that a 4m barrier fence would likely be the best mitigation measure, there were practical issues that made this option undeliverable. This included the fact that a 4m high noise barrier would have to include structural requirements for wind loading and would also impact on the light afforded to some of the properties, this option was therefore ruled out.
- 9.128. To reduce these increases in noise levels, mitigation in the form of a 2.2m high environmental barrier would instead be installed for 320m alongside the railway from the north of the western entrance to Sheepwash Bridge. The barrier in the noise model is 2.2m high and absorptive to avoid reflections to sensitive receptors on the opposite side of the station.
- 9.129. With mitigation in place there would still be an increase in operational noise levels at the Cripsey Road receptors of 6 dB. In line with Table 10.9 this would result in a major adverse effect but would overall be below the SOAEL threshold.
- 9.130. When looking at mitigation measures the ES states that: *The properties on Abbey Road are two storey terraced houses, the proposed noise barrier would block line of site to the upper storey bedroom windows and would reduce operational noise levels (including stationary noise sources) at these receptors by 3dB. This would result in an overall reduction in operational noise levels that are currently experienced at the Abbey Road receptors. With the overall noise level below the SOAEL, which is not a significant effect in relation to the EIA Regulations 2017.*
- 9.131. It should be noted that the nature of the noise would not change (noise source would still be from trains using Oxford Station and PAVA announcements) and the location of the noise source would not change as it would still impact upon the same façade of the properties as it does at present. The overall predicted noise level is below the fixed Significant Observed Adverse Effect Level (SOAEL) threshold.
- 9.132. With regard to the SOAEL measure that is referenced in the ES, the government as part of its Noise Policy statement for England (NPSE) identify the key phrases.
- 9.133. *“Significant adverse” and “adverse”*
- 9.134. *There are two established concepts from toxicology that are currently being applied to noise impacts, for example, by the World Health Organisation. They are:*
- 9.135. NOEL – No Observed Effect Level

This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise.

9.136. LOAEL – Lowest Observed Adverse Effect Level

This is the level above which adverse effects on health and quality of life can be detected.

9.137. *Extending these concepts for the purpose of this NPSE leads to the concept of a significant observed adverse effect level.*

9.138. SOAEL – Significant Observed Adverse Effect Level

This is the level above which significant adverse effects on health and quality of life occur. It is not possible to have a single objective noise-based measure that defines SOAEL that is applicable to all sources of noise in all situations. Consequently, the SOAEL is likely to be different for different noise sources, for different receptors and at different times. It is acknowledged that further research is required to increase our understanding of what may constitute a significant adverse impact on health and quality of life from noise. However, not having specific SOAEL values in the NPSE provides the necessary policy flexibility until further evidence and suitable guidance is available.

9.139. The ES concludes that the overall predicted noise level is below the fixed Significant Observed Adverse Effect Level (SOAEL) threshold.

9.140. With regard to freight trains. NR have responded to the objections raised by residents and state: *“The station scheme itself does not directly enable an increase in freight capacity – any capacity increase is primarily driven by the level crossing work north of Oxford and multiple other schemes along the line of route between Southampton and the Midlands. As such any potential increase in freight could happen whether the station part of the overall scheme goes ahead or not. The freight trains use the central through lines so the additional platform would not materially impact vibration for local residents as the freight trains would not pass closer to the residential properties than they currently do.”* The issue of freight and their associated noise and vibration are therefore not considered to arise from this application.

9.141. As part of the construction works it has been identified that the scheme may give rise to significant adverse temporary noise effects which neighbours have raised concerns over. The appointed contractor would develop appropriate mitigation where necessary and practicable. In addition, the appointed contractor would seek to obtain prior consent from Oxford City Council under Section 61 of the Control of Pollution Act 1974 for the proposed construction works. The consent application would set out the final Best Practical Means (“BPM”) measures to minimise construction noise and vibration, including control of working hours, and also provide a further assessment of construction noise and vibration including confirmation of noise insulation / temporary re-housing provision, if required.

9.142. With regard to construction noise core working hours are proposed to be from Monday to Friday 07:00 to 18:00 with Saturday working limited to 07:00 to 13:00. Where work would be carried out outside of these hours, work would have to be agreed in advance through a section 61 agreement with the City Council.

9.143. Local residents have complained that the construction noise assessment does not include a threshold for Unacceptable Adverse Effect Level (UAE) during the day. This UAE is ranked higher than SOAEL levels in the noise exposure hierarchy set out in the NPPG would be above SOAEL levels. NR have responded and set out that there is no statutory requirement to include UEA threshold for a construction noise assessment.

9.144. It is acknowledged that the development has the potential to cause severe noise and vibration issues during the construction phase. The applicant has submitted acoustic information which identifies and assesses the likely significant effects that could result from the scheme during construction and operation phases indicates that there will be some day time and night time noise exceedances and considers mitigation of likely significant effects from both construction and operational noise and vibration.

9.145. The ES concludes that *“The identified mitigation measures for construction would reduce all predicted significant adverse effects to not significant. For operation with the identified mitigation measures in place significant adverse effects due to increases in noise are still predicted to occur at receptors on Cripsey Road. However, the predicted noise levels are below the fixed SOAEL thresholds for daytime and night time, so negative health effects are considered unlikely to occur.”*

9.146. The ES includes the table below with reference to residual effects from noise and vibration.

Potential Effect	Receptor(s)	Likely effect without additional mitigation	Additional Mitigation Measure(s)	Residual Effects
Construction				
Construction noise	Cripsey Road	Temporary adverse effect - Significant	Prepare and implement a Noise and Vibration Control Plan for the CEMP. Use of BPM in the selection and operation of equipment. Use of Section 61 notice to agree maximum noise levels with the Local Authority.	Minor – Not Significant
	Abbey Road	Temporary adverse effect - Significant		Minor – Not Significant
	Mill Street	Temporary adverse effect - Significant		Minor – Not Significant
	River Thames / Sheepwash Channel	Temporary adverse effect - Significant		Minor – Not Significant
Construction Vibration	Cripsey Road	Minor effect - Negligible	None required	-
	Abbey Road	Minor effect - Negligible	None required	-
	Mill Street	Minor effect - Negligible	None required	-
Operation				
Operational Noise	Cripsey Road	Major adverse effect in terms of noise change but overall noise level is below the fixed SOAEL threshold.	250m long absorptive noise barrier to west facing boundary of station site.	Major adverse effect in terms of noise change but overall noise level is below the fixed SOAEL threshold. With the identified mitigation in place there are residual effects, but these have been mitigated as much as practicable in line with the context of sustainable development and the NPSE.
	Mill Street	Moderate Adverse - Significant	None proposed	Below SOAEL threshold – Not Significant

- 9.149. Network rail has a standalone agreement with the Youth Hostel which relate to its freehold to allow the project to be delivered. Network Rail are working with the Youth Hostel to find a replacement site and this is currently ongoing. It is acknowledged that the loss of the Youth Hostel would be regrettable in Oxford but under the prior approval process its loss is not a material consideration as it does not form part of the scope for the prior approval application and could not form part of the decision making process. In addition as previously referenced, the new western station building could not be reasonable located elsewhere and if it were to be incorporated in to the scheme there may well be other factors that would need to be assessed with regard to the impact of a larger building to accommodate its use.
- 9.150. In addition comments have been received stating that the development does not make an efficient use of land as required by the NPPF, again the prior approval process does not require this aspect to be considered as part of the process and it therefore falls outside of the scope of the application.
- 9.151. Comments have also been received regarding the potential future improvement works to the towpath which links Thames towpath to Rewley Road. These works also sit outside the scope of the application and therefore cannot be considered as part of this prior approval application.

10. CONCLUSION

- 10.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this prior approval is in accordance with Part 18 of the GPDO.
- 10.2. The prior approval is not to be refused by the appropriate authority nor are conditions to be imposed unless they are satisfied that—
- 10.3. (a) the development (other than the provision of or works carried out to a dam) ought to be and could reasonably be carried out elsewhere on the land; or
- 10.4. (b) the design or external appearance of any building, bridge, aqueduct, pier or dam would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.

Compliance with Development Plan Policies

- 10.5. Therefore in conclusion it is only necessary to consider the degree to which the proposal complies with the policies of the development plan with regard to the two points as outlined in Part 18
- 10.6. a) the development (other than the provision of or works carried out to a dam) ought to be and could reasonably be carried out elsewhere on the land; or
- 10.7. (b) the design or external appearance of any building, bridge, aqueduct, pier or dam would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.

- 10.8. In summary it is considered that the development could not be reasonably carried out elsewhere on the land and the design and external appearance of the bridges, station building would injure the amenity of the neighbourhood.
- 10.9. In consideration of the location and design and appearance of the proposal, great weight has been given to conserving the designated heritage assets as required by paragraph 199 of the NPPF. Any harm should be weighed against the public benefits of the proposal, in accordance with paragraph 202 of the NPPF. The report considers the public benefits arising from the scheme would outweigh any harm.
- 10.10. It is therefore recommended that the Committee resolve to grant prior approval for the development proposed subject to the flooding issued being resolved by officers.

11. CONDITIONS

1. 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.

2. Samples of the exterior materials to be used in the western station building shall be made available to view on site to planning officers, and shall have been submitted to and approved in writing by, the Local Planning Authority prior to the above ground construction phase starting and only the approved materials shall be used unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies DH1 and DH3 of the Oxford Local Plan 2036.

3. Prior to the commencement of development, a specification of all external materials to include the colour and texture of concrete, the colour and material of the external staircases, details of railings shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies DH1 and DH3 of the Oxford Local Plan 2036.

4. Sample panels of the proposed concrete panels to be used in the retaining wall demonstrating the colour, texture, shall be made available on site for viewing, details of the design including method of fixing and layout, metal cladding at edges, abutment thresholds to glazing and frame shall be provided and approved in writing by the Local Planning Authority before relevant parts of the work are commenced. The development shall be completed in

accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance in accordance with policies DH1 and DH3 of the Oxford Local Plan 2036.

5. Details of the finish of the inside of the subway including any artwork and samples of the material proposed to be used shall be provided and approved in writing by the Local Planning Authority before relevant parts of the work are commenced. The development shall be completed in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority

Reason: In the interests of the visual appearance in accordance with policies DH1 and DH3 of the Oxford Local Plan 2036.

6. Details of the pedestrian bridge (including ramp), replacement Botley Road Bridge and the new bridge to carry the western track including any handrail details, materials, colours and finishes shall be provided and approved in writing by the Local Planning Authority before relevant parts of the work are commenced. The development shall be completed in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance in accordance with policies DH1 and DH3 of the Oxford Local Plan 2036.

7. A detailed specification of the design, materials and location of fixing of any railings, handrails, guardrails, seating, bollards, benches, and security gates shall be provided and agreed in writing by the Local Planning Authority and completed in accordance with this the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance in accordance with policies DH1 and DH3 of the Oxford Local Plan 2036.

8. Details of any signage proposed for the new western entrance including details of the materials, colours and finishes shall be provided and approved in writing by the Local Planning Authority before relevant parts of the work are commenced. The development shall be completed in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance in accordance with policies DH1 and DH3 of the Oxford Local Plan 2036.

9. No development shall take place including demolition works until details of the proposed pedestrian bridge over Botley Road have been submitted and

approved in writing by the Local Planning Authority. Thereafter and prior to first use of any part of the development, the pedestrian bridge shall be constructed in accordance with the approved details.

Reason: In the interests of highway safety and sustainability, to ensure a satisfactory standard of development and to comply with Government guidance contained within the NPPF in addition to policy M1 of the Oxford Local Plan 2036.

10. Prior to the commencement of development, to include demolition, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, air quality*, vibration, dust** and waste disposal resulting from the site preparation, groundwork and construction phases of the development and manage Heavy Goods Vehicle (HGV) access to the site. Measures to minimise the impact on air quality should include HGV routes avoiding Air Quality Management Areas and avoid vehicle idling. The approved Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

* The Institute of Air Quality Management <http://iaqm.co.uk/guidance/>

** The applicant should have regard to BRE guide 'Control of Dust from Construction and Demolition, February 2003

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with policies RE6 and RE7 of the Oxford Local Plan 2036.

11. No development shall take place until a scheme for noise mitigation has been submitted to and approved in writing by the Local Planning Authority and implemented on site. The scheme shall include the rationale for mitigation measures and their predicted effect, in line with the Environmental Statement. Where noise barriers are promoted in the scheme they shall be installed only once the local planning authority has given written approval of their size, appearance and location. Noise barriers shall be maintained in their approved form and may be removed only with the written approval of the local planning authority. The scheme shall incorporate a process to assess barrier performance at given dates to demonstrate that noise level mitigation predicted by the barrier designer has been achieved, with any defects in construction or performance being corrected by the contractor.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with policy RE8 of the Oxford Local Plan 2036.

12. No development shall take place until the complete list of site specific dust mitigation measures and recommendations that are identified on Tables A3.5 to A3.9 (pages 22-26) of the EIA: Appendix 6.2 Construction Risk Assessment

that was submitted with this application are included in the site's Construction Environmental Management Plan (CEMP). The CEMP will need to be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.
Reason: To ensure that the overall dust impacts during the construction phase of the proposed development will remain as "not significant", in accordance with the results of the dust assessment, and in accordance with policy RE6 of the Oxford Local Plan 2036.

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

Phase 1 shall incorporate a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model and preliminary risk assessment. THIS PHASE HAS BEEN COMPLETED AND APPROVED.

Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals.

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

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with policies RE7 and RE9 of the Oxford Local Plan 2036.

14. The development shall not be occupied until any approved remedial works have been carried out and a full validation report has been submitted to and approved by the local planning authority in accordance with condition 15.

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 policies RE7 and RE9 of the Oxford Local Plan 2036.

15. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local

planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason- To ensure that any soil and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policies RE7 and RE9 of the Oxford Local Plan 2036.

16. No development shall take place until the applicant, or their agents, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: The development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including medieval and post-medieval remains in accordance with policy DH3 of the Oxford Local Plan 2036.

17. No development shall be occupied until confirmation has been provided that either: - 1. Capacity exists off site to serve the development confirmed by Thames Water or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Reason - Network reinforcement works may be required to accommodate the proposed development. Any 2 reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents in accordance with policies RE7, RE9, V8 and RE3 of the Oxford Local Plan 2036.

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

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure in accordance with policy RE4 of the Oxford Local Plan.

19. Prior to the commencement of development, a detailed scheme of all ecological enhancements shall be submitted to, and approved in writing by, the Local Planning Authority to ensure a net gain in biodiversity will be achieved. The scheme will include details of landscape planting of known benefit to wildlife and artificial roost features, including specifications and locations of bat, bird and dedicated swift boxes, and be carried out as approved unless first approved in writing by the Local Planning Authority

Reason: To comply with the requirements of the National Planning Policy Framework and in accordance with Policy G2 of the Oxford Local Plan 2036.

20. No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
 - a) Risk assessment of potentially damaging construction activities;
 - b) Identification of “biodiversity protection zones” in respect of protected and notable species and habitats;
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on biodiversity during construction (may be provided as a set of method statements) and biosecurity protocols;
 - d) The location and timing of sensitive works to avoid harm to biodiversity features;
 - e) Contingency/emergence measures for accidents and unexpected events, along with remedial measures;
 - f) Responsible persons and lines of communication;
 - g) The role and responsibilities on site of a qualified ecological clerk of works (ECoW) or similarly competent person if required, and times and activities during construction when they need to be present to oversee works; and
 - h) Use of protective fences, exclusion barriers and warning signs.

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

Reason: The prevention of harm to species and habitats within and outside the site during construction in accordance with Policy G2 of the Oxford Local Plan 2036.

21. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to occupation.
The content of the LEMP shall include the following:
 - a) Description and evaluation of features to be managed, both on and off-site;

- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) Details of the body or organization responsible for implementation of the plan; and
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. Long-term management shall be for a minimum of 30 years. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details unless first approved in writing by the Local Planning Authority.

Reason: The prevention of harm to species and habitats within and outside the site during construction in accordance with Policy G2 of the Oxford Local Plan 2036.

22. A Construction Traffic Management Plan shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of any demolition or any works. The CTMP shall follow Oxfordshire County Council's template if possible. This shall identify;
- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
 - Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
 - Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
 - Contact details for the Site Supervisor responsible for on-site works,
 - Travel initiatives for site related worker vehicles,
 - Parking provision for site related worker vehicles,
 - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
 - Engagement with local residents
 - Pedestrian and cyclist protection
 - Proposed temporary traffic restrictions
 - Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
 - Bus operators to be kept informed of significant changes to the network through the project.

The development shall be carried out in accordance with the approved plan

unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times in accordance with the agreed plan.

23. Prior to construction, the cycle parking strategy must be submitted to the Local Planning Authority for approval. The strategy should seek to maximise provision for cycle parking and should consider a mix of double decked parking and levelled provision. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

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

24. Details of any proposed external lighting and sound systems including locations shall be submitted to, and approved in writing by, the Local Planning Authority before the building(s) is occupied. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and in the absence of information, in accordance with policy RE7 of the Oxford Local Plan 2036.

25. Prior to commencement of development a landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall include a survey of existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in detail all proposed tree and shrub planting, treatment of paved areas, seating layouts, and areas to be grassed or finished in a similar manner.

Reason: In the interests of visual amenity in accordance with policies G7, G8, DH1 and DH3 of the Oxford Local Plan 2036.

26. The landscape plan as approved by the Local Planning Authority shall be carried out upon substantial completion of the development and be completed not later than the first planting season after substantial completion unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies G7, G8, DH1 and DH3 of the Oxford Local Plan 2036.

27. Prior to the start of any work on site including site clearance, details of the design of all new hard surfaces and a method statement for their construction shall be submitted to and approved in writing by the Local Planning Authority. Details shall take into account the need to avoid any excavation within the

rooting area of any retained tree and where appropriate the Local Planning Authority will expect "no-dig" techniques to be used, which might require hard surfaces to be constructed on top of existing soil levels using treated timber edging and pegs to retain the built up material. The development shall then be completed in accordance with the approved method statement throughout the development of the site unless otherwise approved in writing by the Local Planning Authority.

Reason: To avoid damage to the roots of retained trees. In accordance with policies G7, G8, DH1 and DH3 of the Oxford Local Plan 2036.

28. Prior to the start of any work on site, details of the location of all underground services and soakaways shall be submitted to and approved in writing by the Local Planning Authority (LPA). The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas (RPA) of retained trees as defined in the British Standard 5837:2012- 'Trees in relation to design, demolition and construction- Recommendations'. Works shall only be carried in accordance with the approved details unless otherwise agreed with the Local Planning Authority.

Reason: To avoid damage to the roots of retained trees; in support of Adopted Local Plan Policies G7, G8, DH1, V8 and DH3 of the Oxford Local Plan 2036.

29. Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction- Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies G7, G8, DH1 and DH3 of the Oxford Local Plan 2036.

30. The trees labelled 12A, 12B and 12C on the Tree Removals and Retentions Plan drawing No.163390-JAC-SKE-EEN-090200 (R01) shall be retained throughout the construction and operational phases of the development. The trees shall not be removed.

Reason: To maintain the appearance of the area in accordance with policies

G7, G8, DH1 and DH3 of the Oxford Local Plan 2036.

31. Any trees that are found to be dead, dying, severely damaged or diseased within 12 months of the completion of the building works OR 12 months of the carrying out of the landscape plan (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season unless otherwise approved in writing by the Local Planning Authority.
32. Reason: In the interests of visual amenity in accordance with policies G7, G8, DH1 and DH3 of the Oxford Local Plan 2036.
33. No development shall take place including demolition works until details of the proposed pedestrian bridge over Botley Road have been submitted and approved in writing by the Local Planning Authority. Thereafter and prior to first use of any part of the development, the pedestrian bridge shall be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and sustainability, to ensure a satisfactory standard of development and to comply with Government guidance contained within the NPPF and in accordance with policy M1 of the Oxford Local Plan 2036.

34. Details of the boundary treatment along Abbey Road include details of the proposed signage and barriers shall be provided and approved in writing by the Local Planning Authority before relevant parts of the work are commenced. The development shall be completed in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority

Reason: To protect the amenity of the area in accordance with policies DH1 of the Oxford Local Plan 2036.

Informatives

Consent may be applied for and consented under Section 61 of the Control of Pollution Act 1974 for the proposed construction works. The application must set out the final Best Practical Means (“BPM”) measures to minimise construction noise and vibration, including control of working hours, and also provide a further assessment of construction noise and vibration including confirmation of noise insulation / temporary re-housing provision, if required. The Section 61 application should also describe the procedures for the monitoring of noise and vibration during construction.

Please note that the responsibility to properly address contaminated land issues, irrespective of any involvement by this Authority, lies with the owner/developer of the site

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 approve this prior approval 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.

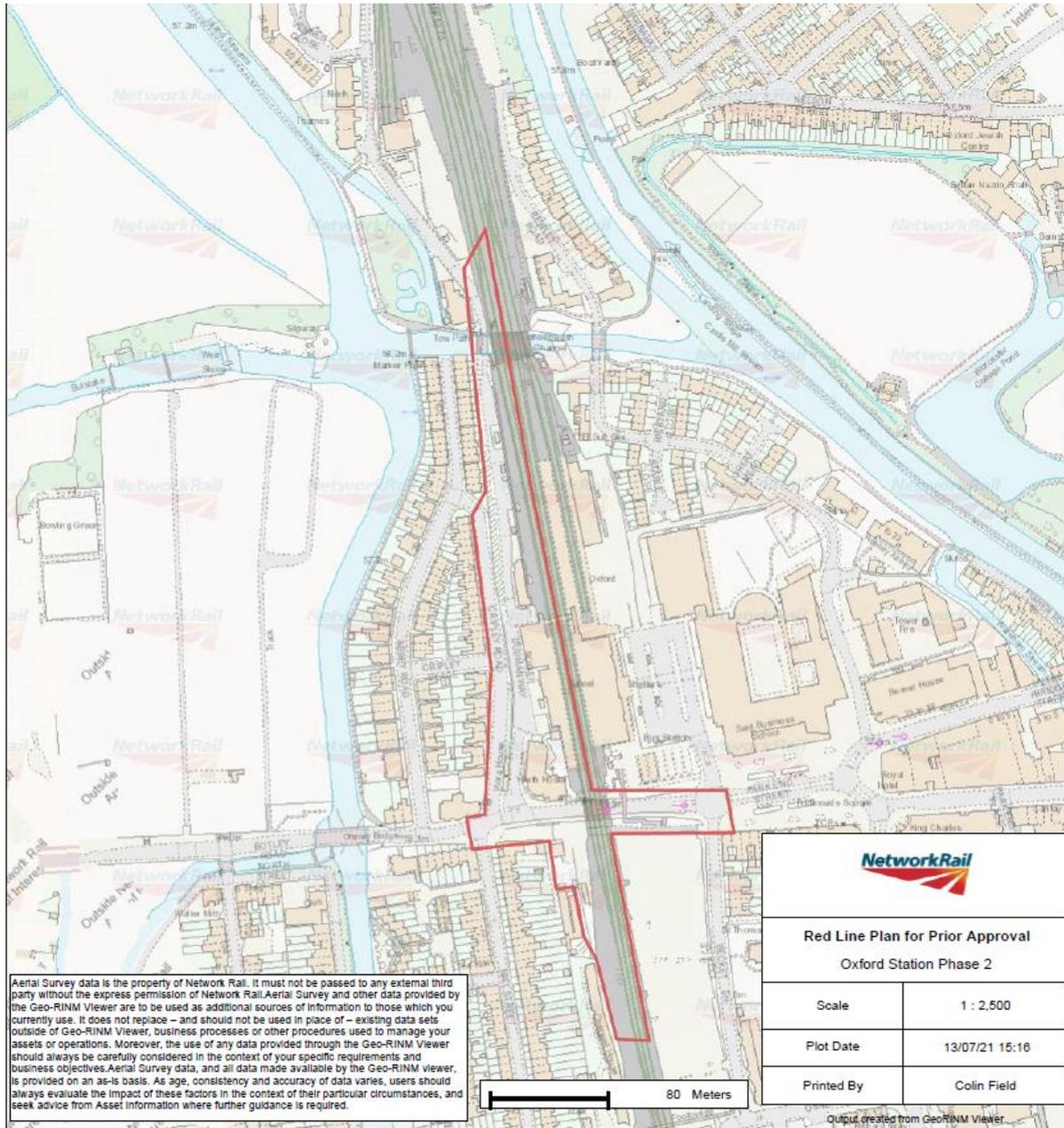
14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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 approve this prior approval application, officers consider that the proposal will not undermine crime prevention or the promotion of community.

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Appendix 1 – Location Plan

21/02007/PA18- Oxford Railway Station



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Oxford City Planning Committee

9th November 2021

Application number: 21/02053/FUL
Decision due by 9th November 2021
Extension of time 18th November 2021

Proposal Erection of extensions to the front and rear and external alterations throughout, including the installation of cladding and new glazing. Provision of dedicated foot/cycle access from Botley Road, cycle parking, erection of substation, external lighting, hard and soft landscaping, external loading bay, means of enclosure (including car park barriers) and associated works to enable the use of the building within Use Class E (Commercial, Business and Service) for research and development.

Site address Unit 1 And Unit 2, Botley Road, Oxford, Oxfordshire – see **Appendix 1** for site plan

Ward Osney And St. Thomas Ward

Case officer James Paterson

Agent: Mr Andrew Winter **Applicant:** GO Spires PropCo Ltd

Reason at Committee This is a major planning application.

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, subject to:-

- the satisfactory completion of a legal agreement (or unilateral undertaking) under section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and
- the receipt of comments from the Environment Agency.

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

- decide whether the application needs to be referred back to the committee on receipt of a response from the Environment Agency; and
- 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 recommended legal agreement (or unilateral undertaking) under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning Services considers reasonably necessary; and
- following the completion of the section 106 legal agreement (or unilateral undertaking) referred to above issue the planning permission.

2. EXECUTIVE SUMMARY

- 2.1. This report considers the erection of extensions to the front and rear of the existing commercial units following the amalgamation of the units; the amalgamation of the units does not need planning permission and does not form part of this application. Other external alterations are proposed throughout the extended units, including the installation of cladding, plant, flues and new glazing. Planning permission is also sought to improve existing access to the site through the provision of a dedicated foot/cycle access from Botley Road. Other external changes to site would include cycle parking, the erection of a new electrical substation, external lighting, hard and soft landscaping, the formation of a new external loading bay to the rear, new means of enclosure to the front car park and rear service yard as well as other minor associated works to enable the use of the building within Use Class E (Commercial, Business and Service) for research and development. The change of use itself no longer requires planning permission following amendments to the Town and Country Planning (Use Classes) Order 1987 and the abolition of Use Class A and the introduction of Use Class E, which both the existing and proposed use fall under.

3. LEGAL AGREEMENT

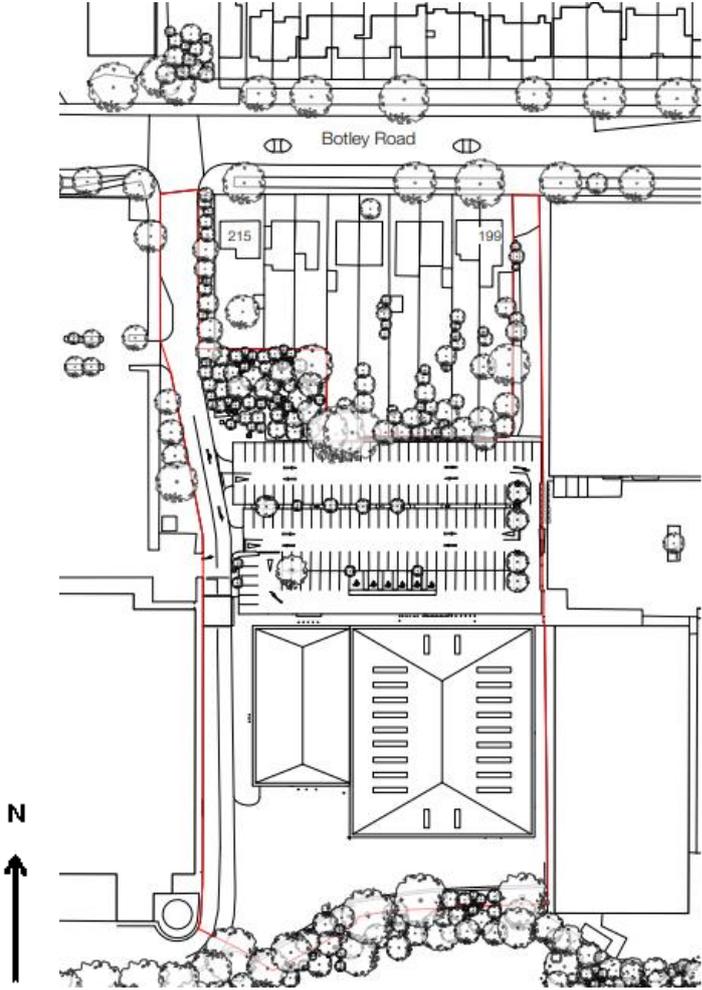
- 3.1. This application is recommended for approval subject to the prior completion of a unilateral undertaking or an agreement made pursuant to section 106 of the Town and Country Planning Act 1990 between the applicant and Oxfordshire County Council to cover the payment of a fee for monitoring the travel plan required by condition 14. This would be the sum of £1,446.00.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

- 5.1. The site is located within the Botley Road retail park on the western city approach to the south of Botley Road and near to the junction with Seacourt Park and Ride. The application site consists of two large vacant Class E retail units, formerly occupied by Oak Furniture Land and Argos. The former unit is has an internal floor space of 1,334m² while the other unit has 2,306m².
- 5.2. The site is surrounded by commercial premises to the north-east, west and east; these are exclusively in use in a retail capacity. There are a number of residential dwellings along Botley Road to the north of the site; these are set approximately 86m from the existing building. To the south of the site lies Hinskey Meadow, a large area of undeveloped land which forms part of Oxford's green belt and is an important area of public amenity.
- 5.3. The site is exclusively served by 140 car parking spaces to the front of the unit, including 6 disabled spaces, as well as a number of Sheffield cycle stands. Access to the site is currently achieved from Botley Road via a small unnamed road which serves as shared access to the other retail units to the west, although it is possible to access the site via Lamarsh Road by driving through numerous car parks. Pedestrian and cycle access to the site is limited to having to move through the various surrounding car parks with no bespoke segregated access.
- 5.4. See location plan below:



6. PROPOSAL

- 6.1. The application proposes the erection of extensions to the front and rear of the existing units following the amalgamation of the units; the amalgamation of the two units does not need planning permission and does not form part of this application. The two storey front extension would extend for the width of the amalgamated unit and would have a flat roof, the top of which would be 11.3m in height from ground level; the extension would also extend 5.8m beyond the existing front building line. The front extension would have a high quality concrete finish on the vertical supporting structures while the rest of the extension would either be glazed or feature dark grey corrugated metal panelling or grey brickwork. The extension would feature a colonnade for most of its width with the ground floor being set back from the first floor.
- 6.2. The two storey rear extension would extend from the rear of the smaller existing unit and the side of the existing larger unit. It would have a width of 24.2m and a maximum depth of 20m, although part of the extension would only extend as far as the rear building line of the larger existing retail unit. This extension would have a maximum height of 8.5m in would be finished in grey metal panelling and grey brickwork for the most part.
- 6.3. Other external alterations are proposed throughout the extended units. This includes the application of corrugated metal cladding to the external elevations of the unit as well as the application of grey paint to the existing brickwork to match the materials of the extensions and to therefore give the extended unit a uniform appearance. Alterations to the fenestration is proposed throughout, although this is largely limited to the installation of additional black metal framed windows. New mechanical plant is proposed at roof level as are new extraction flues; a greater amount of extraction is proposed than is typical for such a building due to its proposed use as research and development laboratory space which will likely require specialist equipment and additional extraction.
- 6.4. The existing rear service yard would be reduced in size due to the proposed extension and the giving over of some of this space to a new rear garden. It is intended to service the building with smaller vehicles than the HGVs that serviced the existing retail units. The service yard would be enclosed by metal fencing and would house waste storage facilities as well as a nitrogen tank, which would be installed as per the requirements of the Health and Safety Executive.
- 6.5. Planning permission is also sought to improve existing access to the site through the provision of a dedicated foot/cycle access from Botley Road. The current access is somewhat informal at present and consists of paving slabs atop gravel. It is proposed to resurface the path and increase its width to include an area of scrub to the west of the existing. This would then be used as the main pedestrian and cycle access to the site connecting onto the existing pedestrian and cycle routes on Botley Road.

- 6.6. Other external changes to site would include secure and covered cycle parking in the north east corner of the building; associated wash and changing facilities would be located within the building with access to this being possible through the cycle store. Hard and soft landscaping is proposed to the rear of the building, to create amenity space for future users of the building as well as assist with drainage. Landscaping is also proposed to the front of the building to improve the visual appearance of the car park. The existing small enclave of vegetation in the north-west corner of the site would remain in situ. A new electrical substation is also proposed in the north-east corner of the car park, external lighting is also proposed, notably bollard lighting on the proposed cycle/ pedestrian route, although final details have not been submitted. Alterations to the car park also include new barriers to the west entrance while landscaping is proposed on the east boundary to prevent access from this side.
- 6.7. The proposed development is required in order to enable the use of the amalgamated units within Use Class E (Commercial, Business and Service) for research and development purposes. The use of the building for research and development purposes no longer requires planning permission following amendments to the Use Class Order in September 2020 (which brought about a single use class for retail and office use, named 'Use Class E') which both the previous lawful use of the building and the proposed use fall under.

7. RELEVANT PLANNING HISTORY

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

87/00762/NOY - Demolition of garage & showroom. 124,728 sq. ft of non-food retail, including garden centre of 4,200 sq. ft, with 550 car spaces & access to Botley Rd. Extension of light industrial premises by 800 sq. ft (duplicate application, revised). PER 5th June 1989.

92/01183/NOY - Outline application (seeking approval for siting, means of access and external appearance) for one 30,000 square feet non-food retail unit plans plus car parking (186 spaces) and service area accessed from Botley Road. PER 22nd July 1993.

93/01209/NFY - Erection of building to provide non-food retail floor space (35,500 sq. ft./3,298sq.m.) divided into 2 units, 142 parking spaces for customers, 9 staff parking spaces and service yard (scheme B)(amended plans). PER 26th January 1994.

98/01455/NO - Rear extension to retail warehouse (Comet) for 464 sq. m non-food retail floor-space (including details of siting & use of existing means of access). Use of car park & service yard. Relocation of fire exit from side to rear of Argos (Unit 1, Botley Road). PER 1st April 2000.

07/01846/CPU - Certificate of lawfulness in respect of completion of installation of mezzanine floors.. PER 25th September 2007.

08/00768/ADV - Display of 2 x internally illuminated fascia signs. 1 x non

illuminated box sign and 1 x non illuminated projecting sign (retrospective).. PER 18th June 2008.

20/01327/ADV - Display of 3 no. Internally illuminated fascia signs, 15 no. non-illuminated fascia sign. 5 no non-illuminated post signs.. PER 28th August 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		
Commercial	84-91	V1, V8		
Natural environment	174-188	G2, G7, G8		
Transport	104-113	M1, M2, M3, M4, M5		
Environmental	153-169	RE1, RE2, RE3, RE4, RE5, RE6, RE7, RE8, RE9 H14	Energy Statement TAN	
Miscellaneous	7-12	S1		

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 24th August 2021 and an advertisement was published in The Oxford Times newspaper on 19th August 2021.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. No objection, conditions required relating to the need for a travel plan, visibility splays on the proposed cycle/ pedestrian route, a car parking plan and a construction management plan.

Oxfordshire County Council (Lead Local Flood Authority)

9.3. No objection, conditions required relating to a detailed surface water drainage scheme and a requiring the recording of the various drainage systems installed prior to first occupation of the approved development.

Thames Water Utilities Limited

9.4. No objection, informative required.

Environment Agency

9.5. No comment received.

Thames Valley Police

9.6. No objection but additional safety measures required on the proposed cycle/ pedestrian route to ensure it is secure by design; this includes new fencing and gates access.

Public representations

9.7. No local people commented on this application.

Officer response

9.8. Officers have considered carefully the comments to these proposals. Officers have considered the issues that have been raised; this is set out in the officer's report. Planning officers are satisfied that all the relevant bodies have been consulted.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of Development
- ii. Design
- iii. Neighbouring Amenity
- iv. Transport
- v. Flooding and Drainage
- vi. Ecology
- vii. Trees
- viii. Air Quality
- ix. Noise
- x. Land Quality
- xi. Health
- xii. Sustainability

i. Principle of development

10.2. Following amendments to the Town and Country Planning (Use Classes) Order 1987, planning permission is no longer required to change the use of the units from retail to an office use, as both uses are now within Use Class E.

Planning officers also note that since the change of does not need permission then the change of use of the site to the proposed employment-based use is acceptable in principle.

- 10.3. Policy V1 of the Oxford Local Plan 2036 states that proposals for development of town centres uses outside a centre must demonstrate compliance with the 'sequential test'. Furthermore, planning applications for retail and leisure development outside centres which are 350m² (gross) or more, must be accompanied by an 'impact assessment' and as part of such an assessment, demonstrate with evidence that there will be no adverse impact on the vitality and viability of the existing centres, and that good accessibility is available for walking, cycling and public transport.
- 10.4. The proposed use is not for a retail or leisure use, with the use being proposed as office and research and development space, which is not covered by Policy V1. However, due to the introduction of Class E, planning permission would not be needed to change the use of the proposed enlarged building to a retail use. Planning officers have therefore considered Policy V1 for the sake of completeness. The proposed development would increase the internal floor space of the amalgamated commercial unit from 3,641m² to 3,989m². This would fall below the 350m² threshold set out by Policy V1 for triggering the need for a retail impact assessment since, if the proposed use were for retail or leisure, the increase in floor space would be by 348m². Therefore there is no objection to the proposed development in principle, when considering Policy V1, although Condition 18 has been included to ensure that no food sales take place on the site, in accordance with the existing condition on the site, in order to ensure that the proposed use cannot be changed into a supermarket or similar out of town retail use that would be contrary to the retail hierarchy and requirements of Policy V1.
- 10.5. Policy V8 of the Oxford Local Plan 2036 states that planning applications (except householder applications) must be supported by information demonstrating that the proposed developer has explored existing capacity (and opportunities for extending it) with the appropriate utility providers. Planning permission will not be granted where there is insufficient evidence on utilities capacity to support the development and that the capacity will be delivered to meet the needs of the development. The siting and appearance of utilities infrastructure should be designed to minimise impacts on amenity and to be as unobtrusive as possible
- 10.6. The proposal includes an intensification of the use of the site as well as a change of use to a research and development use which, although the change of use does not require planning permission, does mean that additional utilities are required to support the new use. Thames Water have indicated that they do not have concerns about the capacity for water utilities on the site; the proposal is therefore acceptable in this regard.
- 10.7. A new electrical substation is proposed as part of this application to support the proposed use of the site. While planning officers approached the relevant statutory consultee for comment, no comment was received with regard to the need for a new substation and its siting. Therefore planning officers accept the

new substation in principle and consider that this element of the proposal is acceptable.

- 10.8. 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. The development proposal must have a density appropriate for the proposed use proposed, with an appropriate scale and massing, maximise the appropriate density with a built form and site layout appropriate to the capacity of the site.
- 10.9. The application site is in a sustainable location for an employment use as it is well served by several modes of sustainable transport including the nearby park and ride, cycle routes, train station in addition to there being frequent local and regional bus services. This site would therefore be suitable for an employment based use, such as is proposed, and officers consider that the intensification of use of the site is acceptable in principle.
- 10.10. Planning officers understand the delicate balance between overdevelopment of the site and making an efficient use of the available land. 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 maximises the efficiency of the proposed land use in a manner compatible with the site. Indeed, the proposed enlarged building would not be of a dissimilar scale and appearance to the character of the surrounding retail park. Planning officers therefore consider that the proposal would not lead to an overdevelopment of the site and would represent a scale of development that is compatible with its surroundings and therefore would accord with Policy RE2.

ii. Design

- 10.11. 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.
- 10.12. While the application site is visible from Botley Road, it lies within an existing retail park which features large, monolithic, warehouse-like units of no architectural merit; the wider site is therefore is not particularly sensitive in terms of its appearance at present. However, it is noted that the Council has recently begun considering the wider opportunities for redevelopment and regeneration of the Botley Road and it is possible that this work may feed into a masterplanning exercise that involves the application site and wider area in the future. The design and external appearance of the building has therefore been carefully considered by officers on this basis even though this site has come forward in advance of any emerging policy or guidance relating to the wider regeneration of the area.

- 10.13. The design approach has sought to modernise the appearance of the existing building and provide a high quality and attractive finish, despite the site's location within a retail park, to contrast with the unremarkable built style of the surrounding retail warehouses found around the site.
- 10.14. The character of the area is shaped by the surrounding retail warehouses which are fairly uniform in appearance and draw on the same vernacular and material, typical of such buildings in the 1990's. The commercial units are all served by extensive car parks which do not contribute to the aesthetic of the area and represent a poor use of land.
- 10.15. The proposal includes the extension of the unit to the front and rear as well as altering the external finish of the existing building in order to create a coherent finish for the enlarged commercial unit. Planning officers consider that the additions to the unit would be proportionate in size and would not overdevelop the site; they would be well-designed so as to sit comfortably on the site and enhance the appearance of the existing retail unit by adding visual interest to the building and modernising its appearance. Following the submission of a materials study, planning officers are satisfied that the proposed material palette would be high quality and ensure that the enlarged building would be of satisfactory visual appearance.
- 10.16. Following comments from planning officers, revised plans were submitted which now show the proposed extraction equipment and flues concentrated towards the centre of the building to reduce their visual prominence, which officers now consider is acceptable.
- 10.17. The proposal includes a modest landscaping scheme to both the front and rear of the site. The proposed landscaping would provide a high quality area of amenity to the rear for occupiers of the commercial unit to enjoy while also softening the appearance of the building to views from the park to the rear of the site. Furthermore, the landscaping to the front of the site would serve to soften the appearance of the car park and break up the hard surfacing with greenery.
- 10.18. The proposed cycle/pedestrian route is considered to be desirable in terms of providing segregated access to the site. The existing arrangement would entail cyclists and pedestrians either having to travel on the road or through various car parks which is not only dangerous but is counter to the principles of good design. However, planning officers note that the proposed route introduces problems of its own in terms of whether it would be secure by design. The path would not benefit from a high degree of natural surveillance, only being overlooked by 199 Botley Road and a number of houses on the opposite side of the street and not at all by the Curry's retail unit which has no windows on this side. Furthermore, while bollard lighting is proposed, such lighting does not provide sufficient light at the right height to aid facial recognition, which could increase the fear of crime on this route. Members should be aware that the Thames Valley Police Crime Prevention Design Advisor has raised concerns about these issues and considers that gated access at either side of the route, column lighting (fitted with diffusers to limit light spill onto residential houses), the relocation of the electrical substation and new fencing to the side

of the path would be needed to minimise the potential anti-social behaviour issues that the proposal could give rise to.

- 10.19. Planning officers have very carefully considered these concerns, given they come directly from the Thames Valley Police Crime Prevention Design Advisor. Planning officers consider that this route is an integral part of the proposed development and not only represents important benefits of the proposal in terms of permeability but also in terms of offering cyclists and pedestrians safe access to the site away from vehicles. Following the submission of the 'Foot / Cycleway Supplement' by the applicant, planning officers are of the view that the proposed route is largely acceptable as it has been presented. Officers are of the view that gated access would discourage the use of this access and lead to a sense of enclosure to users, which would increase fear of crime and reduce the permeability of the site. Furthermore, the new route would be much wider than the existing route and very straight so views from Botley Road would allow a degree of surveillance. This is particularly important as the existing route is an informal, narrow and unlit route into the retail park that is open to the public and this proposed is seeking a betterment of the existing arrangement and officers consider that improving this route would be a positive outcome in design terms, rather than essentially closing the route off. However, officers agree that greater consideration needs to be given to the lighting of this area in order to reduce the fear of crime insofar as is reasonably possible and have included condition 15 to this effect.
- 10.20. 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.
- 10.21. Planning officers consider that the proposed external servicing features are sufficient to accommodate the future needs of the site. The service yard is sufficient to meet the needs of the proposed use while the building can also be safely serviced from the front, should the need arise. Planning officers also consider that the proposed nitrogen storage meets the relevant safety requirements, insofar as planning is concerned.
- 10.22. Considering the above, the proposal is acceptable in terms of design and Policies DH1 and DH7.

iii. Impact on neighbouring amenity

- 10.23. 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.
- 10.24. Policy RE7 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that ensures that standards of amenity are

protected. This includes the amenity of communities, occupiers and neighbours is protected in addition to not having unacceptable unaddressed transport impacts and provides mitigation measures where necessary.

Daylight and Overbearing

10.25. The building itself is not near to any dwellings or sensitive land uses and therefore would not give rise to unacceptable amenity impacts in terms of daylight or overbearing.

Privacy

10.26. It is considered that there would be sufficient distance between the front windows of the enlarged building and the internal rooms and outdoor amenity spaces associated with the dwellings to the north of the site, which are the only sensitive land uses visible from the enlarged unit that is proposed, to ensure that there is no loss of privacy to these neighbours. Although the proposals include a front extension, the distance between the front of the building and the dwellings in question would remain vast due to the intervening car park that is proposed to be largely retained. The distance to the rear gardens of these properties from the front windows of the proposed development would be a minimum of 40m while the dwellings themselves would be no closer than 80m.

10.27. While the proposed pedestrian and cycle route would be wider than the existing informal pathway and would therefore be closer to the windows of 199 Botley Road, planning officers are satisfied that the proposed path would not give rise to unacceptable amenity impacts in terms of noise, overlooking or light pollution, subject to final details as per condition 15.

10.28. Having considered the above, the proposal is acceptable in terms of neighbouring amenity and Policies H14 and RE7.

iv. Transport

Transport sustainability

10.29. Policy M1 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport.

10.30. Policy M2 of the Oxford Local Plan 2036 states that a Transport Assessment must be submitted for development that is likely to generate significant amounts of movement, in accordance with the requirements as defined in Appendix 7.1. In addition, development which meets the relevant criteria must include a travel plan. Where a Travel Plan is required under this policy and a substantial amount of the movement is likely to be in the form of delivery, service and dispatch vehicles, a Delivery and Service Management Plan will be required.

- 10.31. The proposed development would only entail a modest intensification of an existing use, given that the increase in floorspace would be 348m². The site is in a sustainable location with good access being available by public transport and active travel. Furthermore, planning officers note that construction is currently underway on the Botley Road Highway Scheme which should deliver further sustainable transport improvements, which will directly benefit this site.
- 10.32. When entering the site by car from the west, there is a turning lane which allows the free flow of traffic along the main carriageway eastwards; the retail park junction is a simple priority junction with right and left turn lanes. All traffic has to give way to pedestrians and cyclists who have priority over the junction, along Botley Road. The amalgamated unit the subject of this application does not currently have good connectivity to the pedestrian network which stops approximately 30 metres from the site access, along the retail park access road and on the opposite side of that road.
- 10.33. The applicant has provided accident data for the local area which does not point to a particular location where accidents are more likely. A large number of the accidents involve cyclists which is likely due to the ambiguous nature of priority at the junctions, although this issue should be partly remedied as part of the Botley Road Highway Improvement Scheme and should lead to a reduction in accidents. The creation of a dedicated and improved pedestrian cycle route to this site could decrease the conflict with other road users and potentially benefit highway safety.
- 10.34. The applicant has undertaken a trip generation assessment using the TRICS database which is the generally accepted method of predicting development traffic. The assessment has been created using the correct parameters and relevant locations. This shows that the existing site has 78 multi-modal 2-way trips in the AM peak hour and 76 in the PM peak hour. Of those numbers, 40 are car drivers in the AM peak with 39 in the PM peak. For the proposed development, the applicant has calculated the trip rates using a 50/50 split of Research and Development (R&D) and office space, although have stated they expect it to be a higher percentage of R&D uses on site. This assessment shows 86 2-way trips in the AM peak hour and 84 trips in the PM peak hour, of these, there will likely be 44 and 43 car trips in the AM and PM peak hours respectively. At pre-application stage, it was requested by the Highways Authority that sensitivity testing was undertaken which shows a higher percentage of office space (60%) which would likely result in higher car trips. This has been undertaken and shows 48 car trips in the AM peak hour and 47 in the PM peak hour. The assessment undertaken is considered robust, even with the higher percentage of office space the increase in vehicular trips is only likely to be around 8. It is not considered that this will create a severe impact and as such, no objection is raised by the Highways Authority on these grounds.
- 10.35. Planning officers therefore consider that the proposal adequately prioritises sustainable modes of transport, as per Policy M1, and would not give rise to transport impacts that would necessitate a full Transport Assessment, although a travel plan and a construction traffic management plan have been required via conditions 14 and 16.

Car Parking

- 10.36. 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.
- 10.37. Policy M4 of the Oxford Local Plan 2036 states that planning permission will only be granted for non-residential development that includes parking spaces if a minimum of 25% of the spaces are provided with electric charging points.
- 10.38. 93 car parking bays would be provided on site including 5 disabled bays and 23 electric vehicle charging bays, this is a 47 space reduction from the 140 spaces currently in situ. Planning officers note that the proposed use of the building does not need planning permission and the intensification of the use of the site is slight and so welcome the steps taken to reduce the number of car parking spaces. Entry to the parking area and its use would be enforced by a controlled barrier which is considered sufficient to preclude uncontrolled commuter parking or overspill parking from the other retail parks.
- 10.39. It is noted that the Highways Authority have requested a car parking plan in order to ensure the spaces meet the relevant standards in terms of their size. However, it is noted that the existing bays are only 10cm too narrow and 20cm too short to meet the relevant standards. Furthermore, the retained parking spaces are all existing and are not proposed to be altered, with the exception of the new disabled bays which would comply with the relevant standards. Therefore, officers consider that this requirement is not necessary or proportionate to the development being proposed.
- 10.40. 25% of spaces would be supplied with electric vehicle charging points which is considered acceptable. Planning officers are of the view that additional spaces could likely be adapted to accommodate electric vehicle parking, should the need arise.
- 10.41. The proposal therefore meets the requirements of Policies M3 and M4 and is acceptable in terms of car parking.

Cycle parking

- 10.42. 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.

- 10.43. There is currently no cycle parking on site, although it is possible to park a bicycle at nearby retail units. The proposal includes a new pedestrian/cycle link between the site and Botley Road which although as mentioned in the 'design' section of this report requires further thought in terms of lighting and visibility is welcomed from a transport perspective. Planning officers note the comments received by the Highways Authority and note that further detail is also required in relation to the pedestrian and cycle route as to visibility splays, signage and priority. This has been captured via condition 15.
- 10.44. 80 cycle spaces are to be provided on site as part of this application with 60 spaces being within the covered and secure cycle store to the front of the building. 20 further spaces would be provided to visitors as part of the development in the form of Sheffield stands. This is considered acceptable and officers note that the cycle parking is located in such a way that cyclists can easily access and use the parking. It is noted that the Highway Authority have requested covered visitor parking in order to protect electric cycles from the elements; however, planning officers are of the view that a large cycle shelter in this location would detract from the appearance of the site and visitors with electric cycles could reasonably ask the occupiers of the building to store their cycle in the covered shelter.
- 10.45. The proposal is therefore acceptable in terms of cycle parking and Policy M5.

v. Flooding and Drainage

- 10.46. Policy RE3 of the Oxford Local Plan 2036 states that planning permission will not be granted for development in Flood zone 3b except where it is for water-compatible uses or essential infrastructure; or where it is on previously developed land and it will represent an improvement for the existing situation in terms of flood risk. Minor householder extensions may be permitted in Flood Zone 3b, as they have a lower risk of increasing flooding. Proposals for this type of development will be assessed on a case by case basis, taking into account the effect on flood risk on and off site. Development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.
- 10.47. Policy RE4 of the Oxford Local Plan 2036 states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. 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.
- 10.48. The application site lies within a Flood Zone 3 area, which means that it is at high risk of flooding; although EA modelling data indicates that the ground floor of the building itself is not at risk of flooding. Furthermore, a comprehensive flood risk assessment has been submitted, as have the

relevant drainage strategies, which demonstrate that, while the footprint of the building would be an increase over the existing, the flood risk on the site would be a betterment over the existing arrangement.

10.49. The Environment Agency have been consulted by planning officers and while they raised concerns via email in September 2021, subsequent information was submitted by the applicant which, in the view of planning officers, addresses these concerns. However, no formal comment has been received by the EA and planning officers therefore consider the application acceptable in flooding and drainage terms, subject to conditions 21 and 22, having received comments from the Lead Local Flood Authority, subject to a consultation response from the EA where they confirm that they raise no objection to the application.

10.50. Therefore, subject to the receipt of a comment from the EA confirming they raise no objection and subject to conditions 21 and 22, the proposal is acceptable in terms of flooding and drainage and therefore Policies RE3 and RE4.

vi. Ecology

10.51. 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.

10.52. Having reviewed the Preliminary Ecological Appraisal Report (July 2021) and Technical Briefing Note (July 2021), produced by Aspect Ecology, planning officers are am satisfied that the potential presence of protected habitats and species has been given due regard. Planning officers also welcome the retention of the undeveloped enclave in the north-west corner of the site, in ecological terms.

10.53. However, planning officers have included condition 11 which requires a scheme of ecological enhancement measures to be submitted for approval to the Council and then implemented in order to ensure a net gain of biodiversity on the site following this development.

10.54. Subject to condition 11, the proposal is acceptable in terms of ecology and Policy G2.

vii. Trees

10.55. Policy G7 of the Oxford Local Plan 2036 states that planning permission will not be granted where development would result in the loss of green infrastructure features such as hedgerows, trees or woodland, where this would have a significant adverse impact upon public amenity or ecological

interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated. Planning permission will not be granted for development resulting in the loss or deterioration of ancient woodland or ancient or veteran trees except in wholly exceptional circumstances.

10.56. Policy G8 of the Oxford Local Plan 2036 states that development proposals affecting existing Green Infrastructure features should demonstrate how these 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

10.57. An 'Area' designation Tree Preservation Order applies to a riparian semi-natural tree belt along the southern boundary of the site (City of Oxford (Botley Road) Tree Preservation Order 1974 (74/00007/WE)); this covers trees mostly outside of the site, but also includes some which appear to fall within the red line of the proposed development.

10.58. The design of the proposed scheme does not require the loss of any existing trees from the site or have indirect adverse implications for any off-site trees within the zone of development influence. The site includes access roads and parking bays at the frontage where there are a number of individual and groups of trees, some are design-planted and others appear to be self-seeded. The overall quality of the tree stock at the front of the site is quite low/poor. This is an artefact of hard surfaces and poor original provision of tree pit design.

10.59. An arboricultural study has identified potential risk implications associated with proposed works within the root protection areas of retained trees; however, these works will result in net gains in soft landscape within four retained trees Root Protection Areas and only an increase in hard surfaces for one retained tree, designated T23 in the submitted documents. These implications are in general positive and considered acceptable.

10.60. A preliminary tree protection drawing appended to the arboricultural study demonstrates the deliverability of proposed tree protection measures; these can be secured by conditions. There appears to be an opportunity to provide enhancements to the appearance of the site through landscape improvements, in particular replacement tree planting within the car parking area; therefore planning officers have included conditions for landscape and hard surface details accordingly which are considered reasonable and proportionate.

10.61. The application is therefore acceptable in terms of trees and green infrastructure, and therefore Policies G7 and G7, subject to conditions for tree protection measures and landscaping details, as per conditions 4-10.

viii. Air Quality

10.62. Policy RE6 of the Oxford Local Plan 2036 states that planning applications for major proposals (10 or more dwellings or 1000 square metres) which would

carry a risk of exposing individuals to unacceptable levels of air pollution must be accompanied by an Air Quality Assessment (AQA). Where the Air Quality Assessment indicates that a development would cause harm to air quality, planning permission will not be granted unless specific measures are proposed and secured to mitigate those impacts.

- 10.63. The submitted baseline assessment shows that the Application Site is located within the Oxford citywide Air Quality Management Area (AQMA), declared by Oxford City Council (OCC) for exceedances of the annual mean NO₂ air quality objective (AQO). Analysis of DEFRA's urban background maps and of all pollutant concentrations at monitoring locations in the surrounding area of the application Site, show clear compliance with the annual mean NO₂ AQO. The results indicate that concentrations at proposed receptor locations within the Site boundary are well below relevant air quality objectives for NO₂, PM₁₀ and PM_{2.5} concentrations.
- 10.64. The submitted documents show that the proposal would not have an adverse impact on the air quality in and around the site. However, planning officers have concerns about dust and other pollutants that may result from the construction phase of the development and have therefore required a Construction Environmental Management Plan by condition.
- 10.65. Therefore, subject to condition 12, the proposal is acceptable in terms of air quality and Policy RE6.

ix. Noise

- 10.66. Policy RE8 of the Oxford Local Plan 2036 states that planning permission will only be granted for development proposals which manage noise to safeguard or improve amenity, health, and quality of life. Planning permission will also not be granted for development that will generate unacceptable noise and vibration impacts. Planning permission will not be granted for development sensitive to noise in locations which experience high levels of noise, unless it can be demonstrated, through a noise assessment, that appropriate attenuation measures will be provided to ensure an acceptable level of amenity for end users and to prevent harm to the continued operation of existing uses.
- 10.67. It is noted that the nearest dwellings to the site would be 80m from the enlarged building and the retail park, in which the site is situated, does not contain any sensitive uses. Having considered this and the submitted documentation, it is considered that any plant equipment associated with the proposed development would not give rise to unacceptable noise or nuisance.
- 10.68. Furthermore, the intensification of the use of the site is modest and it is also expected that the proposed new cycle and pedestrian access to the site would not generate a significant amount of noise, especially when considered against the background noise of Botley Road. Therefore officers do not have concerns in terms of noise due to the use of the site.

10.69. The proposal is therefore acceptable in terms of noise and nuisance and Policy RE8.

x. Land Quality

10.70. Policy RE9 of the Oxford Local Plan 2036 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.

10.71. The site has been subject to historical contaminative uses including as a printing works and stationery factory. There is also evidence of earth movement works to the south of the site. These historical activities could give rise to potential ground contamination risks that may affect site users or the surrounding environment.

10.72. It is apparent that the existing building structure on site has been in place for some time (early 1990's) and planning officers cannot locate any evidence that any site investigation or remediation works have occurred as part of any previous planning permission.

10.73. A contamination report has been submitted which indicates that contamination risks at the site for a proposed commercial end-use are likely to be low. No significant soil, groundwater or ground gas contamination was identified, apart from the presence of asbestos in one made ground soil sample. This means there remains a slight risk to construction workers from potential asbestos contamination within made ground at the site which must be managed through appropriate site health and safety controls, materials management and a careful watching brief approach during groundworks at the site. Planning officers therefore recommend that the condition 17 is included on any permission to ensure that any unexpected contamination, including asbestos that may be encountered during development is managed appropriately.

10.74. Subject to condition 17, planning officers consider that the proposal is acceptable in terms of land quality and Policy RE9.

xiii. Health

10.75. Policy RE5 of the Oxford Local Plan 2036 states that planning applications for major proposals, the Council will require a Health Impact Assessment to be submitted, which should include details of implementation and monitoring. This must provide the information outlined in the template provided at Appendix 4

10.76. The proposal includes a Health Impact Assessment and planning officers are content that, subject to its implementation, the proposal would be acceptable in this regard.

10.77. Subject to condition 19, the proposal is acceptable in terms of public health and Policy RE5.

xiv. Sustainability

10.78. Policy RE1 of the Oxford Local Plan 2036 states that planning permission will only be granted for non-residential development proposals that meet BREEAM excellent standard (or recognised equivalent assessment methodology) in addition to the following reductions in carbon emissions which are also required. Planning permission will only be granted for development proposals of 1,000m² or more which achieve at least a 40% reduction in the carbon emissions compared with a 2013 Building Regulations (or future equivalent legislation) compliant base case . This reduction is to be secured through on-site renewables and other low carbon technologies and/ or energy efficiency measures. The requirement will increase from 31 March 2026 to at least a 50% reduction in carbon emissions

10.79. The supporting text of the policy states that the BREEAM standards will be applied to non-residential developments including conversions, extensions and changes of use.

10.80. The proposed development is not of sufficient size to trigger the requirements of Policy RE1 in terms of BREEAM standards or energy efficiency. However, the proposal does entail the conversion and extension of an existing unit and officers have therefore applied the BREEAM standards. The submitted BREEAM assessment states that the proposal would be BREEAM 'very good' which planning officers welcome and consider it sufficient to meet the objectives of the policy.

10.81. Subject to condition 20 requiring the implementation of the proposed sustainability measures, the proposal is acceptable in term of sustainability and Policy RE1 of the Oxford Local Plan (2036).

11. CONCLUSION

11.1. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 of the report subject to written confirmation that the EA does not object to the proposed development and subject also to the completion of a legal agreement or unilateral undertaking as referred to in section 3 of this report.

11.2. 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 clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.

11.3. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes it clear that it is a material consideration in the

determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver sustainable development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.

- 11.4. Therefore it is 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.
- 11.5. In summary, the proposed development would be an acceptable addition to the site. The proposal is suitable in terms of local planning policy and complies with the relevant policies of the Oxford Local Plan 2036.
- 11.6. Therefore officers consider that the development accords with the development plan as a whole.

Material consideration

- 11.7. The principal material considerations which arise are addressed above, and follow the analysis set out in earlier sections of this report.
- 11.8. National Planning Policy: the NPPF has a presumption in favour of sustainable development.
- 11.9. NPPF paragraph 11 states that proposals that accord with the development plan should be approved 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.
- 11.10. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, paragraph 11 is clear that planning permission should be granted without delay.
- 11.11. 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. There are no material considerations that would outweigh these policies.
- 11.12. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 below and the matters referred to in paragraph 11.1 above.

12. CONDITIONS

Time Limit

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

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

Approved Plans

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

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

Materials

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

Reason: To ensure that the development is visually satisfactory as required by Policies S1 and DH1 of the Oxford Local Plan 2036.

Tree Protection Plan

- 4 The development shall be carried out in strict accordance with the tree protection measures contained within the planning application details presented in Aspect Arboriculture AIA (July 2021: 10990_AIA.001 Rev B) unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

Arboricultural Method Statement

- 5 No development, including demolition and enabling works, shall take place until a detailed statement (the Arboricultural Method Statement (AMS)) has been submitted to and approved in writing by the Local Planning Authority. The AMS shall detail any access pruning proposals, and shall set out the methods of any workings or other forms of ingress into the Root Protection Areas (RPAs) or Construction Exclusion Zones (CEZs) of retained trees. Such details shall take account of the need to avoid damage to the branches, stems and roots of retained trees, through impacts, excavations, ground skimming, vehicle compaction and chemical spillages including lime and cement. The

development shall be carried out in strict accordance with the approved AMS unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

Arboricultural Monitoring Programme

- 6 Development, including demolition and enabling works, shall not begin until details of an Arboricultural Monitoring Programme (AMP) have been submitted to and approved in writing by the Local Planning Authority (LPA). The AMP shall include a schedule of a monitoring and reporting programme of all on-site supervision and checks of compliance with the details of the submitted Tree Protection Plan, prepared by Aspect Arboriculture AIA (July 2021: 10990_AIA.001 Rev B), and/or the Arboricultural Method Statement required by condition 5, as approved in writing by the Local Planning Authority. The AMP shall include details of an appropriate Arboricultural Clerk of Works (ACoW) who shall conduct such monitoring and supervision, and a written and photographic record shall be submitted to the LPA at scheduled intervals in accordance with the approved AMP.

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

Landscape Plan

- 7 A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority prior to first occupation or first use of the development hereby approved. The plan shall show details of treatment of paved areas, and areas to be grassed or finished in a similar manner, existing retained trees and proposed new tree, shrub and hedge planting. The landscape plan shall include a schedule detailing plant numbers, sizes and nursery stock types. The approved landscape plan shall be implemented in its entirety with six months of first occupation of the approved development.

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

Landscaping – Hard Surfaces

- 8 Prior to the undertaking of all new hard surfaces, details of the design of all new hard surfaces and a method statement for their construction shall first have been submitted to and approved in writing by the Local Planning Authority and the hard surfaces shall be constructed in accordance with the approved details unless otherwise agreed in writing beforehand by the Local Planning Authority.

The details shall take into account the need to avoid any excavation within the Root Protection Area of any retained tree and where appropriate the Local Planning Authority will expect "no-dig" techniques to be used, which require

hard surfaces to be constructed on top of existing soil levels in accordance with the current British Standard 5837: "Trees in Relation to Design, Demolition and Construction - Recommendations".

Reason: To avoid damage to the roots of retained trees in accordance with Policies G7, G8 and DH1 of the Oxford Local Plan 2036.

Landscape Management Plan

- 9 Prior to first occupation or first use of the development hereby approved a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules and timing for all landscape areas, other than small, privately owned domestic gardens, shall be submitted to, and approved in writing by, the Local Planning Authority. The landscape management plan shall be carried out as approved by the Local Planning Authority.

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

Landscape Plan - Reinstatement

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

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

Ecology

- 11 Prior to the commencement of development, a scheme of ecological enhancements shall be submitted to, and approved in writing by, the Local Planning Authority to ensure a net gain in biodiversity will be achieved. The scheme shall include details of landscape planting of known benefit to wildlife and artificial roost features, including specifications and locations of bat and bird boxes. A minimum of two dedicated swift boxes shall be provided. Works shall only take place in accordance with the approved scheme of ecological enhancements

Reason: To comply with the requirements of the National Planning Policy Framework and Policy G2 of the Oxford Local Plan 2036.

Construction Environmental Management Plan

- 12 No development shall take place until (as a minimum) the complete list of site specific dust mitigation measures and recommendations that are identified on page 37 of the Air Quality Assessment that was submitted with this application are included in the site's Construction Environmental Management Plan (CEMP) and until the CEMP has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved CEMP.

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

Electric Vehicle Charging

- 13 Prior to the first occupation of the development hereby approved, details of the Electric Vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following provision:

- Location of EV charging points;
- The amount of electric car charging points shall cover at least 25% of the amount of permitted parking
- Appropriate cable provision to prepare for increased demand in future years.

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

Reason: To contribute to improving local air quality in accordance with Policy M4 of the Oxford Local Plan 2036 and enable the provision of low emission vehicle infrastructure.

Travel Plan

- 14 Prior to first occupation of the development a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall then be updated within 3 months of occupation. Operation of the development hereby permitted shall only take place in accordance with the approved travel plan.

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

Pedestrian/ Cycle Route

- 15 Prior to occupation of the unit visibility splays measuring 2m by 2m shall be provided to each side of the new pedestrian/cycle access on Botley Road. Furthermore, details of the lighting and signage along the route shall also be submitted to and approved in writing by the Local Planning Authority.

Development shall only take place in accordance with the approved details and the approved lighting and signage shall be installed prior to the first occupation of the development hereby permitted.

The cycle parking hereby approved shall be installed prior to first occupation of the approved development and retained thereafter.

Reason: In the interest of highway safety and ensuring the proposed route is secure by design, in accordance with Policies M1 and DH1 of the Oxford Local Plan 2036

Construction Traffic Management Plan

16 A Construction Traffic Management Plan (CTMP) shall be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority prior to commencement of works. The CTMP should follow Oxfordshire County Council's template if possible. This shall identify;

- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
- Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
- Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
- Contact details for the Site Supervisor responsible for on-site works,
- Travel initiatives for site related worker vehicles,
- Parking provision for site related worker vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak hours,
- Engagement with local residents

Development shall only take place in accordance with the approved CTMP.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times, in accordance with Policy M1 of the Oxford Local Plan 2036.

Land Quality

17 A watching brief shall be undertaken throughout the course of the development to identify any unexpected contamination and manage potential asbestos contamination risks. Any contamination that is found during the course of construction of the approved development shall be reported immediately to the Local Planning Authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before

the development (or relevant phase of development) is resumed or continued.

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

No Food Sales

- 18 Notwithstanding the Town and County Planning (Use Classes) Order 1987 (as amended) (or any order revoking and re-enacting that Order) (with or without modification), the development hereby permitted excludes the use of the premises for the sale of food products, other than food products ancillary to the use of the site as office and laboratory space.

Reason: To ensure the proposed development does not contravene the retail hierarchy, in accordance with Policy V1 of the Oxford Local Plan 2036.

Health Impact Assessment

- 19 The development hereby approved shall only take place in accordance with the recommendations of the submitted 'Health Impact Assessment', prepared by Barton Wilmore and dated June 2021.

Reason: To ensure the proposed development incorporates the principles of health communities, in accordance with Policy RE5 of the Oxford Local Plan 2036.

Sustainability

- 20 The development hereby approved shall only take place in accordance with the recommendations of the submitted 'BREEAM Statement', prepared by Hilson Moran and dated June 2021, and the submitted 'Sustainability Statement', prepared by Hilson Moran and dated 13 July 2021.

Reason: To ensure the proposed development incorporates sustainable design, in accordance with Policy RE1 of the Oxford Local Plan 2036.

Drainage

- 21 Construction shall not begin until a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- A compliance report to demonstrate how the scheme complies with the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire";

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

Reason: To ensure flood risk and water run-off is managed appropriately, as per Policies RE3 and RE4 of the Oxford Local Plan 2036.

Drainage - Recording

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

- (a) As built plans in both .pdf and .shp file format;
- (b) Photographs to document each key stage of the drainage system when installed on site;
- (c) Photographs to document the completed installation of the drainage structures on site;
- (d) The name and contact details of any appointed management company information.

Reason: To ensure flood risk and water run-off is managed appropriately, as per Policies RE3 and RE4 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.
- 2 Thames Water will aim to provide customers with a minimum pressure of 10m

head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

- 3 Scrub, trees and buildings on site offer suitable habitat for nesting birds. All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended). Removal of vegetation and demolition of buildings shall be undertaken outside of bird nesting season. This is weather dependent but generally extends between March and August inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation or buildings shall not be removed until the fledglings have left the nest.
- 4 If unexpected contamination is found to be present on the application site, an appropriate specialist company and Oxford City Council should be informed and an investigation undertaken to determine the nature and extent of the contamination and any need for remediation. If topsoil material is imported to the site the developer should obtain certification from the topsoil provider to ensure that the material is appropriate for the proposed end use.

Please note that the responsibility to properly address contaminated land issues, irrespective of any involvement by this Authority, lies with the owner/developer of the site.

- 5 If work is required to take place on the public highway to create the proposed pedestrian/cycle access, a Section 278 Agreement will be required prior to implementation.

13. APPENDICES

- **Appendix 1 – Site location plan**

14. HUMAN RIGHTS ACT 1998

- 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

- 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 – Location Plan

21/02053/FUL Unit 1 And Unit 2 Botley Road



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Oxford City Planning Committee

9th November 2021

Application number:	21/00672/FUL		
Decision due by	20th May 2021		
Extension of time	16 th November 2021		
Proposal	Demolition of existing dwellinghouse and garage. Erection of 5 x 2 bedroom flats (Use Class C3). Provision of amenity space, bin and cycle stores.		
Site address	4 Bladon Close, Oxford, OX2 8AD, – see Appendix 1 for site plan		
Ward	Wolvercote Ward		
Case officer	James Paterson		
Agent:	Mark Norton	Applicant:	Victoria Tsoy
Reason at Committee	This application was called in by Councillors Wade, Landell-Mills, Gant, Goddard, Roz Smith, Altaf Khan due to concerns around design, car parking, neighbouring amenities, legal covenants, land subsistence, asbestos, drainage, access, bin storage and sustainability.		

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 an application for the demolition of the existing five bed dwellinghouse, and associated outbuildings, and the erection of a replacement building to create five flats, each with two bedrooms. The building would be set back in the plot to respect the building line established by the neighbouring dwellings and would retain some of the characteristics of the dwellings on the street while also introducing more contemporary aspects to its design. The

proposal would include the removal of parking from the site and the erection of ancillary development, including bin and cycle stores.

- 2.2. Officers consider that the proposals 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 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.

3. LEGAL AGREEMENT

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

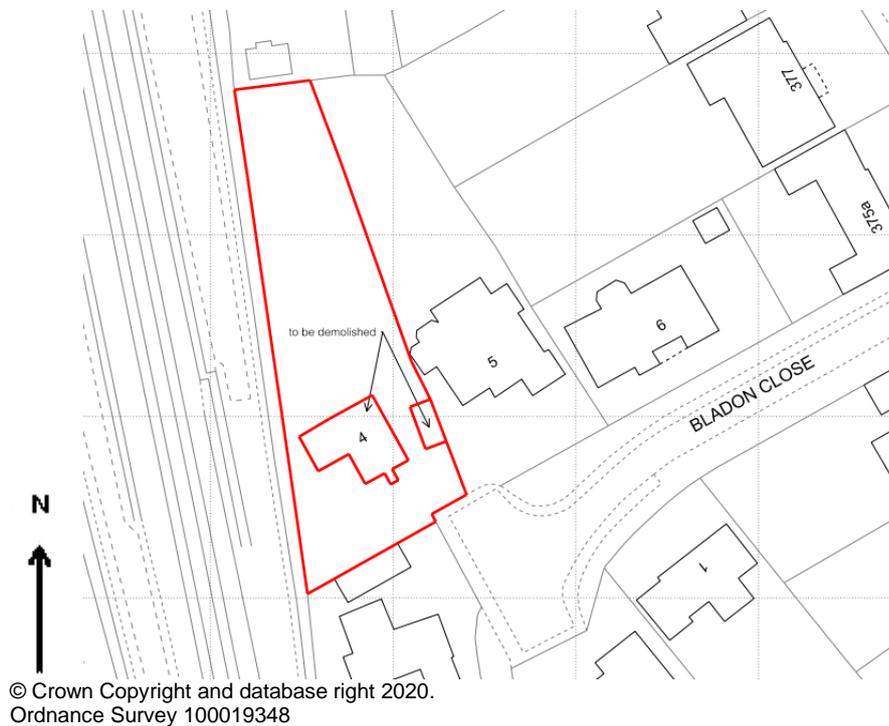
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for CIL. The amount liable would be £44,201.08.

5. SITE AND SURROUNDINGS

- 5.1. The site comprised of a five bedroom detached dwellinghouse, at the time that this application was submitted. The house was fairly typical in appearance having had regard to the established built environment, being of brick construction with a dual pitched tiled roof and proportioned in a traditional manner. The property was constructed in the 1960s. The site included a single garage to the side of the house while the house was set back from the road so as to create gardens to the front and rear. The plot is somewhat irregular in shape due to the fact that it abuts a railway line to the west. Mature trees bound the site to the rear (north) and sides (east and west). Surrounding land uses include residential garden land to the north, residential dwellings to the east and south as well as the railway line to the west (which is set within a cutting).
- 5.2. The house has been demolished since the submission of this application following the submission of a prior approval application made under Part 11, Class B of the General Permitted Development Order (as amended) (reference:21/00415/DEM) which sought permission to demolish the house. The Council confirmed that prior approval was needed and granted, since the method of demolition was acceptable, and works to demolish the house commenced in September 2021.
- 5.3. The character of Bladon Close is defined by its quiet and leafy nature, due to it being a cul-de-sac, and the dwellinghouses that are situated along it being larger family homes. The dwellings on Bladon Close share some common features, such as off-street parking and generous soft landscaping to the front gardens; however, they vary significantly in terms of design as there is no unifying vernacular or material palette and the height of the houses vary from 1.5 to 2 storeys.

5.4. See location plan below:



6. PROPOSAL

- 6.1. Planning permission is sought to demolish the existing five bedroom dwellinghouse, and associated outbuildings, and erect a new building which would contain five flats that would each have two bedrooms. The demolition has lawfully taken place following the granting of prior approval for this by the Council as part of a separate application (21/00415/DEM). The proposed building would provide two flats at each ground and first floor level while an additional flat would be in the attic, at second floor level. Outdoor amenity space would be provided in the form of private gardens for the flats at ground floor level while the upper flats would be afforded a balcony each as well as access to a shared rear garden.
- 6.2. The proposed dwelling would incorporate some more traditional design elements, such as through its hipped roof and overall proportions, but would also exhibit strong contemporary vernacular, such as the symmetrical fenestration, which does not follow a traditional hierarchy, as well as its materiality and the unusual form of the rear elevation. Of particular note, the rear protruding element which appears as an extension, lessens in depth over the course of each floor level, with the ground floor having a generous larger footprint with smaller first and second floors. The proposed replacement building would be 8m in overall height to the ridge of the roof and 5.9m in height to the eaves. The building would have a maximum depth of 15.3m and a maximum width of 12.6m. The building would be predominantly finished in render although there would be some brick detailing.

- 6.3. The proposed development would be car free, no car parking is proposed either on or off the site as part of this application, although a new cycle store is proposed to house storage for twelve cycles. A bin store is also proposed to the front of the site to house all the bins for the five flats.
- 6.4. Minor landscaping is also proposed, including the subdivision of the rear garden to provide private and shared amenity spaces, the creation of hard surfacing to the front garden as well as the installation of a new front boundary treatment. Works are also proposed to the larger existing trees which are, for the most part, to be pruned and retained while the smaller trees and bushes in place on the site would largely be removed entirely; some of this has already taken place following the demolition works on the site.

7. RELEVANT PLANNING HISTORY

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

55/04550/A_H - layout of land for erection of thirty-three dwellinghouses at Blenheim Drive. PER 26th July 1955.
59/07908/A_H - Dwelling house and garage for private car. PER 14th April 1959.
60/10155/A_H - Dwelling house and garage. PER 13th December 1960.
61/11355/A_H - Dwelling house and garage for private car. PER 24th October 1961.
70/23289/A_H - Extension to form study. PER 8th September 1970.
21/00415/DEM - Application to determine whether prior approval is required for the method of demolition.. 6PA 4th August 2021.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Wolvercote Neighbourhood Plan:
Design	130-136	DH1, DH7, H14, RE2		
Housing	59-76	H5, H15, H16		

Natural environment	174, 180	G2, G7, G8		GBS5
Transport	117-123	M2, M3, M4 M5		CHS2
Environmental	124-125, 159-169	RE1, RE3, RE4, RE7, RE8, RE9		BES4
Miscellaneous	11	S1, S2		BES1

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 7th April 2021.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

- 9.2. *The application seeks the demolition of existing dwellinghouse and garage, erection of 5 x 2 bedroom flats (Use Class C3) and provision of amenity space, bin and cycle stores. The proposals are in a highly sustainable location with good access to public transport. The proposals are in a CPZ.*
- 9.3. *Cycle Parking - The proposals demonstrate an area marked for a 12 cycle store. 12 spaces meets the required levels of provision but further details will be required to gauge the acceptability of the provision. This should be secured through planning condition.*
- 9.4. *Car Parking - The proposals do not offer any off-street parking. This is acceptable as the proposals are within a CPZ. The proposals should be excluded from obtaining residents parking permits to enforce the low car nature of the site and protect existing on-street parking from the impact of the development.*
- 9.5. *The proposals are unlikely to have a detrimental impact on the local highway network in traffic and safety terms. Oxfordshire County Council do not object to the granting of planning permission, subject to the following conditions requiring cycle parking to be provided and removal of parking permits for future occupiers.*

Thames Water Utilities Limited

- 9.6. *Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.*

- 9.7. *Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.*

Network Rail

- 9.8. Planning officers consulted this consultee but no response was received.

Public representations

- 9.9. 8 objections were received from No.s 2, 2B, 3 (two objections), 5 and 6 (two objections) Bladon Close and No. 3 First Turn.

- 9.10. In summary, the main points of objection were:

- Access
- Amount of development on site
- Effect on adjoining properties
- Effect on character of area
- Effect on privacy
- Effect on Traffic
- Flooding risk
- General dislike for proposal
- Ground Stability
- Height of proposal
- Information missing from plans
- Light - daylight/sunlight
- Local plan policies
- Noise and disturbance
- Not enough info given on application
- On-street parking
- Waste and Refuse

Officer response

- 9.11. 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. Trees
- vii. Drainage
- viii. Ecology
- ix. Land Quality
- x. Car Parking
- xi. Cycle Parking
- xii. Sustainability
- xiii. Noise
- xiv. 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 of the Oxford Local Plan 2036 states that planning permission will only be granted where development proposals make efficient use of land. Development proposals must make best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford, as well as considering the criteria set out in the policy.

10.4. Planning officers consider that the demolition of the existing dwelling and erection a new building to house five flats would make a more efficient use of

the land for housing than the existing arrangement. Planning officers note that the plot is generous in size and is located in a sustainable location, being located near to an arterial road with good public transport links, and maximising development in this location would be desirable in terms of considering the aims of Policy RE2.

- 10.5. Planning officers understand the delicate balance between overdevelopment of the site and making an efficient use of the available land. 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 maximises the efficiency of the proposed land use in a manner compatible with the site. Indeed, the proposed building would not be of a dissimilar scale and appearance to the surrounding urban environment when considering the number of large detached, or semi-detached dwellinghouses in the vicinity, which are often situated on smaller plots of land. Planning officers therefore consider that the proposal would not lead to an overdevelopment of the site and would represent a scale of development that is compatible with its surroundings and therefore would accord with Policy RE2.
- 10.6. Policy H5 of the Oxford Local Plan 2036 states that planning permission will not be granted for any development that results in the net loss of one or more self-contained dwellings on a site, including family homes (loss of an HMO converted from a self-contained dwelling would be considered a loss of a self-contained dwelling), except in one of the extreme circumstances outlined in the policy.
- 10.7. While the proposal would result in the loss of a dwelling, five dwellings are proposed to replace it; this would result in a net gain of four self-contained dwellings. The proposal is therefore considered acceptable in terms of Policy H5.

ii. Design

- 10.8. 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.
- 10.9. In considering the design of the proposed building in isolation, planning officers consider that the proposed building would be visually satisfactory including when viewed from the public realm and streetscene. These elevations have a consistent void-to-opening ratio, an overall simple appearance with some variation in materials to add visual interest, as well as appropriately designed fenestration; this would be much the same as the original house. While the rear façade would have a somewhat overcomplicated and muddled appearance, it is noted that this elevation has been designed in such a way to accommodate the outdoor amenity needs of the proposed flats. With this in mind, it is considered that this elevation has been designed as well as is reasonably possible while accommodating the

proposed balconies; some measures have been taken to improve its appearance, such as cladding the second floor balcony to blend it in with the roof. With this in mind, as well as the fact that this elevation would be visible only to limited private views, this is considered to be of acceptable design. It is noted that the proposed building would have a greater footprint than the original dwellinghouse and would also be of a greater scale as well as representing an intensification of the use of the site, however, it is considered that the plot is generously proportioned and could readily accommodate a building of the scale being proposed. Therefore, in isolation the proposed development is of acceptable design.

- 10.10. The streetscene of Bladon Close consists of a mixture of dwellinghouses which share some similarities, such as their situation within their plots affording larger front gardens which reinforces the suburban and leafy nature of the street. However, the houses comprising the close have the appearance of being infilled over time as each house differs in important ways, such as the material palette, orientation within their plot and, to an extent, even in terms of their overall form.
- 10.11. The overall form of the proposed building reflects some of the important characteristics of the houses that comprise Bladon Close. The hipped roof and overall proportionality of the proposed building in particular represent a more traditional architectural vernacular, which reflects the traditional aesthetic of dwellinghouses on the street. The more contemporary elements of the proposed design, such as the proposed rendered finish across much of the building, appear congruent within the wider streetscene and would not be visually jarring or out of place; in particular it is noted that some neighbouring dwellings also have their principle facades broken up with different materials, either with render or hung tiles. As a result, the proposed development would not appear out of place within the context of the site or streetscene.
- 10.12. It is noted that concerns have been raised relating to the height and massing of the proposed building during the public consultation. Planning officers consider that the proposed building would not appear disproportionately large in its context as it would not be much taller than the surrounding dwellings. Officers also consider that the integration of the second floor into the roof would also go some way to mitigate the visual impact of setting the proposed flats across three floors. Furthermore, siting of the building towards the western edge of the plot would also mean that the overall bulk of the building would appear minimised due to its being set away from neighbours and the highway. With this in mind, officers consider that these concerns would not substantiate grounds for refusing the application.
- 10.13. Planning officers also consider that the proposed intensification of the residential use of the site is unlikely to produce a level of activity within and around the site that would mean that the use of the site would fail to respect the quiet nature of the site and its surroundings. The policies of the Oxford Local Plan (2036) and specifically Policy RE2 require a more efficient use of land where there would be an increase in the number of residential units (where appropriate) and the principle of this type of intensification of dwellings on a sustainable site would be acceptable.

- 10.14. Having regard to the above, planning officers consider that the proposed dwelling would be of acceptable design and would accord with Policy DH1.
- 10.15. 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.
- 10.16. It is considered that the proposed bin stores would likely be of a sufficient size to accommodate the necessary bins and would allow easy access to the street for collection. However, final details are needed to ensure that the bin stores, as well as the proposed cycle stores, would be visually satisfactory.
- 10.17. Subject to conditions, the proposal is acceptable in terms of bin and cycle storage and Policy DH7.

iii. Neighbouring Amenity

- 10.18. 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

- 10.19. The proposed development would accord with the 25/45 degree access to light test, outlined in Policy H14. Having regard to this, the orientation of the sun and the layout of the site in conjunction with the arrangement of neighbours' windows, it is considered that the development proposal would not give rise to an unacceptable loss of daylight to neighbours' internal rooms.
- 10.20. Having regard to the siting of the proposed building, which would broadly be in a similar position to the existing, it is considered that the proposed development would not give rise to unacceptable shading or loss of direct daylight to the areas of outdoor amenity serving neighbours' dwellings.

Overbearing

- 10.21. It is noted that the proposed building would be larger than the existing dwellinghouse and that, in particular, the eaves would be of a greater height than the existing which would add a degree of bulkiness to the appearance of the proposed building when compared to the existing. Furthermore, the footprint of the house would be greater than the existing. Having considered the cumulative impact of these matters, planning officers consider that the increased bulkiness of the proposed building would not give rise to unacceptable overbearing due to its being set far from shared boundaries and neighbours' dwellings as well as its being positioned roughly in line with the building lines of both the neighbour to the east as well as to the south. This

would mean that the proposed building would not seem overly dominant to views from neighbours' internal rooms or gardens.

- 10.22. It is noted that concerns have been raised during the public consultation with regard to the proximity of the proposed building to the boundary with 5 Bladon Close. However, the proposed building would be no closer to this than the dwelling that formerly occupied the application site. Therefore the proposal is acceptable in this regard.

Privacy

- 10.23. It is noted that views of the rear garden of 5 Bladon Close could be achieved from the rear windows and balconies of the proposed flats. However, these would be limited for reasons explained below rather than materially harmful overlooking and would therefore not result in an unacceptable loss of privacy to this neighbour. Furthermore, views from the rooms and gardens at ground floor level would be blocked by the existing boundary treatment, the views of the first floor balconies would be limited to only very acute views as a result of the proposed privacy screens and the views from the topmost balcony would similarly be acute due to this balcony being at a reasonable height and set back from the lower floors (which would curtail views of the gardens below). Furthermore, it is considered that views from the proposed windows on the eastern elevation would not be afforded views that a materially more intrusive than would be possible under the previous arrangement on the site that would have had windows on the rear elevation offering a similar level of mutual overlooking that is common-place within residential areas. Having considered the above planning officers consider that the proposal would not unacceptably impinge the privacy of the occupants of 5 Bladon Close.
- 10.24. Views from the front windows of the proposed flats would also not give rise to an unacceptable loss of privacy to the occupants of 3 Bladon Close. The front rooms with windows facing towards this neighbour at first and second floor level would either be serving bathrooms, hallways or bedrooms. It is considered that in all of these cases it is unlikely that, due to the nature of the uses of these spaces, future occupants would spend protracted periods of time looking out of these windows towards this neighbour. Furthermore, it is noted that these views would not be materially more intrusive than would be possible under the arrangement that existed with the dwelling that occupied the site. In any case, it is noted that the principal outdoor amenity space associated with this dwelling is located out of sight on the other side of the dwelling. It is also considered that there is sufficient distance between the north facing windows of 3 Bladon Close and those of the proposed buildings so as to offer sufficient mitigation and prevent inter-looking between properties.
- 10.25. In reaching the above view, officers have been mindful that there is some vegetation around the edge of the application site, some of which is proposed to be retained as part of the proposed development. Officers consider that the vegetation on site would partially screen and soften views into and out of the application site and thereby reduce the impact of the development on surrounding occupiers.

- 10.26. Properties in First Turn would not experience any loss of light or privacy from the proposed development as the distance from the rear elevation of the proposed flats to the rear boundary would be approximately 42m which would prevent overlooking or overshadowing.
- 10.27. It is considered that other neighbours are set sufficiently far from the proposed dwelling so as to not have their amenity materially affected by the development.

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. 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. Policy H16 sets out the expectations for the size and quality of outdoor space across various types of dwellings.
- 10.29. The indoor arrangement would offer a coherent and functional living space for future occupants and would comply with the relevant space standards. The outdoor amenity space afforded to each flat would meet the requirements of Policy H16 and provide sufficient quality space for the future occupants. Ground floor flats would be provided with directly accessible private gardens and upper floor flats would have balconies with a shared garden at ground floor.
- 10.30. The proposal would therefore offer sufficient amenity to future occupants and would accord with Policies H15 and H16.

v. Archaeology

- 10.31. 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-designed archaeological remains or features will be resisted unless a clear and convincing justification through public benefit can be demonstrated to outweigh that harm.
- 10.32. This application is of interest because it involves groundworks in a location that has potential for prehistoric remains. Iron Age settlement, including a linear pit alignment (visible on aerial photographs and as yet investigated), have been identified approximately 30m to the west on the other side of the railway. The full character and extent of this rural settlement remains unknown. However, subject to a works being carried out in accordance with a

programme of archaeological work officers consider that the proposal would likely not give rise to harm to unknown underground heritage assets.

10.33. Subject to condition 14, the proposal is therefore considered acceptable in terms of archaeology and Policy DH4.

vi. Trees

10.34. Policy G7 of the Oxford Local Plan 2036 states that planning permission will not be granted where development would result in the loss of green infrastructure features such as hedgerows, trees or woodland, where this would have a significant adverse impact upon public amenity or ecological interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated. Planning permission will not be granted for development resulting in the loss or deterioration of ancient woodland or ancient or veteran trees except in wholly exceptional circumstances.

10.35. The proposal would entail the loss of a considerable amount of vegetation in the front and rear garden, although the larger trees in the rear garden would be retained. The larger retained trees do contribute to the public visual amenity of the area since they contribute to the green backdrop of the street, which is an important characteristic of the close. Larger trees around the edge of the site would also soften the appearance of the proposed development and reduce impact on amenity for neighbouring occupiers. A canopy cover assessment has been submitted, as required by Policy G7, which assesses the impact of the proposal on the canopy cover of the site. While it does not include any information of growth-rate assumptions, officers are satisfied that the proposed development is acceptable in terms of canopy cover implications and proposed indicative replacement tree planting is considered adequate. While the proposed tree species are included in the canopy cover assessment, additional information is required to provide details of nursery stock types and sizes and tree pit design. However, officers are satisfied that this can be captured in appropriately worded conditions.

10.36. Officers have recommended conditions that would retain the larger and more important trees on the site and provide for a scheme of landscaping enhancements to ensure that the site is visually satisfactory as required by Policy G7 of the Oxford Local Plan (2036).

vii. Drainage

10.37. Policy RE3 of the Oxford Local Plan 2036 states that planning permission will not be granted for development in Flood zone 3b except where it is for water-compatible uses or essential infrastructure; or where it is on previously developed land and it will represent an improvement for the existing situation in terms of flood risk. Minor householder extensions may be permitted in Flood Zone 3b, as they have a lower risk of increasing flooding. Proposals for this type of development will be assessed on a case by case basis, taking into account the effect on flood risk on and off site. Development will not be

permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.

- 10.38. 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.
- 10.39. The application site is in a Flood Zone 1 (i.e. the lowest risk of flooding) and is therefore technically not at significant risk of flooding from any sources. However, it is noted that there has been concern due to the history of flooding around the site as a result of issues with the capacity of foul water drainage. Thames Water have been consulted for comment and have confirmed that the proposed development would not significantly impact the capacity of the foul water drainage infrastructure. Given that Thames Water is a statutory consultee, their view has been afforded significant weight. While planning officers accept the consideration of Thames Water, a SuDS strategy has been required in order to ensure unacceptable water-run off would not result from the proposed development. Officers are satisfied that the submitted SuDS is acceptable in this regard and a condition has been included in the recommendation to ensure that the SuDs strategy is adhered so that the development complies with the requirements of Policy RE4 of the Oxford Local Plan (2036).

viii. Ecology

- 10.40. 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.
- 10.41. Having reviewed the submitted Bat Survey Report (July 2021), produced by Ecology By Design, planning officers are satisfied that the potential presence of protected habitats and species has been given due regard. However, to ensure a net gain of biodiversity on the site, in accordance with Policy G2, a condition has been included requiring a works to be in accordance with the recommendations of the bat report in order to ensure a net gain in the ecology on the site.
- 10.42. Subject to condition 9, the proposal is acceptable in terms of ecology and Policy G2.

ix. Land Quality

- 10.43. Policy RE9 of the Oxford Local Plan 2036 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.
- 10.44. Having reviewed the site history and submitted information, planning officers consider that the risk of significant contamination being present on the site from previous use is likely to be low.
- 10.45. Having considered the above, the proposal is acceptable in terms of land quality and Policy RE9.

x. Car Parking

- 10.46. Policy M3 of the Oxford Local Plan 2036 states that in Controlled Parking Zones (CPZs) 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.
- 10.47. Policy M4 of the Oxford Local Plan 2036 requires electrical vehicle charging facilities to be provided to each new car parking space.
- 10.48. Officers consider that the application site is within 800m of a supermarket, M&S at the BP garage adjacent to the Wolvercote Roundabout (which is considered to sell a range of everyday goods) lies approximately 600m walking distance from the application site. The application site is also within 400m of frequent public transport, specifically the bus stops on Banbury Road. The application site is within a CPZ. The site is therefore required to be car free, as required by Policy M3 of the Oxford Local Plan (2036). The proposal includes no car parking and is therefore acceptable in this regard. Officers have also been mindful that the location of the application site would be particularly suitable for car free development; the site is within 1.5km of Summertown District Centre and within 3km of Oxford Parkway. The site is also adjacent to National Cycle Network Route 5 which runs along Banbury Road. A number of conditions (Condition 4-6 in Section 12 of this report) have been recommended by officers that would seek to ensure that the site remains car free in perpetuity; preventing the creation of informal parking areas on site in the future or altering the site to facilitate access by vehicles.
- 10.49. It is noted that concerns have been raised via the public consultation with regard to potential blocking of neighbours' driveways. Given that no car parking is proposed it is considered that this would be limited to servicing and deliveries. This is considered to be an acceptable level of disruption that would likely be no worse than previous use of the site for residential use.

Furthermore, it is considered that there is sufficient space for bins to be presented at the kerbside for collection.

10.50. Since no off-street car parking is proposed, no electric vehicle charging points are required by Policy M4.

10.51. Subject to conditions, it is considered that the development proposal would be acceptable in terms of car parking and Policies M3 and M4.

xi. Cycle Parking

10.52. 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.

10.53. The proposal includes cycle parking for the new dwellings, which would be located to the side of the building. It is considered that the cycles could be readily wheeled from this location to the public highway and the outbuilding could accommodate sufficient cycles. However, further details of the cycle parking to ensure that it would be secure, covered and allow easy access to cycles and visually satisfactory.

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

xii. Sustainability

10.55. 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. On schemes of five more residential dwellings or 1000m². The Energy Statement will include details as to how the policy will be complied with and monitored.

10.56. An energy statement and water usage calculations have been submitted which demonstrated compliance with the principles outlined in Policy RE1 in terms of carbon reduction, energy efficiency, renewable energy and insulation.

10.57. The proposal is therefore acceptable in terms of sustainability and accords with Policy RE1.

xiii. Noise

10.58. Policy RE8 of the Oxford Local Plan 2036 states that planning permission will only be granted for development proposals which manage noise to safeguard or improve amenity, health, and quality of life. Planning permission will also not be granted for development that will generate unacceptable noise and vibration impacts. Planning permission will not be granted for development sensitive to noise in locations which experience high levels of noise, unless it can be demonstrated, through a noise assessment, that appropriate attenuation measures will be provided to ensure an acceptable level of amenity for end users and to prevent harm to the continued operation of existing uses.

10.59. The development consists of the demolition of an existing house and the construction of a new block of 5 flats. The site is located in a no through road, just off Woodstock Road, A4144. The site is approximately 300m to the south of Wolvercote Roundabout. The site is also located next to the railway line serving Oxford Railway Station; this is a busy line with national connections.

10.60. The applicant has submitted an acoustic assessment by 'Air Pressure Testing Ltd', which identifies the rear façade, nearest the railway line, is clearly the noisiest location at the site in terms of noise. Officers are satisfied that the acoustic assessment adequately demonstrates that the site is relatively quiet and that road traffic has only a small degree of impact upon it. Therefore, acceptable internal levels for road traffic noise can be readily achieved through typical double glazing and trickle vent in which examples have been specified. Therefore, the scheme is suitable for the development and acceptable in terms of the level of noise that would be experienced by future occupiers; however condition 15 has been included to ensure adequate noise insulation takes place.

10.61. Although the actual demolition of the house has largely been completed, condition 16 has been included to ensure that any further demolition work that may be required would not give rise to unacceptable amenity impacts on neighbours as a result of noise, dust and vibration.

10.62. It is noted that the proposal would intensify the use of the site for housing. However, planning officers consider that this intensification would likely not generate a significant amount of additional noise than would be possible under the previous arrangement.

10.63. Considering the above, the proposal is acceptable in terms of noise and Policy RE8.

xiv. Other Matters

- 10.64. 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.
- 10.65. It is noted that the issue of land subsidence was raised as an issue during the public consultation. Having consulted internal specialists, it is considered that the demolition of the existing building and erection of a new building would not necessarily cause land subsistence. This issue would be resolved at the building control stage where the design for the proposed foundations will have to take into account the ground conditions and in addition what is the suspected cause of the subsidence to the house that is due to be demolished.
- 10.66. It is noted that the issue of there being covenants on the land was raised as an issue during the public consultation. Such covenants would not be a planning matter and have not been considered as part of this application.

11. CONCLUSION

- 11.1. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 of the report.
- 11.2. 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 clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.3. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes it clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.
- 11.4. Therefore it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.
- 11.5. In summary, the proposed development would be an acceptable addition to the site. The proposal is suitable in terms of local planning policy and complies with the relevant policies of the Oxford Local Plan 2036.
- 11.6. Therefore officers consider that the development accords with the development plan as a whole.

Material consideration

- 11.7. The principal material considerations which arise are addressed above, and follow the analysis set out in earlier sections of this report.
- 11.8. National Planning Policy: the NPPF has a presumption in favour of sustainable development.
- 11.9. NPPF paragraph 11 states that proposals that accord with the development plan should be approved 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.
- 11.10. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, paragraph 11 is clear that planning permission should be granted without delay.
- 11.11. 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. There are no material considerations that would outweigh these policies.
- 11.12. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 below

12. CONDITIONS

Time Limit

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

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

Develop in Accordance with Approved Plans

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

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

Materials

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

Reason: To ensure that the development is visually satisfactory as required by Policies S1 and DH1 of the Oxford Local Plan 2036.

No Parking Permits

- 4 The development hereby permitted shall not be occupied until the relevant Oxfordshire County Council Controlled Parking Zone Order governing parking at Bladon Close has been varied by the Oxfordshire County Council as highway authority to exclude the approved new dwellings subject to this permission from eligibility for resident's parking permits and residents' visitors' parking permits unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with Policy M3 of the Oxford Local Plan 2036.

No New Accesses

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modifications) no additional means of access to the public highway from the plot of the approved development shall be installed on the basis of the Order without the prior written consent of the Local Planning Authority.

Reason: To ensure that the development is car-free, in accordance with Policy M3 of the Oxford Local Plan 2036.

Landscape Plan

- 6 A landscape plan for the approved new dwellings shall be submitted to, and approved in writing by, the Local Planning Authority prior to first occupation or first use of the development hereby approved. The plan shall show details of treatment of paved areas, and areas to be grassed or finished in a similar manner, existing retained trees and proposed new trees, shrub and hedge planting and boundary treatments. The plan shall preclude the parking vehicles in the front garden of the approved dwellings. The landscaping proposals as submitted to and approved in writing by the Local Planning Authority shall be carried out no later than the first planting season after first occupation or first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority and shall be retained and maintained thereafter unless agreed otherwise in writing by the

Local Planning Authority.

Reason: In the interests of visual amenity and to ensure no car parking can take place on the site, in accordance with Policies M3, G7, G8 and DH1 of the Oxford Local Plan 2036.

Cycle Stores

- 7 Prior to the first occupation of the approved dwellings, details of bicycle and bin storage enclosures, including elevations, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the approved dwellings the approved enclosures shall be installed and retained for these purposes thereafter.

Reason: In the interests of the character and appearance of the area and promotion of sustainable modes of transport in accordance with policies DH7 and M5 of the Oxford Local Plan.

Energy Requirements

- 8 Development shall take place in accordance with the recommendations of the submitted 'Energy and Sustainability Statement', prepared by C80 Solutions (dated May 2021).

Reason: To ensure compliance with Policy RE1 of the Oxford Local Plan 2036..

Ecology

- 9 In accordance with the recommendations of the Bat Survey Report produced by Ecology By Design (July 2021), no development shall take place until a European Protected Species Mitigation Licence has been obtained from Natural England. A copy of the licence shall be provided to the local planning authority.

Reason: To comply with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) and Policy G2 of the Oxford Local Plan 2036.

Drainage and SuDs

- 10 The development hereby approved shall only take place in accordance with the recommendations of the submitted 'Sustainable Drainage Assessment' (prepared by GeoSmart Information Ltd, dated August 2021).

Reason: To ensure compliance with Policies RE3 and RE4 of the Oxford Local Plan 2036

Tree Protection Measures

- 11 Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction- Recommendations. The approved measures shall be followed and in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

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

Root Protection

- 12 A detailed statement setting out the methods of working within the Root Protection Areas of retained trees shall be submitted to and approved in writing by the Local Planning Authority (LPA) before any works on site begin. Such details shall take account of the need to avoid damage to tree roots through excavation, ground skimming, vehicle compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with of the approved AMS unless otherwise agreed in writing by the LPA.

Reason: To avoid damage to the roots of retained trees in accordance with Policies DH1 and G7 of the Oxford Local Plan 2036.

Archaeology

- 13 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including prehistoric remains, in accordance with Policy DH4 of the Oxford Local Plan 2036.

The archaeological investigation should consist of a watching brief and should

be undertaken by a professionally qualified archaeologist working to a brief issued by the Council.

Noise

- 14 The development hereby approved shall be insulated to such a standard that it would protect its occupiers from existing external noise so that they are not exposed to levels indoors of more than 35dB LAeq 16hrs daytime and of more than 30 dB LAeq 8hrs in bedrooms at night.

Reason: To protect the amenity of future occupiers from existing sources of noise, as per Policy RE8 of the Oxford Local Plan 2036.

Demolition Method

- 15 The development hereby approved shall only be demolished in accordance with the recommendations of the submitted Demolition Method Statement.

Reason: To protect the amenity of neighbouring occupiers from noise, dust and vibration from building works, as per Policy RE8 of the Oxford Local Plan 2036.

13. APPENDICES

- **Appendix 1** – Site location plan

14. HUMAN RIGHTS ACT 1998

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

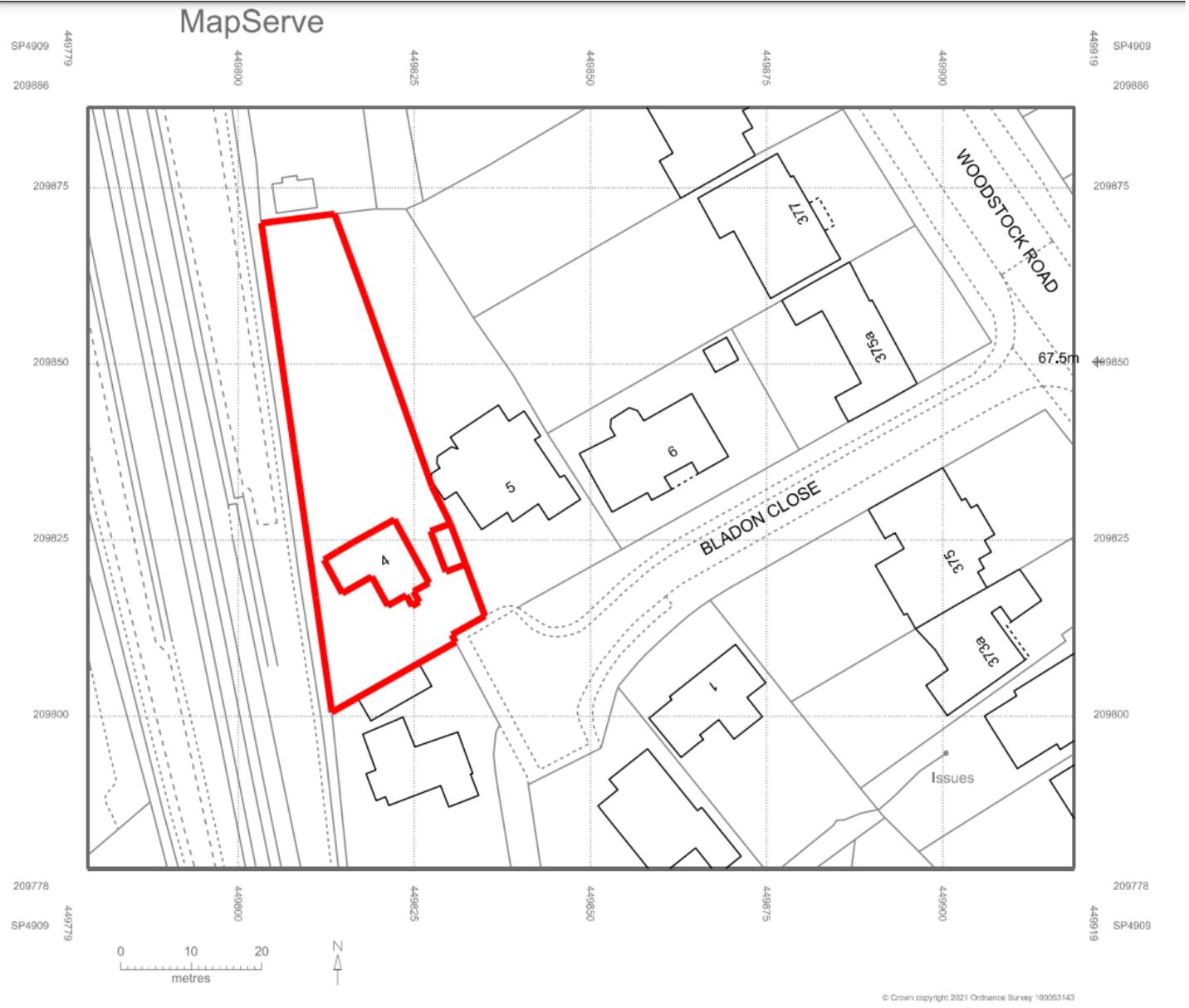
15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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Appendix 1 – Location Plan

21/00672/FUL - 4 Bladon Close



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Minutes of a meeting of the Planning - Oxford City Planning Committee on Tuesday 12 October 2021



Committee members present:

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

Officers present for all or part of the meeting:

Adrian Arnold, Head of Planning Services
Andrew Murdoch, Development Management Service Manager
Gill Butter, Principal Heritage Officer
Clare Gray, Principal Planner
Mike Kemp, Principal Planning Officer
Sally Drury Smith, Planning Lawyer
Catherine Phythian, Committee and Member Services Officer

Apologies:

Councillor(s) Abrishami and Hollingsworth sent apologies.
Substitutes are shown above.

34. 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 as 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. She said that she 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.

21/01185/FUL

Councillor Chapman stated that as the ward councillor for Headington Hill and Northway he had been contacted by local residents but that he had expressed no view on the application and had not made his mind up on the matter and approached it with an open mind.

21/01217/FUL

Councillor Pegg stated that she worked for The Wildlife Trusts and that, whilst she was aware that BBOWT (Berks, Bucks and Oxon Wildlife Trust) had commented on the application, she had not been involved in that and she had not made her mind up on the matter, and approached it with an open mind.

35. 21/01185/FUL: Site Of Blocks C F G H J K L And M, Clive Booth Hall, John Garne Way, Oxford, OX3 0FN

The Committee considered an application (21/01185/FUL) for planning permission for the demolition of twelve buildings (including main accommodation Blocks C, F, G, H, J, K, L and M) and the erection of twelve buildings to provide student accommodation, with ancillary communal and social facilities and associated administrative building (Class C2) and the erection of children's nursery (Class E). Alterations to car parking, installation of cycle parking structures and associated landscaping works, including reorganisation of existing footpaths and cycle ways, drainage features and ancillary development. Installation of a waste compactor unit and alterations to an existing road to enable access.

The Planning Officer presented the report and advised that since the previous application was refused, the applicant has undergone extensive pre-application discussion with officers and carried out two rounds of public consultation with the local community. She highlighted the main differences between the current application and 18/02587/FUL which had been refused in June 2019 (as detailed in paragraphs 10.6 and 10.7 of the report):

- the adoption of the Oxford Local Plan 2036 in June 2020 is a material consideration as it allocates the Clive Booth Student Village site for development, including student accommodation, under Policy SP17.
- the reduction in the net gain of student beds from 615 to 573.
- the reduction in the height of the flatted buildings on the western part of the site from 6/7 storeys to 5/6 storeys.
- The movement of buildings 3 and 5 away from the northern boundary of the site in the vicinity of John Garne Way allotments to reduce overshadowing in the winter months and early in the day at other times of the year.
- the reduction in the height of buildings 3 and 6 to two storeys nearest to the boundary with John Garne Way allotments to reduce overshadowing of the allotments.
- the movement of building 12 away from the boundary with residential properties on Pullens Field to improve amenity impact on Pullens Field.
- changes to the footprint and position of the buildings to allow for the retention of a greater number of higher quality trees and to retain a greater number of trees, with the greatest life expectancy, especially those that are necessary around the boundary and for layering through the site in filtering views in the locality.
- a revised design approach to the building's façade through a change in a materiality and greater articulation.

The Planning Officer reported the following typographical amendments:

- Para 3.1 insert “*or any other public realm scheme*” after “21/01368/FUL and 21/01369/LBC”
- Para 10.249 replace “*qualify*” with “*quantify*”

The Planning Officer concluded by reminding the Committee of the relevance of Policy H9 of the Oxford Local Plan. This policy links the delivery of new/redeveloped and refurbished university academic facilities to the delivery of university provided residential accommodation, and effectively ensures that provision of academic/administrative facilities for Oxford Brookes does not result in an increase in student numbers or the number of students living in Oxford in non-university accommodation does not exceed 4000 students. It should also be recognised that the policy states that this threshold of 4000 students shall be increased to 4500 students by 1 April 2023 if a scheme for a minimum of 500 student bedrooms has not been developed at Clive Booth Student Village.

Councillor Mary Clarkson (ward councillor, Marston), Alan Cooper (John Garne Way Allotments) and Tessa Hennessy (New Marston South Residents Association) spoke against the application.

Jerry Woods, (Oxford Brookes University) spoke in favour of the application. The following representatives from the university and its advisers were present to answer questions: Brendan Casey, Rob Linnell, Jon Alsop, James Roach and Dafydd Warburton.

The Committee asked questions of the officers and public speakers about the details of the application.

In discussion the Committee explored the following points:

- the potential impact of the development on the local community infrastructure due to demands on local health services
- the impact on the local network of roads and footpaths from increased number of cars, pedestrians, and cyclists
- the proposed development’s “green” credentials in response to climate change and its impact on the environment and bio-diversity
- the height and scale of the development and the level of harm it would have on the various conservation areas and the Designated Heritage Assets and the process for determining “levels of harm”
- the benefit of purpose built student accommodation releasing private homes back into the general market and affordability of purpose build accommodation over private rented accommodation

In response to the first of these points Planning Officers advised the Committee that the development would attract Community Infrastructure Levy and that the remaining points were fully addressed in the officer report. They said that the proposed development would deliver a 70% Carbon Reduction, which exceeded the local plan policy requirement of 40% and whilst an initial loss of tree cover would impact upon biodiversity, the compensation and mitigation measures of substantial tree planting and biodiversity enhancements would deliver a net gain of 11.87% to offset this loss, in excess of the Local Plan policy requirement of 5%. In response to the point about

traffic generation, they explained that students were not allowed to bring cars to the city and this is currently managed by Oxford Brookes. They also confirmed there would not be significant trips resulting from the development, and any increase in pedestrian and cycling from the facility should be welcomed. Officers also explained how this is a sustainable site for centralising student accommodation within walking distance of academic buildings and services. Officers indicated that the test within the NPPF was that highway impacts needed to be 'severe' to justify refusal. In response to the question about public benefit of proposed built student accommodation, officers explained this was an integral part of the councils local plan policy to manage the growth of student numbers. They explained that this was an existing student campus, which had been allocated within the local plan to deliver a minimum of 500 student rooms over the existing accommodation on site and therefore formed a critical part of the Council's housing delivery.

A motion to approve the application for the reasons set out in the officer's report was proposed, seconded and put to the vote. That motion fell.

The Committee then debated the reasons for refusal of the application.

Members of the Committee were not persuaded that the application before them had moved far enough to address the concerns of local residents or mitigate the reasons for refusal identified in June 2019. They considered that the siting, scale and density of the application before them would have a detrimental impact on the environment and on the local community infrastructure. They considered the loss of trees and canopy cover too significant. Furthermore they were not convinced that the scheme would deliver a public benefit in terms of creating additionality in the housing market as a result of students moving out of the private rental sector into the university accommodation.

The planning officers reminded the Committee that all of these issues had been addressed during the review of the Oxford Local Plan 2036 which concluded that the site should be allocated for development, including student accommodation, under Policy SP17.

The planning officers and legal adviser re-iterated their advice that the application was policy compliant and that all of the issues raised and reasons for refusal for the previous application had been overcome and addressed in the officer report and presentation or would be satisfactorily secured by condition. Furthermore, the statutory consultees had raised no objections to the application. Consequently the Committee was advised that there were no valid or reasonable grounds for refusal. The planning officers advised the Committee about the likely effect of such a refusal should it be appealed including the possibility of costs being awarded against the Council.

Notwithstanding the Planning Officers' advice that the application before them was policy compliant and that a refusal would be difficult to defend at appeal a motion to refuse the application for the same three reasons as given for the previous application's refusal in June 2019 was seconded and put to the vote. The Committee agreed to refuse planning permission for the reasons set out below.

The Oxford City Planning Committee resolved to refuse the planning application for the reasons previously stated at the East Area Planning Committee meeting on 5 June 2019, noting that the planning officers would need to update the references to policies

to reflect the changes in the newly adopted Oxford Local Plan. Those reasons (with updated policy references) are set out below:

- 1) *The proposed development by reason of its siting, scale, density, and height would appear as a strident and consequently intrusive and incongruous intervention on the prominent wooded hillside that makes a significant contribution to the character and appearance of the Headington Hill Conservation Area, and the setting of Central Conservation Area, resulting in harm to the character and appearance of the area and the significance of these designated heritage assets. It would also have an adverse impact on the setting of the John Garne Way allotments and views from the allotments back towards the wooded hillside that makes an important contribution to the character and appearance of the Headington Hill Conservation Area. Moreover the resultant harm has not been sufficiently mitigated by a careful design or adequately justified. The identified public benefits would not outweigh the less than substantial harm to designated heritage assets that would arise from the development contrary to paragraph 196 of the NPPF. The proposal therefore fails to comply with the governments planning policies in the NPPF, the policies DH1, DH2 and DH3 of the Oxford Local Plan 2036 and policies CIP1, CIP2, CIP3 and GSP4 of the Headington Neighbourhood Plan, and therefore fails to discharge the statutory duty set out within Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990*
- 2) *The proposed development by reason of its size, scale, and siting would result in the loss of significant trees within the site that contribute to its distinctive sylvan character and position within the Eastern Hills. Further, the proposed mitigation planting would fail to offset the loss of these trees in the short to medium term. Consequently the development would have a significant adverse impact upon public amenity of the site and its setting within the hillside contrary to policy G7 of the Oxford Local Plan 2036*
- 3) *That having regards to the reasons listed above, the public benefits of the proposal, in particular the releasing of houses back to the private rental market would not be sufficient to outweigh the less than substantial harm caused by this development to the local area including to the significance of a number of designated heritage assets, and therefore would not meet the test set out in paragraph 202 of the NPPF, or constitute sufficient material considerations that would outweigh policies DH1, DH2, DH3 and G7, of the Oxford Local Plan 2036, and policies CIP1, CIP2, CIP3 and GSP4 of the Headington Neighbourhood Plan.*

36. 21/01217/FUL: Land To The West Of Mill Lane, Marston, Oxford, OX3 0QA

The Committee considered an application (21/01217/FUL) for planning permission for the erection of 80 residential dwellings (use class C3) formed of 13 one-bedroom apartments and 28 two-, 35 three- and 4 four-bedroom houses with associated public open space, access and landscaping.

The Planning Officer presented the report. He advised the Committee that a letter circulated by the Oxford Preservation Trust (OPT), after the publication of the agenda, initially made reference to the lack of a “winter” Local View Impact Assessment (LVIA).

He confirmed that such a LVIA had been submitted and that the OPT letter had been revised to reflect that.

Charlotte Vinnicombe (Old Marston Parish Councillor and Chair of the Elsfield Road and Oxford Road Old Marston Residents' Association), Debbie Dance (Oxford Preservation Trust) and Roger Crisp (Friends of Old Marston) spoke against the application.

Vicky Trietline (Oxford City Housing Limited) and Ghazala Javed (Arcadis) spoke in favour of the application with Andrew Wilkins available for questions on design or highways matters from the Committee.

The Committee asked questions of the officers about the details of the application. The Committee noted that this application raised the same issues regarding traffic flows, road safety, parking and cycle paths which had been discussed and debated in relation to a separate, but adjacent, application at the meeting on 26 May 2021.

The Committee indicated that they would like a dialogue to be re-opened with Oxfordshire County Council to explore the possibility of creating access via the A40. Planning Officers explained that such a condition or informative would not be considered reasonable. It was a matter for the City Council to take forward through other channels.

In reaching its decision, the Committee considered all the information put before it. The Committee concluded that, on balance, the public benefits identified in the report outweighed their concerns about the traffic issues.

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 provision that the section 106 legal agreement allows sufficient flexibility for the financial contribution, which was allocated to be spent on improvements to Back Lane to be spent on alternative improvements to other public rights of way or pedestrian and cycle infrastructure in the immediate area where this is considered to be appropriate.

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 grant planning permission subject to:
 - The satisfactory completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in the report and subject to the amendment detailed above regarding funding for enhancements to public rights of way and/or cycle infrastructure in the area.
2. **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 recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning Services considers reasonably necessary; and
- Complete the section 106 legal agreement referred to above and issue the planning permission.

37. Minutes

The Committee resolved to approve the minutes of the meeting held on 7 September 2021 as a true and accurate record.

38. Forthcoming applications

The Committee noted the list of forthcoming applications.

39. Dates of future meetings

The Committee noted the dates of future meetings.

In view of the large number of forthcoming applications the Committee agreed to schedule additional meetings during November and December 2021. The exact dates to be confirmed.

The meeting started at 6.00 pm and ended at 9.30 pm

Chair

Date: Tuesday 9 November 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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