

Agenda

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Planning - Oxford City Planning Committee

This meeting will be held on:

Date: **Tuesday 20 June 2023**

Time: **6.00 pm**

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

For further information please contact:

Emma Lund, Committee and Members' Services Officer, Committee
Services Officer

☎ 01865 252367

✉ 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](#)

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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 Mary Clarkson (Chair)	Marston;
Councillor Alex Hollingsworth (Vice-Chair)	Carfax & Jericho;
Councillor Mohammed Altaf-Khan	Headington;
Councillor Nigel Chapman	Headington Hill & Northway;
Councillor Laurence Fouweather	Cuttesslowe & Sunnymead;
Councillor Emily Kerr	St Mary's;
Councillor Edward Mundy	Holywell;
Councillor Anna Railton	Hinksey Park;
Councillor Ajaz Rehman	Lye Valley;
Councillor Louise Upton	Walton Manor;
Councillor Sajjad Malik	Temple Cowley;

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

Councillor Chapman has sent apologies. Councillor Coyne will substitute.

2 Declarations of interest

3 22/03067/FUL: Trinity House, John Smith Drive, Oxford

13 - 78

Site Address: Trinity House , John Smith Drive, Oxford

Proposal: Demolition of existing office building and erection of 1no. laboratory and office building for research and development (use class E). Erection of gas store. Provision of motor vehicle and cycle parking and landscaping

Reason at Committee: The proposal is a major development

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 13 of the report and grant planning permission subject

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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

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
- respond to comments made by the Environment Agency with regards to groundwater contamination, resolve any concerns or objections and finalise any recommended conditions;
- finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in 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
- complete the section 106 legal agreement referred to above and issue the planning permission.

4 22/01554/FUL: Land at Elizabeth Place and Westlands Drive, Oxford

79 - 114

Site Address: Land at Elizabeth Place and Westlands Drive, Oxford

Proposal: Closure of the vehicular access from Westlands Drive to Elizabeth Place. Erection of a three storey building to create 15no residential units. (Amended plans).

Reason at Committee: The proposal is a major development.

Recommendation:

The Oxford City Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report

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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

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 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
- complete the section 106 legal agreement referred to above.

5 Minutes

115 - 124

Recommendation: to approve the minutes of the meeting held on 23 May 2023 as a true and accurate record.

6 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.

21/02639/FUL: Land West Of 75 Town Furze, Oxford, OX3 7EW	Called-in
22/00409/FUL: Green Templeton College, Woodstock Road, Oxford OX2 6HG	Major

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22/00410/LBC: Green Templeton College, Woodstock Road, Oxford, OX2 6HG	Major
22/02555/FUL: Plot 27, Oxford Science Park, Robert Robinson Avenue, Oxford OX4 4GA	Major
22/02446/CT3: Donnington Recreation Ground, Freelands Road, Oxford OX4 4BT	Called-in
22/02667/VAR: Street Record, Chiltern Railway from Oxford to Bicester, Oxford	Major
22/02880/RES: Plot 2000, John Smith Drive, Oxford	Major
22/03078/FUL: Land Bounded by Meadow Lane and Church Way, Oxford	Major
22/03076/FUL: 135-137 Botley Road, Oxford	Major
22/02954/OUT: Land at Oxpens Road, Oxford OX1 1TB	Major
22/02955/FUL: Land at Oxpens Road, Oxford OX1 1TB	Major
22/03049/FUL: Land North of Bayswater Brook, Oxford	Major
23/00142/FUL: Linton Lodge Hotel, 11-13 Linton Road, Oxford OX2 6UJ	Major
23/00386/OUT: 152 London Road, Headington, Oxford OX3 9ED	Major
23/00272/FUL: 152 London Road, Headington, Oxford OX3 9ED	Major
23/00405/OUTFUL: Land at Blackbird Leys Road and Knight's Road, Oxford	Major
23/00707/RES: Oxford North Northern Gateway Land Adjacent A44 A40 A34 And Wolvercote Roundabout, A40 Section From Cherwell District Council Boundary To Wolvercote Roundabout, Oxford, Oxfordshire OX2 8JR	Major
23/00708/RES: Oxford North Northern Gateway Land Adjacent A44 A40 A34 And Wolvercote Roundabout, A40 Section From Cherwell District Council Boundary To Wolvercote Roundabout, Oxford, Oxfordshire OX2 8JR	Major
23/00810/VAR: 19 Between Towns Road, Oxford, Oxfordshire, OX4 3LX	Major

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23/00693/FUL: Site of 6-25 Pusey Lane and 19-21 St John Street and rear of 7-11 John Street, Oxford	Major
23/00694/LBC: site of 6-25 Pusey Lane and 19-21 St John Street and rear of 7-11 John Street, Oxford	Major
23/01023/VAR: Radcliffe Observatory Quarter, Radcliffe Humanities, Woodstock Road, Oxford OX2 6GG	Major
23/00842/FUL: 26 Alice Smith Square, Oxford OX4 4NF	Called-in
23/00988/FUL: Bertie Place Recreation Ground and Land South West of Wytham Street, Oxford	Major

7 Dates of future meetings

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

18 July 2023

15 August 2023

19 September 2023

17 October 2023

21 November 2023

12 December 2023

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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.

Members' Code – Other Registrable Interests

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing** of one of your Other Registrable Interests*** then you must declare an

interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Members' Code – Non Registrable Interests

Where a matter arises at a meeting which ***directly relates*** to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

Where a matter arises at a meeting which affects your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under Other Registrable Interests, then you must declare the interest.

You must not take part in any discussion or vote on the matter and must not remain in the room, if you answer in the affirmative to this test:

“Where a matter affects the financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest You may speak on the matter only if members of the public are also allowed to speak at the meeting.”

Otherwise, you may stay in the room, take part in the discussion and vote.

*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.

** Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing.

*** Other Registrable Interests: a) any unpaid directorships b) any Body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority c) any Body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

Procedure for dealing with planning applications at the Oxford City Planning Committee 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 of photos and/or pictures at the meeting or a room provided for that purpose 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. Applicants or members of the public are not permitted to exhibit photos and/or pictures in any electronic format.

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 March 2023.

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OXFORD CITY PLANNING COMMITTEE

20th June 2023

Application number:	22/03067/FUL		
Decision due by	10th April 2023		
Extension of time	21 st July 2023		
Proposal	Demolition of existing office building and erection of 1no. laboratory and office building for research and development (use class E). Erection of gas store. Provision of motor vehicle and cycle parking and landscaping.		
Site address	Trinity House , John Smith Drive, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Temple Cowley Ward		
Case officer	Jennifer Coppock		
Agent:	Mr Harri Aston	Applicant:	Mr Thomas Renn
Reason at Committee	Major development		

1. RECOMMENDATION

1.1. The Oxford City Planning Committee is recommended to:

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

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

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

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary; and
- respond to comments made by the Environment Agency with regards to groundwater contamination, resolve any concerns or objections and finalise any recommended conditions;
- finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in

this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning Services considers reasonably necessary; and

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

2. EXECUTIVE SUMMARY

- 2.1. This report considers development at Trinity House at ARC Oxford, John Smith Drive which comprises the demolition of the existing building and erection of a six storey building in Research and Development use with CL2 and 3 laboratories and offices. Officers consider that the proposed development would respond appropriately to the site context, Local Plan policies and the Oxford Business Park site allocation. The proposal would provide enhanced pedestrian connectivity and improved wider transport infrastructure through financial contributions and it is considered that there would be no harm to the highway network as a result of traffic generation. The development would result in a net gain in tree canopy cover through new and retained soft landscaping, including the extensive green wall.
- 2.2. There would be no harm to any identified protected species and the proposal would achieve a Biodiversity Net Gain of 16%. The development would be of a sustainable design and construction, achieving a 45% reduction in carbon emissions when set against the 2021 Part L Building Regulations. The ambitious reduction in car parking provision is considered acceptable in accordance with the objectives of the Oxford Local Plan 2036 and adequate cycle parking would be provided, with further details to be secured by condition. The scheme would result in a medium level of less than substantial harm to the setting of the Central Conservation Area and a number of individual listed buildings due to its impact on views out to the rolling eastern hills. However, Officers consider that the public benefits that would derive from the proposed development would outweigh the harm caused. There would be no adverse land contamination, noise pollution, air quality or flood risk and drainage impact as a result of the proposal. The Environment Agency (EA) are yet to comment on the application with regards to ground water contamination due to ongoing resourcing issues, however Officers would liaise with the EA to address any queries and negotiate appropriate conditions prior to granting planning permission.
- 2.3. Subject to addressing comments made by the Environment Agency, the imposition of appropriately worded conditions and a section 106 legal agreement, the development would accord with all policies in the Oxford Local Plan 2036 and NPPF.

3. LEGAL AGREEMENT

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

- A requirement to enter into a S278 agreement with the Highways Authority.

- £398,995 towards bus services serving the Oxford Business Park.
- £80,340 towards active travel improvements.
- £2,563 towards Travel Plan monitoring.
- £329,474.00 towards the Cowley Branch Line or an equivalent local transport infrastructure project that would provide comparable public benefits.
- The provision and implementation of a Community Employment and Procurement Plan with the City Council.
- A requirement to apply for planning permission for an alternative elevational treatment should the green wall fail.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for CIL totalling £3,483,802.02

5. SITE AND SURROUNDINGS

5.1. The site comprises a rectangular parcel of land at the junction of Garsington Road and John Smith Drive, accessed off John Smith Drive within Advanced Research Clusters 'ARC' Oxford (previously known as the Oxford Business Park). Built development on site is currently in the form of a three storey office building with dual pitched roof. Surface parking extends over the majority of the site to the north east of the building, interspersed with soft landscaping. The site is bound by trees and hedges.

5.2. Surrounding built form comprises two and three storey buildings in a range of employment uses. Two storey residential dwellings fronting Phipps Road lie over 100m to the west of the site.

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

5.4. See site location below:

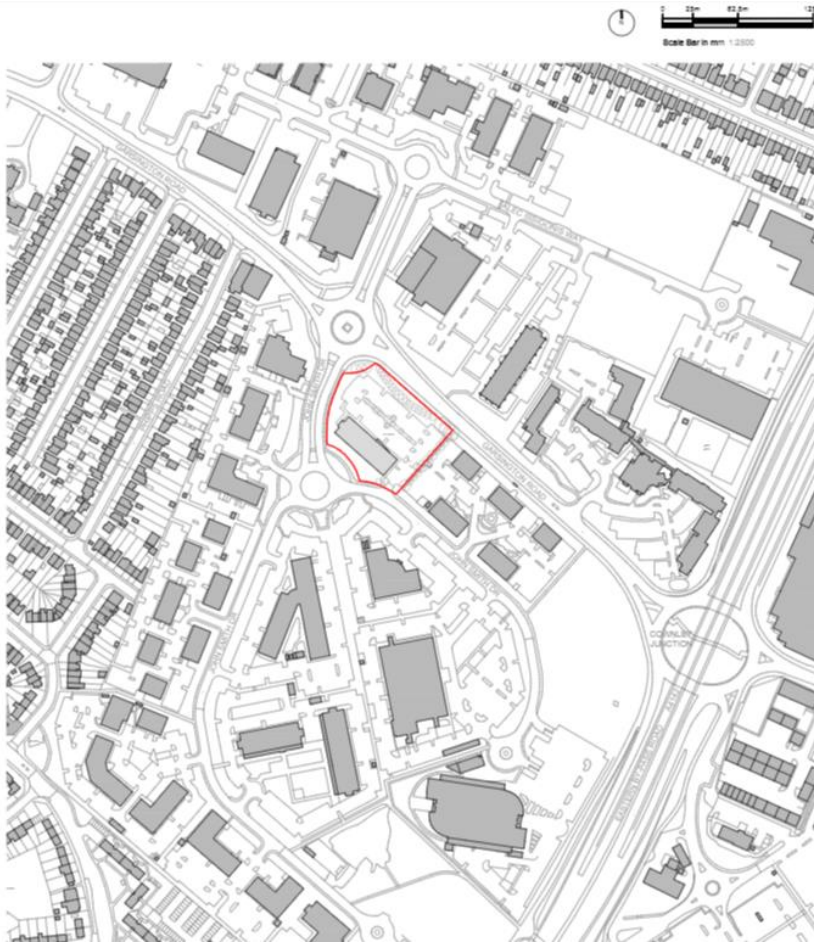


Figure 1: Site Location Plan

6. PROPOSAL

- 6.1. This full application proposes to demolish the existing three storey office building and replace it with a six storey flat roof building with a stepped form at a maximum height of 32m (30m above Garsington Road due to site topography). The building, with a Gross Internal Area of 25,448 sq. m., would accommodate Containment Level 2 (medium risk biological agents and hazards, genetically modified organisms, animals and plants) and potentially an element of Containment Level 3 (high risk biological agents and hazards, genetically modified organisms, animals and plants) laboratories depending on tenant demands. Part of the ground floor would be reserved for ancillary amenity uses but details are yet to be confirmed as the application is speculative with no current end user. A single storey enclosure to store gases would be located to the east of the building
- 6.2. A new footpath would be created from Garsington Road to enhance connectivity to the building and wider Park.
- 6.3. 142 parking spaces would be located within a new single storey basement. This would equate to just under 18% of the estimated 815 staff on site. Included within the 142 spaces would be 7 disabled and 3 visitor bays. In terms of cycle parking provision, 222 spaces would be provided for staff with an additional 12 spaces for visitors. The Highways Authority supports the proposal, subject to conditions.

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



Figure 2: Proposed block plan

7. RELEVANT PLANNING HISTORY

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

Application Ref	Description	Decision
91/01303/NO	Demolition of all buildings. Construction of buildings for B1 business use (125,023 square metres) & a hotel (10,451 square metres) incl. new roads, car parking, infrastructure & landscaping (Amended Plans) (Oxford Business Park, Garsington Road).	Approved 27.11.92
93/00706/NR	Details of access and landscaping on Garsington Road and some internal site roads. Details of landscaping on Eastern Bypass (part reserved matters of outline approval NO/1303/91)	Approved 02.02.94

93/00708/NR	Erection of 3 storey building for business purposes (2815sq.m.) 137 parking spaces, access, electricity substation, bin store and landscaping (part reserved matters outline approval NO/1303/91)(amended plans)	Approved 02.02.94
97/01220/NR	3 storey building for business (details of siting, design, external appearance & landscaping reserved as part of NO/1301/91 including 144 car spaces, cycle parkway, refuse store). (Amended plans). Revised from 93/708/NR.	Approved 11.09.97

Pre-application advice

7.2. Extensive pre-application engagement took place throughout 2022 with ongoing engagement throughout the consideration of the formal application. A summary of amendments that were made during this engagement is listed below:

- The building has been pulled back from the north western site boundary, fronting the Morris monument roundabout and John Smith Drive to increase the public realm and ensure that the building better relates to the monument.
- The elevations have been stepped to better articulate the building in local and long distance views, reduce its massing and increase distance from the residential dwellings fronting Phipps Road.
- A colonnade has been incorporated along the southern and western elevations to increase the public realm and further break down the massing.
- The building is now sinuous in its form which softens the buildings appearance and delivers a more elegant structure. The mechanical plant enclosure is now an integrated part of the building.
- A footpath from Garsington Road is now proposed to enhance connectivity.

7.3. Responses from the Oxford Design Review Panel (ODRP) are attached at appendices 2a and b.

7.4. Throughout the pre-application process, it has been understood that a balance needs to be struck between designing a building that responds to the local context and long distance heritage views and delivering a building that provides purpose-built flexible lab and office buildings that would attract market leaders in life sciences. To meet these aspirations, it is understood that the building must achieve the following:

- Large floor plates to enable scientific efficiency and adjacency of rooms;
- Dedicated passenger and goods lifts with redundancy provision and large ventilation risers, contributing to large cores;
- Significantly more plant than a comparably sized office building due to the highly serviced nature of laboratories and the need to achieve and maintain closely controlled internal environments to support the science;
- A greater floor to floor height to provide a ceiling void (floor to floor height 4.4 metres) to accommodate the on floor horizontal mechanical and electrical systems, which is significantly more than found in a typical office due to the high servicing requirements of laboratories; and
- Significant floor loading to accommodate specialist equipment and achieve acceptable vibration response factors.

7.5. It is considered by Officers that an appropriate balance has been struck with this proposal, taking into account the sites location within the allocated Oxford Business Park (now ARC Oxford), the demand for life science buildings, the local architectural context and the heritage impact of tall buildings within this location.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	NPPF	Local Plan	Other planning documents
Design	126-136	DH1 - High quality design and placemaking DH7 - External servicing features and stores	
Conservation/ Heritage	189-208	DH2 - Views and building heights DH3 - Designated heritage assets	High Buildings TAN
Housing	60-77	H14 - Privacy, daylight and sunlight	
Commercial	81-83	E1 - Employment sites - intensity of uses SP10 - Oxford Business Park	Employment Skills TAN
Natural environment	174-188	G2 - Protection of biodiversity geodiversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	
Social and community	92-103	RE5 - Health, wellbeing, and Health Impact Assessment	

Transport	104-113		Parking Standards SPD
Environmental	152-173	RE1 - Sustainable design and construction RE4 - Sustainable and foul drainage, surface RE6 - Air Quality RE8 - Noise and vibration RE9 - Land Quality RE4 - Sustainable and foul drainage, surface	Energy Statement TAN
Miscellaneous	7-14	S1 - Sustainable development RE2 - Efficient use of Land RE7 - Managing the impact of development	

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 16th January 2023 and an advertisement was published in The Oxford Times newspaper on 19th January 2023.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

- 9.2. No objection, subject to conditions.

Lead Local Flood Authority (LLFA)

- 9.3. No objection, subject to conditions.

Thames Water Utilities Limited

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

Thames Valley Police (TVP)

- 9.5. Objection due to concerns about surveillance over footpaths and car park.

- 9.6. **Officer Response:** The footpath adjacent to the service yard, that caused concern for TVP, has been omitted in response to their comments. With regards to surveillance of the car park, a condition requiring Park Mark accreditation has been attached.

Oxford Preservation Trust

- 9.7. No objection.

Historic England

- 9.8. No comments to make.

Public representations

- 9.9. ARC, the landowner of multiple plots within the Park, objected to the proposal in relation to the previously proposed footpaths fronting John Smith Drive, the footprint of the building and resultant impact on public realm, the removal of a tree on land within its ownership and the scheme's original failure to adhere to the requirements of Local Plan policy RE1.
- 9.10. **Officer response:** Whilst regrettable, the footpaths in contention have been removed in light of ongoing discussions with the neighbouring landowner. The tree mentioned above has been retained. The scheme's ability to achieve a 40% reduction in carbon emissions was subject to much discussion during the pre-application and formal application process, the scheme now exceeds the policy requirement as set out in more detail within the sustainable design and construction section below. Amendments that were made during the pre-application process are considered sufficient in reducing the scale of the building and providing an enhanced public realm.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

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

a. Principle of development

- 10.2. The NPPF sets out a presumption in favour of sustainable development and the Core Principles encourage the efficient use of previously developed land. Policies S1 and RE2 of the Oxford Local Plan 2036 are consistent with this approach. Policy RE2 requires that development proposals must make best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader consideration of the needs of Oxford. The development proposal must have a density appropriate for the proposed use, with an appropriate scale and massing, maximise the appropriate density with a built form and site layout appropriate to the capacity of the site.
- 10.3. The Oxford Local Plan recognises at paragraph 128 that Oxford has "one of the highest concentrations of knowledge intensive businesses in the UK. It has the

fastest growing and one of the best educated workforces in the country and is the main centre of research and spin outs in the country. The Local Plan supports the growth of these sectors and puts in place measures to manage the effects of success". The Oxfordshire Strategic Economic Plan (2017) sets out the long term vision and ambitions for economic growth in the County, which is that overall by 2030 "Oxfordshire will be recognised as a vibrant, sustainable, inclusive world leading economy driven by innovation, enterprise and research intelligence". The Oxfordshire Local Industrial Strategy (2019) looks to position Oxfordshire as one of the top 3 global innovation ecosystems highlighting the County's world leading science and technology cluster.

- 10.4. As above, the site forms part of a Category 1 employment site and as such, under the requirements of policy E1 of the Oxford Local Plan 2036, the site is protected for employment floorspace only. Planning permission will be granted for the intensification, modernisation and regeneration for employment purposes of any employment site if it can be demonstrated that the development makes the best and most efficient use of land and does not cause unacceptable environmental impacts and effects. Further, the wider Park is allocated under policy SP10 for employment and, potentially, other complimentary uses. The policy encourages the promotion of sustainable travel modes to the Park and there is a requirement to mitigate any harm to biodiversity value.
- 10.5. It is therefore considered that intensifying development on the site for business (Use Class E(g)) uses within the research led employment sector, as proposed, is acceptable in principle subject to compliance with all requirements of policies E1, SP10 and the Local Plan as a whole.
- 10.6. The submitted Economic Statement estimates that approximately 715 jobs would be created during the 29 month construction period with 850-975 jobs created on site once operational, an increase of 625 jobs compared to what the vacant site could feasibly support if it were operational. According to the Statement, when accounting for displaced jobs from elsewhere and indirect and induced impacts from the supply chain and worker expenditure, the proposals would support up to 855 net additional jobs across the South East. The Statement also estimates that the economic activity on site would result in up to £98 million of Gross Value Added (GVA) each year, once fully operational.
- 10.7. In addition to the above, the applicant has committed to entering into a Community Employment and Procurement Plan which would ensure that local people are employed and local businesses are supported during the construction and operational phases of the development. This would be secured by legal agreement.

b) Design, views and impact on heritage assets

- 10.8. The NPPF makes it clear that the purpose of planning is to help achieve sustainable development (Section 2), and that design (Section 12) and effects on the natural environment (Section 15) are important components of this.
- 10.9. Section 11 of the NPPF notes in paragraph 124 that in respect of development density the considerations should include whether a place is well designed and "the

desirability of maintaining an area’s prevailing character and setting...or of promoting regeneration and change”.

10.10. Paragraph 130 of the NPPF states that decisions should ensure that developments will a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic in local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place to create attractive, welcoming and distinctive places and e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public open space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

10.11. Local Plan Policy DH1 requires developments to demonstrate high quality design and placemaking.

10.12. Trinity House is one of the first new life sciences buildings to come forward on the ARC Oxford and represents a new typology, in line with the Local Plan’s ambitions for the Park to achieve a step-change in the type, scale and quality of development coming forward.

10.13. The application proposes a distinct sinuous ‘gateway’ building which clearly responds to the sites corner plot position with the massing stepping up from the corner (please refer to figure 3 below). The proposed massing steps down to John Smith Drive and the ground floor is also set in from John Smith Drive by 13.5m which is a welcome response to the smaller scale buildings to the west, including the Oxford Factory. The building façade is on a single plane on the south-east elevation, however this is considered acceptable given further development is expecting on the adjacent site.



Figure 3: Visual page 3 Design and Access Statement

10.14. The profiled terracotta panels appear high quality and appropriate for a 'gateway' building, materials would be conditioned and sample panels would be assessed on site to ensure design quality. The proposed green wall is a commendable way of incorporating more biodiversity within the design but was subject to scrutiny during the pre-application process given the changing climate and subsequent maintenance challenges. The applicants visited the manufacturer, who would maintain the installation, on numerous occasions and examples of their successful work has been presented which has allayed Officers' concerns. A detailed maintenance plan would be conditioned to ensure longevity of the green infrastructure and should the green wall fail, a planning application shall be submitted proposing an alternative elevational treatment – this would also be secured by condition.

10.15. The proposed new footpath at the corner of Garsington Road and John Smith Drive would successfully enhance connectivity and legibility which is very welcomed.

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

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

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

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

- Medieval historic core, originating from C9th Saxon burgh, built on a raised gravel terrace at the confluence of the rivers which contains a cluster of tall buildings of exceptional architectural significance that form its iconic skyline and are collectively known as the 'dreaming spires'. The historic core is designated as Oxford's Central Conservation Area.
- Surrounding outlying villages of medieval origins, designated as individual conservation areas, which have been subsumed by later C19 and C20 development.
- C19 suburban expansion which subsumed the outlying villages and forms, which the poet Matthew Arnold termed "Oxford's base & brickish skirt".
- C20 expansion including the industrial development of the Cowley Motor Works to the south of the city.

- 10.19. The landscape and built environment elements identified above and their interrelationship with one another and the intrinsic connection of Oxford's historic development to its landscape setting is fundamental to the significance of the city's Central Conservation Area and can be appreciated from a number of views, both from viewpoints outside of the city looking in (i.e. view cones) and from high level viewpoints within the city looking out.
- 10.20. At the southern edge of the city, the east and west containing hills fall away to a much lower ridge / hill line with the backdrop of the Chiltern Hills beyond, which signals the river route and is where the areas of C20 expansion have taken place below and beyond the lower ridge line. The ability to visually appreciate the location, extent and forms of the hills and ridgelines that surround the city is essential to understanding its historic development and heritage significance.
- 10.21. Any new tall building development that extends above the ridgeline along the southern edge has the potential to disrupt and detract from the setting of Oxford's historic built environment and its Central Conservation Area, as well as affect the setting of other heritage assets. Notwithstanding this, the south-eastern suburbs, within which the site sits, are an 'Area of Greater Potential' which is less constrained by heritage considerations and therefore has the potential for growth in the form of tall buildings, as outlined in the High Buildings TAN. The High Buildings TAN identifies that buildings taller than 15m high at the Business Park would skyline in views from St Mary's Tower. In correlation with the TAN, the submitted TVIA views suggest that the upper storeys of the proposed development would be visible from the towers of St Mary's (Grade I), Carfax (Grade II), St George's (Grade I) and St Michael's (Grade I) and in all of these views it would break the skyline (please refer to figure 4 below), although it doesn't appear to break the far horizon line of the Chiltern hills which can only be seen on clear days.





Figure 4: verified views of the proposed building from St Mary’s Tower, St George’s Tower, Carfax Tower and St Michael’s Tower. Green wireline outlines all views except for St Mary’s which is rendered.

10.22. It is considered that the proposed building would be a substantial addition to this part of the skyline when viewed from the Central Conservation Area due to its large floorplate and horizontal roof profile and would impact on the setting of St George’s Tower, Oxford’s Town Hall (Grade II*) and Lincoln College Library (Grade I). Taking into consideration the very high level of heritage significance that the Central Conservation Area possesses, of which its landscape setting and the wider urban environment contribute to, together with the high level of heritage significance that the individual listed buildings comprise, the cumulative impact of the harm caused to the setting of the Central Conservation Area, the setting of St George’s Tower, the Town Hall and Lincoln College Library would constitute a medium level of less than

substantial harm. It is also considered that the proposal would cause a low level of less than substantial harm to St Luke's Church (Oxfordshire History Centre, a non-designated heritage asset) due to the proposal's close proximity to the Church, distracting from its prominence and setting in the view from St Mary's Tower.

- 10.23. When determining an application affecting a Conservation Area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended and Chapter 16 of the NPPF which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area. Paragraph 199 requires great weight to be given to conserving a designated heritage asset.
- 10.24. Paragraph 200 of the NPPF states that, *'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.'* Paragraph 202 continues that *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*
- 10.25. In accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant planning permission, special regard should be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
- 10.26. With regards to the proposal's impact on the non-designated St Luke's Church, Policy DH5 requires due regard to be given to the impact on the asset's significance and its setting and that it is demonstrated that the significance of the asset and its conservation has informed the design of the proposed development. When assessing the impact of a proposal on a non-designated heritage asset, the NPPF requires the Local Planning Authority to undertake a balancing judgement having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 203).
- 10.27. In terms of considering the planning balance of public benefits against harm to designated heritage assets, NPPF paragraph 200 states that there should be a clear and convincing justification for the harm, whilst paragraph 202 weighs the harm against public benefits including the optimum viable use. Given that the harm caused would be a medium level of less than substantial, a greater level of public benefit is clearly required than if the harm caused had been a low level of less than substantial. Accordingly, the applicant has worked collaboratively with Officers to ensure this is the case.
- 10.28. In terms of providing a clear and convincing justification for the harm, the application has been developed following extensive pre-application discussions with officers on the design, including the Oxford Design Review Panel. As explained in paragraphs 7.2 to 7.5 of this report the form of Biotech facilities are different to typical office buildings in order to ensure the delivery of market leading R&D facilities. As such officers consider that sufficient evidence has been provided to justify the overall height and form of the building.

- 10.29. In terms of public benefits, National Planning Practice Guidance states that public benefits that flow from a development could be anything that delivers economic, social, or environmental objectives. They need to flow from the development and should be of benefit to the public at large and not just a private benefit, although benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.
- 10.30. The appellant has provided a list of the public benefits that the development would bring.
- 10.31. Economic: As outlined at paragraphs 10.2 to 10.7 of this report, the provision of approximately 20,409sq. m. of specialist and state of the art life science floorspace within one of Oxford's Category 1 employment sites would sit squarely within the Local Plan's objectives to maintain these sites as a nationally and regionally important element of the knowledge economy by contributing to Oxford's R&D cluster and the wider R&D network within the Oxford – Cambridge Arc. The economic activity at the site would result in between £87.5 - £97.5 million in GVA each year, supporting tax revenues of up to £39 million.
- 10.32. The development would support approximately 715 construction jobs on site over a 29 month construction period. There would also be 745 – 850 direct FTE's created by the development which would be equivalent to 850-975 jobs with the estimated spend by employees during the operational stage estimated at around £1.5 - £1.6m per employee. There would also be additional annual business rate payments of approximately £1.39 – £1.42m. A CIL contribution in excess of £3 million would be made. Further, the applicant would also make a financial contribution towards the Cowley Branch Line (or equivalent local transport infrastructure project), bus services serving the Business Park and active travel improvements as outlined above.
- 10.33. Social: As outlined above, the proposed development would lead to far reaching economic benefits within the City with the applicant also committed to providing and implementing a Community Employment and Procurement Plan which would ensure that employment in the construction and operational phases is made available to local candidates, particularly those within deprived areas and with disadvantages backgrounds that would typically not be considered, or have the opportunity to apply, for jobs within the life science sector.
- 10.34. The development has been designed to create a place that is inclusive, embraces diversity, and benefits the local community as well as promoting social value through design, construction and operation. Including commitments to local procurement through local suppliers and use of local labour.
- 10.35. As set out within the Social Values Strategy, the applicant has also given commitments to fostering education and career growth within the life sciences field through working with local organisations such as Schools Plus and hosting careers fairs as well as cultivating work experiences with youth communities.
- 10.36. Environmental: The scheme would provide a Biodiversity Net Gain and reduction in carbon emissions, in excess of Local Plan requirements, as detailed below in the relevant sections.

- 10.37. The development would result in a reduction in on-site car parking spaces and a total of 220 cycle parking spaces.
- 10.38. Taking these benefits into account, and whilst giving great weight to the conservation of the setting of the Conservation Area, listed buildings and non-designated heritage asset, it is considered that the medium level of less than substantial harm caused to the setting of the Central Conservation Area and individual listed buildings is outweighed by the public benefits that the proposal would bring with it.
- 10.39. In light of the above, it is considered that the proposal accords with policies DH1, DH2 and DH3 of the Oxford Local Plan 2036 and the NPPF.

c. Archaeology

- 10.40. Local Plan Policy DH4 states that where archaeological deposits and features are suspected to be present (including upstanding remains), applications should include sufficient information to define their character, significance and extent of such deposits so far as reasonably practical.
- 10.41. The site is located within a corridor of activity along the Dorchester-Alchester Roman Road where there is general potential for Roman activity relating to pottery manufacturing (multiple dispersed compounds and related rural infrastructure) and in a part of Oxford that has not seen much previous archaeological investigation.
- 10.42. Given the scale of proposed development, the site constraints and development history of the site, a condition requiring post-demolition archaeological trial trenching and further mitigation by archaeological recording or design as required would be attached to the planning permission.
- 10.43. With the above mitigation measures in place, it is considered that the proposed development would comply with policy DH4 of the Oxford Local Plan 2036.

d) Impact on neighbouring amenity

- 10.44. H14 of the Oxford Local Plan 2036 requires new development to provide reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy RE7 requires the amenity of neighbours to be protected with regards to visual privacy, outlook, sunlight, daylight and overshadowing and impacts of the construction phase. Policy RE8 seeks to control nuisance from noise.
- 10.45. The nearest residential dwellings, fronting Phipps Road to the west, would sit between 114m and 123m from the proposed building. The rear boundaries of these neighbouring gardens would sit between 96m and 99m from the proposed building at its nearest point. The two storey Oxford Factory building would sit between approximately 40m and 53m west of the proposed building due to the proposed stepped western elevation. The two storey office buildings to the east of the site would sit between 30m and 40m from the proposed building.

Privacy

10.46. Given the significant distances between the proposed development and surrounding residential properties, as mentioned above, it is considered that the buildings would not compromise neighbouring privacy. The same can be said for the adjacent commercial uses although the impact on amenity of occupiers and visitors is given less weight than that of residential neighbours.

Overbearing

10.47. Again, the separation distances would mitigate the potential for the proposed building to have an overbearing impact on residential and commercial neighbours. In addition, officers are mindful that ARC Oxford has been subject to a long standing allocation for employment use within the current and previous Local Plans and therefore reasonable intensification of the application site is expected within this context. Please see figures 4 and 5 below of local verified views.

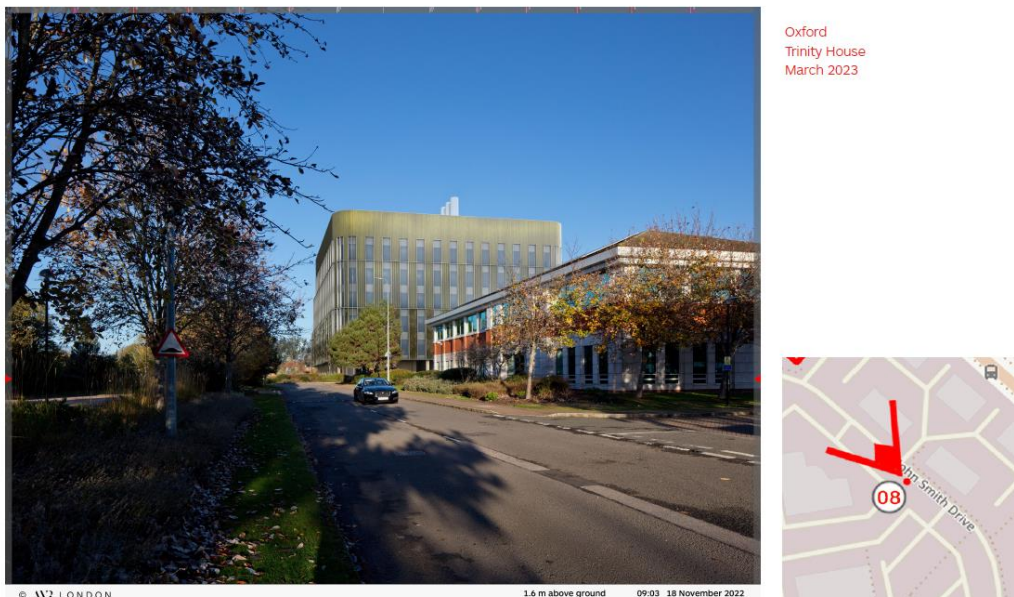
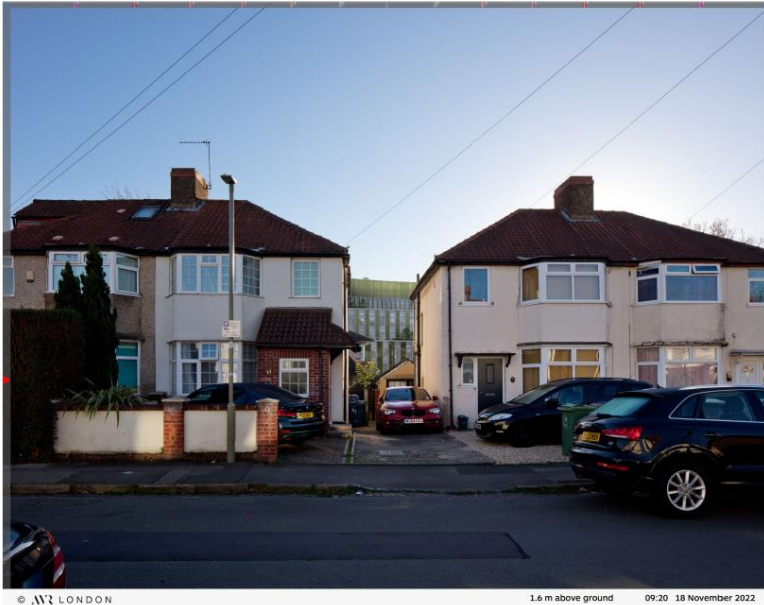


Figure 4: Verified view from John Smith Drive



Oxford
Trinity House
March 2023

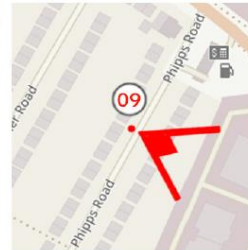


Figure 5: Verified view from Phipps Road

Daylight/ sunlight

10.48. The submitted Sunlight Availability Report demonstrates that the proposed building sits wholly within the 25 degree section line when set against the lowest window of the neighbouring Phipps Road properties – for clarity, the proposal would sit within a 13 degree section line. As such, the neighbouring property should not be adversely affected by the development. Further, all surrounding commercial and residential spaces would receive at least 2 hours of sunlight on 21st March and so would meet the BRE guidelines. It is important to note that the commercial outdoor spaces do not actually need to adhere to this guidance.

Construction phase

10.49. In order to protect the amenity of neighbours during the construction process, conditions would be imposed requiring the submission of a Demolition Method Statement, Construction Management Plan and a Construction Traffic Management Plan prior to the commencement of development. The Plans would identify the steps and procedures that would be implemented to minimise the creation and impact of noise, air quality, vibration, dust and waste disposal resulting from the site preparation, groundwork and construction phases of the development and manage construction vehicle access to the site.

10.50. Taking all of the above into account, it is concluded that the proposed development fully complies with policies RE7, RE8 and H14 of the Oxford Local Plan 2036.

e) Health and wellbeing

10.51. Local Plan policy RE5 seeks to promote strong, vibrant and healthy communities and reduce health inequalities. The application has been supported by a Health Impact Assessment (HIA) which considers the health impacts of the proposed development based on the NHS London Healthy Urban Development Unit (HUDU) Rapid Health Impact Assessment (HIA) as required by policy RE5.

- 10.52. Inclusive design has been considered both internally and externally throughout the scheme with wheelchair accessibility and flexibility available. Further, a new pedestrian access from Garsington Road would be created to enhance connectivity and an external amenity space would be provided for staff and visitors.
- 10.53. As above, the scheme would provide employment locally in both the construction and operational phases and the applicant has committed to entering into a Community Employment and Procurement Plan.
- 10.54. In light of the above, and the contents of this report as a whole, it is considered that the proposed development would comply with policy RE5 of the Oxford Local Plan 2036.

f) Highways and parking

- 10.55. Oxford has the ambition to become a world class cycling city with improved air quality, reduced congestion and enhanced public realm. Road space within the city is clearly limited and to achieve its ambition there is a need to prioritise road space and promote the sustainable modes of travel. For non-residential development, the presumption will be that vehicle parking will be kept to the minimum necessary to ensure the successful functioning of the development. Policies M1, M2, M3, M4 and M5 of the Oxford Local Plan 2036 seek to deliver these objectives.
- 10.56. Policy M1 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport. In accordance with policy M2, a Transport Assessment for major developments should assess the impact of the proposed development and include mitigation measures to ensure no unacceptable impact on highway safety and the road network and sustainable transport modes are prioritised and encouraged. A Travel Plan, Delivery and Service Management Plan and Construction Management Plan are required for a development of this type and size. These would be secured by planning conditions.

Sustainability

- 10.57. The site is located within a densely populated area of the City with a large number of residents within walking and cycling distance to ARC Oxford. The site is considered sustainable, however, there are some improvements required in order to make active and sustainable travel to the site the preferred choice. Financial contributions towards creating entry treatments for pedestrians and cyclists at local junctions have been requested and would be secured by legal agreement.
- 10.58. The site is well connected by bus, with nearby stops close to the site on Garsington Road, Hollow Way and Barns Road. However, these services mainly serve the City centre and do not offer a great level of service to other parts of the City. As a large number of staff would be expected to travel to the site by bus, it is essential that a better level of service connecting the site to other parts of the City is in place before the site is operational. Therefore, financial contributions towards the new 'eastern arc' bus service – connecting the site with Marston, Headington and North Oxford - have been requested and would be secured by legal agreement. As the Planning Committee is aware, it is currently anticipated that the Cowley Branch Line will be

operational at the end of 2026, with financial contributions being made toward this infrastructure project by the applicant. A new station is proposed adjacent to the Tesco Supermarket to the east of ARC Oxford which would further enhance sustainability.

Access

10.59. The site would utilise the existing vehicular access from John Smith Drive which is considered acceptable in highway safety terms. As above, a new pedestrian access would be created from Garsington Road which is welcome. This would require the completion of a S278 Agreement with the Highways Authority.

Vehicular and cycle parking

10.60. The site is currently served by 142 car parking bays. The application proposes no increase to this number but would locate the bays within a single storey basement. With the additional 17,669sqm of floor space, this level of parking is welcomed in this sustainable location.

10.61. It is estimated that the proposed building would be occupied by a maximum of 1,020 members of staff, with approximately 815 on site at any one time. This equates to a change in parking ratio from 1 space per 20sqm to 1 space per 144sqm which would allow just under 18% of staff to drive to the site. As above, included within the 142 spaces would be 7 accessible and 3 visitor bays.

10.62. 220 cycle parking spaces would be provided for staff within the basement with a further 12 external visitor bays. This level of provision is considered acceptable, details of the cycle parking stands would be conditioned to ensure convenience and high quality.

Traffic generation

10.63. The submitted trip generation which demonstrates a significant increase in staff travelling sustainably to the site is accepted by the Highways Authority. Given that car parking provision would remain unchanged from existing, it is not considered that there would be an impact on the highway network or local junctions and as such, it is not considered that capacity assessments are required.

10.64. In light of the above, it is considered that the proposed development complies with Local Plan policies M1, M2, M3, M4 and M5.

g) Trees and landscaping

10.65. Policy G7 of the Oxford Local Plan 2036 requires that any unavoidable loss of tree canopy cover should be mitigated by the planting of new trees or introduction of additional tree cover. Policy G8 continues that development proposals affecting existing Green Infrastructure features should demonstrate how these have been incorporated within the design of the new development where appropriate.

10.66. The proposed development would result in the loss of 12no. Category B trees and 2no. Category C trees, 4no. Category C groups and 1no. Category C hedge. To

mitigate this loss, new trees would be planted with species to be conditioned to ensure that place making is enhanced. The larger tree belts located along the northern and eastern boundaries would all be retained with proposed mitigation measures put in place during construction and operational phases.

10.67. The Council's Green Spaces TAN requires a Tree Canopy Cover Assessment to be submitted for various types of applications. For major non-residential developments, it needs to be demonstrated that there would be no net loss in canopy cover compared with a no development baseline scenario + 25 years. It is predicted that the proposed planting would result in a 1.2% increase in canopy cover after 25 years compared to a no-development scenario.

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

h) Sustainable design and construction

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

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

10.71. The proposal would optimise glazing ratios (25%-40% on each elevation) to help reduce fabric losses and overheating through solar gains in the summer. Air Source Heat Pumps would be used to meet space heating and cooling demands. Further, 870sq. m. of roof mounted solar PV panels are proposed. Specifications and large scale details of the solar panels would be conditioned to ensure they do not detract from visual amenity.

10.72. The scheme would achieve a 45% reduction in carbon emissions when set against Part L of the 2021 building regulations. It is anticipated that the scheme would achieve BREEAM Excellent. Conditions requiring compliance with the approved Energy Statement and certification of BREEAM Excellent would be attached to the planning permission to ensure compliance with local policy.

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

i) Air quality

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

- 10.75. The application site is located within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council for exceedances of the annual mean NO₂ air quality objective (AQO);
- 10.76. The submitted air quality baseline desk assessment demonstrates that current air quality levels at the application site are below relevant air quality objectives for NO₂, PM₁₀ and PM_{2.5} concentrations. Therefore, the location of the application site is considered suitable for its intended use without mitigation.
- 10.77. As above, the development would be all-electric and as such, there would be no emissions associated with energy provision. Further 50% of parking bays would be provided with Electric Vehicle charging, with capacity to serve 100% of spaces when demand dictates, in excess of the requirements of Local Plan policy M4. Details of this infrastructure would be secured by condition.
- 10.78. As set out within the submitted Transport Statement and Air Quality Assessment (AQA), the existing development generates a total of 315 daily Light Duty Vehicle (LDV) trips (as an Annual Average Daily Traffic (AADT) flow) and four Heavy Duty Vehicle (HDV) trips. There would be no net increase in vehicle movements on the local road network as a result of the proposed development and therefore, there would be no significant impact on local roadside air quality.
- 10.79. The impacts of demolition and construction work on dust soiling and ambient fine particulate matter concentrations have been assessed within the AQA, which identified that there is a medium risk of dust soiling impacts due to the proximity of existing receptors to the proposed development. The sensitivity of the area for human health was classified as “low risk”. The risk of dust causing a loss of local amenity and increased exposure to PM₁₀ concentrations has been used to identify appropriate dust mitigation measures. These measures would be implemented and included within the site’s Construction Environmental Management Plan (CEMP), as required by condition, and therefore the residual impacts are considered to be not significant.
- 10.80. The proposed development would include a diesel-fuelled life-safety generator, to be located at ground floor. However, the diesel generator would only routinely be run for testing and maintenance, for one hour per month and a two hour test annually, totalling 13 hours of operation per year (less than 0.15% of the year), and its calculated annual average NO_x emission rate (2.85 mg/s of NO_x in total) is below the screening threshold of 5 mg/s set out in the EPUK/IAQM guidance. The impact of these emissions on annual mean concentrations is therefore judged to be negligible.
- 10.81. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE6, subject to suggested conditions set out below.

j) Noise

- 10.82. Policy RE8 of the Oxford Local Plan 2036 requires new developments to manage noise in order to safeguard or improve amenity, health, and quality of life for local communities.

- 10.83. The proposed mechanical plant noise levels criteria have been adequately predicted at the identified receptors taking into consideration distance losses, surface acoustic reflections and, where applicable, screening provided by the building.
- 10.84. Based on the results of the submitted Noise Assessment, noise limits for the proposed plant have been adequately calculated and demonstrate that the noise criteria of the proposed plant strategy would meet the Local Authority criteria during the operating period and should not have an adverse impact on the nearest sensitive receivers.
- 10.85. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE8, subject to conditions set out below.

k) Land Quality

- 10.86. The Council has a statutory duty to take into account, as a material consideration, the actual or possible presence of contamination on land. As a minimum, following development, land should not be capable of being determined as contaminated land, meaning the contamination poses an unacceptable risk to human health or the environment, under Part 2A of the Environmental Protection Act 1990. In accordance with policy RE9 of the Oxford Local Plan 2036, a Phase 1 Desk Study and contaminated land questionnaire was submitted as part of the application.
- 10.87. Historical documentation and plans, together with the submitted Phase 1 Desk Study Report, indicates that the site has had previous potentially contaminative use as a vehicle manufacturing works. Although the previous car manufacturing facility was investigated and remediated prior to re-development, there is likely to be a mantle of made ground across the site which could harbour residual contamination risks that could cause harm to future site-users, construction workers and the surrounding environment.
- 10.88. It is recommended that intrusive investigative works are completed to quantify ground contamination risks across the site and a remediation strategy produced to mitigate any potentially significant contamination risks identified.
- 10.89. The Environment Agency (EA) has been consulted for their comments on potential groundwater contamination given the historic car manufacturing use of the site. Due to the current under resourcing of the EA, comments are not expected until late summer. Any conditions that are recommended by the EA would be attached to the planning permission which would not be issued until EA comments have been received.
- 10.90. It is considered that, subject to conditions suggested by the EA and those set out below, the proposed development would comply with Local Plan policy RE9.

l) Flood Risk and Drainage

- 10.91. Local Plan policy RE3 requires applications for development within flood zones 2 and 3 and sites over 1ha in flood zone 1 to be accompanied by a Flood Risk Assessment (FRA) demonstrating that the proposed development will not increase flood risk on or

off site; and safe access and egress in the event of a flood can be provided; and details of the necessary mitigation measures to be implemented have been provided.

10.92. As above, the application site lies wholly within flood zone 1 (lowest probability of flooding) and extends to less than 1ha. Therefore the application has not been accompanied by an FRA, in line with policy and guidance. To ensure that the proposed development does not lead to an increased flood risk, the drainage systems would be regularly inspected and maintained. An allowance for an additional 40% climate change induced rainfall has been included in the 100 year calculations to ensure that the effect of potential higher rainfall rates are mitigated to below pre-development conditions. Taking into account the proposed drainage measures, it is considered that there would be no increase in flood risk to off-site receptors now and in the future.

10.93. Local Plan policy RE4 requires all development proposals to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. Surface water runoff should be managed as close to its source as possible.

10.94. The submitted Drainage Strategy sets out that the surface water strategy would attenuate at high level through green and blue roof solutions as well as collection by a rainwater recycling system to irrigate the proposed green wall. The terraces and hardstanding areas would be attenuated where space is available at low level via flow control systems. The site is unsuitable for infiltration following testing and therefore multiple attenuation tanks would be provided on site.

Foul drainage would be provided in a new system which would connect to the existing Thames Water manhole on John Smith Drive. A pumping station would be required to serve the basement whilst foul drainage from all other floors would be suspended at high level in the basement and exit through the basement wall to a standard manhole chamber.

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

m) Ecology

10.96. Local Plan policy G2 states that development that results in a net loss of sites and species of ecological value will not be permitted. On sites where there are species and habitats of importance for biodiversity that do not meet criteria for individual protection, development will only be granted where a) there is an exceptional need for the new development and the need cannot be met by development on an alternative site with less biodiversity interest; and b) adequate onsite mitigation measures to achieve a net gain of biodiversity are proposed; and c) offsite compensation can be secured via legal obligation. Compensation and mitigation measures must offset the loss and achieve an overall net gain for biodiversity of 5% or more from the existing situation and for major development this should be demonstrated using a biodiversity calculator. Section 98 and Schedule 14 of the

Environmental Protection Act 2021 that require biodiversity of 10% is not yet in force and the local policy therefore prevails.

- 10.97. No significant ecological constraints have been identified within the application site. Potential impacts on protected species are limited to impacts on nesting birds if any vegetation removal is undertaken during the nesting season. Suitable mitigation is proposed, in addition to enhancements in the form of 16 new bird boxes that would be secured by condition.
- 10.98. Officers have calculated that the proposed development would result in an increase of 0.67 habitat units (+16.02%) and 0.20 hedgerow units (from a baseline of zero), therefore exceeding the Local Plan requirement of a 5% Biodiversity Net Gain (BNG) and, indeed, the upcoming national requirement to provide a 10% increase. The proposed net gain is driven by the proposed on-site tree planting. Given the nature of the application site, and the amenity habitats present, Officers are satisfied that the proposed net gain can be sufficiently secured through a condition requiring the provision of a Landscape Ecological Management Plan (LEMP) rather than via a legal obligation.
- 10.99. In light of the above, and subject to the imposition of the conditions set out below, it is considered that the proposed development would comply with policy G2 of the Oxford Local Plan 2036.

n) Utilities

- 10.100. Local Plan Policy V8 requires developers to explore existing capacity (and opportunities for extending it) with the appropriate utilities providers.
- 10.101. The applicant has been in discussions with SSE regarding capacity within the local electricity network. SSE has confirmed that there is sufficient capacity at the Union Street sub-station to support the development. Upgrade works to the primary substation named 'Cowley Local' will be undertaken in Q3 2025 which is closer to the site.
- 10.102. A new mains water supply, including a new incoming water meter, would be provided to serve the development.
- 10.103. There is no requirement for a gas supply to the development. The existing gas service would be isolated, disconnected and stripped out prior to the commencement of development.
- 10.104. Cable duct infrastructure would be provided for multiple telecom/ data providers to serve the site. Cable containment would be provided within the site to allow providers to install cabling to serve individual tenants.
- 10.105. In light of the above, it is considered that the proposed development complies with policy V8 of the Oxford Local Plan 2036.

11. PLANNING OBLIGATIONS

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

- Agreement to enter into a S278 agreement with the Highways Authority.
- £398,995 towards bus services serving the Oxford Business Park.
- £80,340 towards active travel improvements.
- £2,563 towards Travel Plan monitoring.
- £329,474 towards the Cowley Branch Line or equivalent local transport infrastructure project.
- Agreement to enter into a Community Employment and Procurement Plan with the City Council.
- A requirement to apply for planning permission for an alternative elevational treatment should the green wall fail.

12. CONCLUSION

- 12.1. Officers consider that the proposed development would respond appropriately to the site context and Local Plan policies and Oxford Business Park site allocation.
- 12.2. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the consideration of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 12.3. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver sustainable development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.
- 12.4. Therefore it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.
- 12.5. Officers consider that the proposed development would respond appropriately to the site context, Local Plan policies and the Oxford Business Park site allocation. The proposal would provide enhanced pedestrian connectivity and improved wider transport infrastructure through financial contributions and it is considered that there would be no harm to the highway network as a result of traffic generation. The development would result in a net gain in tree canopy cover through new and retained soft landscaping, including the extensive green wall.

- 12.6. There would be no harm to any identified protected species and the proposal would achieve a Biodiversity Net Gain of 16%. The development would be of a sustainable design and construction, achieving a 45% reduction in carbon emissions when set against the 2021 Part L Building Regulations. The ambitious reduction in car parking provision is considered acceptable in accordance with the objectives of the Oxford Local Plan 2036 and adequate cycle parking would be provided, with further details to be secured by condition. The scheme would result in a medium level of less than substantial harm to the setting of the Central Conservation Area and a number of individual listed buildings due to its impact on views out to the rolling eastern hills. However, Officers consider that the public benefits that would derive from the proposed development would outweigh the harm caused. There would be no adverse land contamination, noise pollution, air quality or flood risk and drainage impact as a result of the proposal.
- 12.7. Subject to addressing comments made by the Environment Agency, the imposition of appropriately worded conditions and a section 106 legal agreement, the development would accord with all policies in the Oxford Local Plan 2036 and NPPF.
- 12.8. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out at section 13 of this report and the satisfactory completion (under authority delegated to the Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers.

13. CONDITIONS

Time limit

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

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

Approved plans

2. Subject to other conditions requiring updated or revised documents submitted with the application, the development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the Local Planning Authority. Notwithstanding details on a number of technical drawings, the footpaths at the north east and north west boundaries are not permitted.

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

Materials

3. Prior to installation, large scale sample panels of the following shall be erected on site and approved in writing by the Local Planning Authority before the

relevant parts of the work are commenced. The development shall be completed in accordance with the approved sample panels which, where feasible, shall remain on site for the duration of the development works:

- a) All new ceramic and metal cladding and screens demonstrating the colour, texture, reflectivity and joints.
- b) Roller shutters and metal railing
- c) All new hard landscaping.
- d) Street furniture.
- e) Lighting.

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

Plant equipment

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

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

Signage

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

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

Solar panels

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

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

Green roof and walls

7. Prior to installation, a detailed maintenance plan from the suppliers for the proposed green roof and walls shall be submitted to and approved in writing

by the Local Planning Authority. The approved details shall be implemented prior to occupation and maintained thereafter.

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

Lighting strategy

8. Prior to the installation of external lighting, a comprehensive lighting strategy, including means to control light spillage and glare from both internal and external light sources, to meet the general standards of BS5489-1:2020, serving the entire scheme shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall also:
 - a. Identify those areas/ features that are particularly sensitive for bats and that are likely to cause disturbance in or around breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b. Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

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

Archaeology

9. Prior to the commencement of development, excluding demolition, a written scheme of investigation (WSI) shall be submitted to and approved in writing by the Local Planning Authority. For land that is included within the approved WSI, no development shall take place thereon other than in accordance with the agreed WSI which shall comprise the following stages:- Stage 1: archaeological trial trench evaluation and Stage 2: further mitigation by archaeological excavation or design if required by the Local Planning Authority, which shall include the statement of significance and research objectives, and:
 - The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

- The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged and development on land within the approved WSI shall not commence until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure that the development does not have a damaging impact on known or suspected elements of the historic environment of the people of Oxford and their visitors, including prehistoric, Roman, medieval and early modern remains in accordance with policy DH4 of the Oxford Local Plan 2036.

Phased contaminated land assessment

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

Phase 1 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 (if required by the Local Planning Authority following the results of previous phases) be submitted to, and approved in writing by, the local planning authority to ensure the site will be suitable for its proposed use.

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

Land quality – remedial works

11. The development shall not be occupied until any approved remedial works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

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

Land quality – unexpected contamination

12. 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 policy RE9 of the Oxford Local Plan 2036.

Construction within 5m of strategic water main

13. No construction shall take place within 5m of a water main. Information detailing how the developer intends to divert the asset/ align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, shall be submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any construction shall be undertaken in accordance with the terms of the approved information. Unrestricted access shall be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility 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 development shall be carried out in accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

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

Cycle parking

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

the areas shall be retained solely for the purpose of the parking of cycles.

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

Construction Traffic Management Plan

16. Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall identify;
- The CTMP must be appropriately titled, include the site and planning permission reference number.
 - Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
 - Details of and approval of any road closures needed during construction.
 - Details of and approval of any traffic management needed during construction.
 - Details of wheel cleaning/wash facilities – to prevent mud etc., in vehicle tyres/wheels, from migrating onto adjacent highway.
 - Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
 - The erection and maintenance of security hoarding / scaffolding if required.
 - A regime to inspect and maintain all signing, barriers etc.
 - Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
 - The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
 - No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
 - Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
 - A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111.
 - Final correspondence is required to be submitted.
 - Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in the first instance to be provided and a record kept of these and subsequent resolution.
 - Any temporary access arrangements to be agreed with and approved by Highways Depot.
 - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

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

Delivery and Servicing Management Plan

17. Prior to first occupation of the development a Delivery and Servicing Management Plan, including contact details for staff responsible for delivery management and details of the servicing and delivery vehicles to be used, shall be submitted to and approved in writing by the Local Planning Authority and provided to the Highway Authority. Upon first occupation, the development shall be carried out in strict accordance with approved details

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

BREEAM

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

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

Energy Statement

19. The development shall be implemented in strict accordance with the approved Energy Statement (KJ Tait Energy Statement, March 2023). The development shall not be occupied until evidence (including where relevant Energy Performance Certificate(s) (EPC), Standard Assessment Procedure (SAP) and Building Regulations UK, Part L (BRUKL) documents) shall be submitted to the Local Planning Authority to confirm that the energy systems have been implemented according to details laid out in the approved Energy Statement and achieve the target performance as approved.

Reason: To ensure that the proposed development sufficiently incorporates sustainable design and construction principles in accordance with policies S1 and RE1 of the Oxford Local Plan 2036.

Construction Environmental Management Plan (CEMP)

20. Prior to the commencement of development a Construction Environmental Management Plan (CEMP), including the complete list of site specific dust mitigation measures and recommendations that are identified on Table A4.1 (pages 47-49) of the submitted Air Quality Assessment, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.

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

EV Charging

21. Prior to installation, details of the Electric Vehicle charging infrastructure that is proposed to be installed on-site shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include the following:

- Location of EV charging points
- Charging points to cover at least 25% of the total parking provision
- Appropriate cable provision to prepare for increased demand in future years.

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

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

Noise emission

22. The external noise levels emitted from mechanical plant, machinery and equipment shall not exceed the existing background level at any noise sensitive premises when measured and corrected in accordance with BS4142:2014 +A1:2019 "Methods for rating and assessing industrial and commercial sound."

Reason: To protect the amenity of neighbours in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

Anti-vibration isolators

23. Prior to first use, the proposed plant installation and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such in perpetuity.

Reason: To protect the amenity of neighbours in accordance with policies

RE7 and RE8 of the Oxford Local Plan 2036.

Demolition method statement

24. Prior to the commencement of development, a demolition method statement and a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary during the hours of 07:00-19:00 Monday to Friday daily and 08:00-13:00 on Saturdays. No works are to be undertaken on Sundays or bank holidays. Advance notification shall be given to neighbours and other interested parties of proposed works with public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. The approved details shall be implemented and adhered to throughout the construction period.

Reason: To protect the amenity of neighbours in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

Park Mark accreditation

25. Prior to the occupation of the proposed parking areas, an application shall be made to Thames Valley Police for Park Mark accreditation. The development shall not be occupied or used until confirmation of Park Mark accreditation has been received and acknowledged in writing by the Local Planning Authority.

Reason: To ensure the safety and amenity of occupiers and visitors in accordance with policy RE7 of the Oxford Local Plan 2036.

Drainage Strategy

26. Prior to the commencement of development, excluding demolition; a detailed surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. Upon commencement of development, the scheme shall be implemented in strict accordance with the approved details.

The scheme shall include:

- 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;
- Confirmation of any outfall details.

- Consent for any connections into third party drainage systems.

Reason: To ensure compliance with policy RE4 of the Oxford Local Plan 2036.

SuDS

27. 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:

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

Reason: To ensure compliance with policy RE4 of the Oxford Local Plan 2036.

Protection of breeding birds

28. No removal of trees or shrubs that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before works proceed and has provided written confirmation to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation shall be submitted to the Local Planning Authority prior to the commencement of relevant works.

Reason: To protect all wild birds, their nests and young in accordance with The Wildlife and Countryside Act 1981 (as amended).

Ecological enhancements

29. Prior to occupation of the development, details of ecological enhancement measures including at least sixteen bird nesting device shall be submitted to and approved in writing by the Local Planning Authority. Details must include the proposed specifications, locations, and arrangements for any required maintenance. The approved devices shall be fully constructed prior to occupation of the approved development and retained as such thereafter, unless otherwise approved in writing by the local planning authority.

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

Landscape scheme

30. Prior to occupation of the development, a comprehensive landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show details of all planting areas, tree and plant species, numbers and planting sizes. The scheme shall include no non-invasive species, including *Lonicera nitida*. The entire landscaping scheme shall be completed by the end of the planting season immediately following the completion of the development or the site being brought into use, whichever is the sooner.

Reason: To enhance biodiversity in the City in accordance with the National Planning Policy Framework.

Landscape Ecological Management Plan (LEMP)

31. Prior to occupation of development, a landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority and the development shall be carried out in strict accordance with approved details. The content of the LEMP shall include the following:

- a. Description and evaluation of features to be managed.
- 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.
- 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. Upon occupation, the development shall be carried out in strict accordance with the approved LEMP

Reason: To ensure habitat proposals are delivered and that the development enhances biodiversity in the City in accordance with the National Planning Policy Framework and Policy G2 of the Oxford Local Plan 2036.

Landscape proposals – reinstatement

32. 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 permitted shall be replaced. They shall be replaced with others of a species, size and number as originally approved during the first available planting season unless otherwise agreed in writing by the Local Planning Authority.

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

Landscape Management Plan

33. Prior to first occupation or first use of the development hereby permitted a Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules and timing for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority. Upon occupation, the Landscape Management Plan shall be carried out as approved unless otherwise agreed in writing by the Local Planning Authority.

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

Landscape surface design – tree roots

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

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

Underground services – tree roots

35. Prior to the commencement of development, excluding demolition, details of the location of all underground services and soakaways shall be submitted to and approved in writing by the Local Planning Authority. The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas of retained trees as defined in the current British Standard 5837 "Trees in Relation to Design, Demolition and Construction - Recommendations". Works shall be carried out in strict accordance with the approved details unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

Arboricultural Method Statement

36. Prior to the commencement of development, excluding demolition, an Arboricultural Method Statement and amended Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details. The Local Planning Authority shall be informed in writing when physical tree protection measures are in place, in order to allow Officers to make an inspection prior to the commencement of development.

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

Arboricultural Monitoring Programme (AMP)

37. Prior to the commencement of development, including demolition and enabling works, details of an Arboricultural Monitoring Programme (AMP) shall be submitted to and approved in writing by the Local Planning Authority. 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 Tree Protection Plan and/or Arboricultural Method Statement, as approved 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 and approved in writing by the Local Planning Authority at scheduled intervals in accordance with the approved AMP. The development shall be carried out in strict accordance with the approved AMP 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.

INFORMATIVES:

1. The site is liable for CIL £3,483,802.02
2. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/ minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.
3. All species of bats and their roosts are protected under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended). Please note that, among other activities, it is a criminal offence to deliberately kill, injure or capture a bat; to damage, destroy or obstruct access to a breeding or resting place; and to

intentionally or recklessly disturb a bat while in a structure or place of shelter or protection. Occasionally bats can be found during the course of development even when the site appears unlikely to support them. In the event that this occurs, work should stop immediately and advice should be sought from a suitably qualified ecologist. A European Protected Species Mitigation Licence (EPSML) may be required before works can resume.

14. APPENDICES

- **Appendix 1** – Site location plan
- **Appendix 2a** – ODRP report
- **Appendix 2b** – ODRP report

15. HUMAN RIGHTS ACT 1998

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

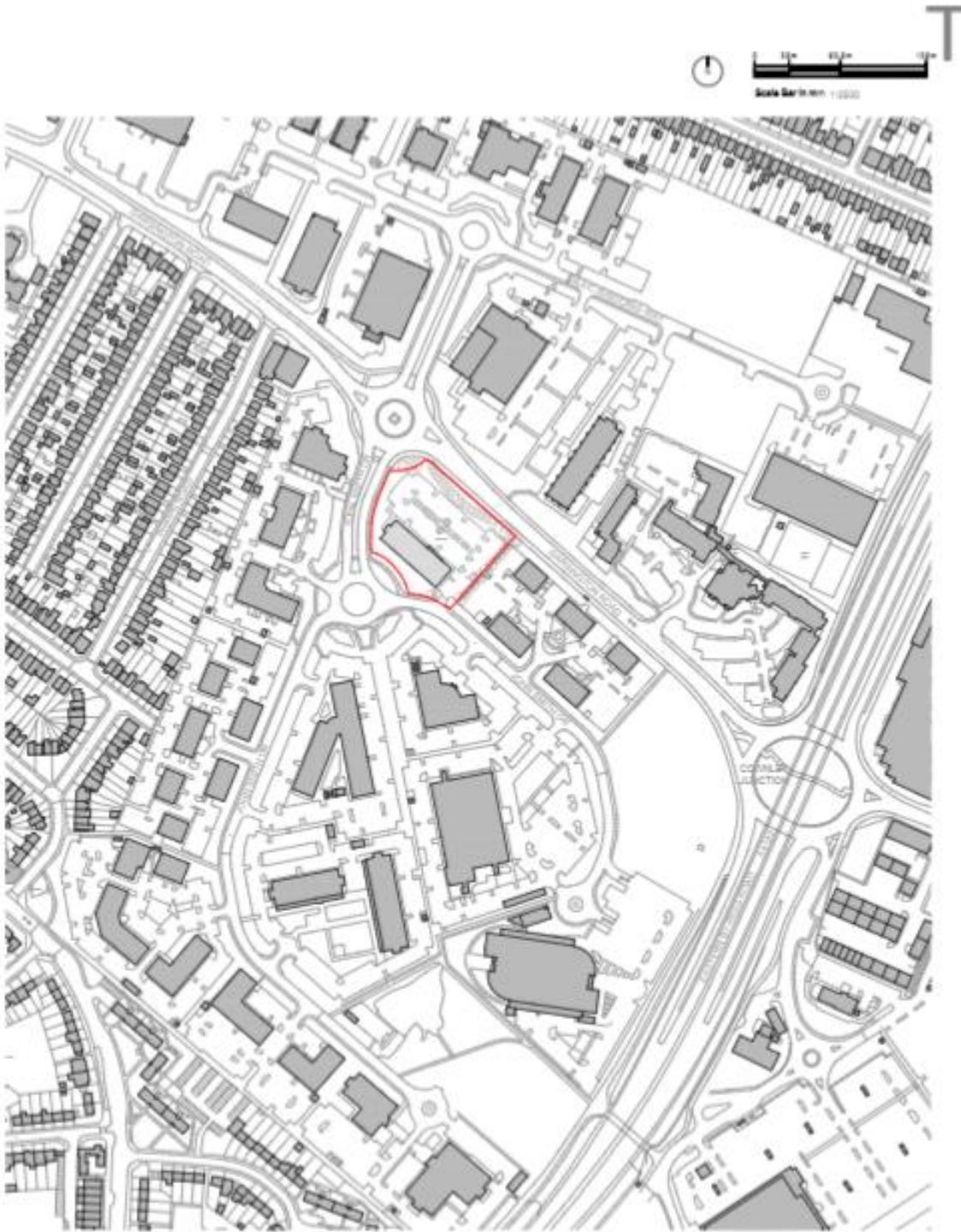
16. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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Appendix 1 – Site Location Plan

22/03067/FUL Trinity House



Notes
 1. The site is shown in red on this plan.
 2. The site is shown in red on this plan.
 3. The site is shown in red on this plan.
 4. The site is shown in red on this plan.
 5. The site is shown in red on this plan.
 6. The site is shown in red on this plan.
 7. The site is shown in red on this plan.
 8. The site is shown in red on this plan.
 9. The site is shown in red on this plan.
 10. The site is shown in red on this plan.

Symbol	Description
[Red outline]	Site boundary
[Grey fill]	Existing buildings
[Black outline]	Streets
[Blue outline]	Water features
[Green outline]	Parks and green spaces
[Yellow outline]	Other features

- Existing Properties
- Trinity House
- Oxford Business Park
- Other

Location Plan - Site Biting			
Scale	Map	Sheet	Page
1:1000	1:1000	1:1000	1:1000
2:1000	2:1000	2:1000	2:1000
3:1000	3:1000	3:1000	3:1000
4:1000	4:1000	4:1000	4:1000
5:1000	5:1000	5:1000	5:1000
6:1000	6:1000	6:1000	6:1000
7:1000	7:1000	7:1000	7:1000
8:1000	8:1000	8:1000	8:1000
9:1000	9:1000	9:1000	9:1000
10:1000	10:1000	10:1000	10:1000

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Report of the Oxford Design Review Panel

Trinity House, Oxford Business Park

24th June 2022

Introduction

This report is a summary of the design workshop held on the 9th June 2022 following the presentation of the proposed scheme to the panel by the design team. The proposal is for the redevelopment of Trinity House, which sits within the Oxford Business Park, to provide R&D and laboratory space.

The summary on the following page highlights the main items raised during the session. We then provide the key recommendations aimed at improving the design quality of the proposal. The detailed comments are presented under headings covering the main attributes of the scheme and we close with the details of the meeting (appendix A) and the scheme (appendix B).

Paragraph 133 of the National Planning Policy Framework (2021) states that *“local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for a Healthy Life⁵¹. These are of most benefit if used as early as possible in the evolution of schemes and are particularly important for significant projects such as large scale housing and mixed use developments. In assessing applications, planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels.”*

Summary

We welcome the opportunity to engage with the project at this early stage. There are two main challenges to the successful resolution of this proposal: firstly, the lack of an end user to inform the design, and secondly, the development of a masterplan for the entire business park which is outside the applicant's control and has not been made public yet.

We encourage the applicant to engage proactively with the masterplan team throughout its development, so that the design for the site is informed by that work and also informs the thinking behind the masterplan. This will help resolve some of the key issues, such as car parking and overall transport strategy, as well as sustainability targets.

The lack of an end user to inform the layout of the internal areas, fenestration, and massing creates confusion; this proposal is trying to respond to too many options, resulting in an undefinable character and a less than satisfactory outcome in the context of the Business Park.

We are looking forward to re-engaging with the project once our recommendations have been worked through and the design has progressed.

Key recommendations

1. Carry out a comprehensive contextual analysis to explore the existing and proposed character. Analyse the historic character of this place and its role within the wider city. The consultant landscape architects should undertake a landscape and visual impact assessment to help inform the design process.
2. Produce a detailed and robust sustainability strategy; this strategy should inform the key design decisions, such as the car and cycle parking provision and the creation of a basement.
3. Produce a thorough survey of the existing building, its structure and materials, to fully justify its demolition and scope the potential re-use of materials. The findings of this survey need to be reflected in the design of the new building.
4. Establish an architectural vision and narrative that bring together the context and setting, sustainability targets and historic uses, and with clear reference to the wider masterplan.

Detailed comments and recommendations

1. Sustainable design

- 1.1. The emerging approach to sustainable design and renewable energy was not discussed in detail at this review. We applaud the aspiration for reaching BREEAM Outstanding and for using LETI guidance as a benchmark. Our guidance is that at a subsequent design review and at planning application stage the proposal must produce a clear strategy that details how the development will minimise embodied, operational, and transport-related carbon emissions, and optimise the use of renewable energy to align with the Government's emerging zero carbon policy. This strategy should be tied to measurable targets and detailed modelling work informed by respected calculation methods. The strategy should also address water use, biodiversity net gain, and waste reduction in construction and operation through circular economic principles.
- 1.2. The principle of demolishing the existing building is not fully justified, especially given the high sustainability targets. Surveys of the structure and materials should be undertaken to inform the decision for demolition, or preferably deconstruction to allow the parts to be recycled or reused. Different options of retrofit should be presented and the reasons for their rejection explained. The existing building could also form part of the new building, or its foundations re-used. There are several options that would reduce the whole-life carbon emissions of the project which must all be interrogated in detail.
- 1.3. Creating a basement level would contradict the sustainability aspirations because of the additional excavation required, spoil to be removed, excessive foundations needed and damage to ground/soils for adjacent planting. Therefore, we encourage the team to explore this further and carry out the relevant surveys and studies to make an informed decision.
- 1.4. The amount of car parking does not align with the sustainability aspirations and national shift towards active travel. A cohesive transport strategy is necessary which should form part of the masterplan for the Business Park. The history of the site, where all workers of the car plant used to cycle to work, could be an interesting starting point for the transport strategy.

2. Context and setting

- 2.1. The starting point for the design development should be the immediate surrounding context, existing and future. A thorough analysis, which includes the historic context of this particular part of Oxford, needs to be undertaken before the design progresses any further. The character of the Business Park itself should be analysed, which primarily consists of buildings sitting within landscaped plots and has a car-centric approach in its layout. These elements should be interrogated further to understand their historic role, current contributions and how the character can evolve in the future.
- 2.2. At the heart of this exercise is the masterplan for the wider area which will set the principles for future development, for example in terms of a transport strategy, building character and sustainability targets (including GI/ biodiversity). This masterplan is outside the applicant's control; therefore, we recommend that the local authority coordinates the discussions between key stakeholders and that the applicant team slows the pace of their design development to align with the development of the masterplan.
- 2.3. The layout of the Business Park is informed by buildings within the matured landscape and this relationship needs to be understood. We are unconvinced that the proposed building, which fully fills its plot pushing right to the boundaries, demonstrates sound consideration of its context or character. The building's height and mass currently appear over-scaled for the plot, and there is no sense of what impact this will have on the surroundings, including nearby residential properties. We recommend that the consultant landscape architects become more involved in the design process, specifically that they input into a landscape and visual impact analysis and a townscape analysis to establish the built capacity of this plot within its specific setting.

3. Architecture and internal layout

- 3.1. The design development gives a clear analysis of what the specification means in terms of massing. However, the lack of an end user is complicating matters as there is no brief to give this building a character and direction. Therefore, the proposal appears generic and noncommittal.
- 3.2. By introducing a brief over the specification, which does not reverse it but gives it a character, the building could emerge from a complex and sophisticated design exercise that understands context. For example, the brief could be to create an adaptable building that has a flexible structure to accommodate different end users. Decoupling the office from the laboratory space could provide additional flexibility and offer an interesting architectural approach.

- 3.3. The proposal needs to develop in three dimensions and in section, for example to look at different internal levels. Some of the issues mentioned above could be better resolved and an interesting character created by working in this way.
- 3.4. The elevational studies are promising, however glass should only be used when there is an explicit requirement for it, as heat losses are generally five to ten times worse through 'glazing' rather than 'wall'. In this instance, a holistic approach to reducing energy demand could also help to inform and enliven the architectural expression on the elevations.
- 3.5. In order to minimise solar gains and glare to the lab spaces, we recommend solar shading, especially from the high summer sun. The elevations could incorporate some form of intelligent solar shading which tracks the sun (feels quite appropriate for this building). Alternatively, it could be simple and fixed.

Appendix A: Meeting details

Reference number	1775/220609
Date	9 th June 2022
Meeting location	Carter Jonas, Mayfield House, 256 Banbury Road, Oxford OX2 7DE
Panel members attending	Joanne Cave (Chair), urban design and planning Catherine Burd, architecture and historic environment Lindsey Wilkinson, landscape architecture and historic environment Martin Stockley, civil engineering and transport planning Wilf Meynell, architecture and sustainability
Panel manager	Kiki Gkavogianni, Design South East
Presenting team	Elias Niazi, David Roden Architects
Other attendees	David Roden, David Roden Architects Harri Aston, DP9 LTD Thomas Renn, Breakthrough Properties Jennifer Coppock, Oxford City Council Rosa Appleby-Alis, Oxford City Council
Site visit	A site visit was conducted prior to the workshop. All panel members attended.
Scope of the review	As an independent design review panel, the scope of this review was not restricted. The local planning authority has asked us to look at the following topics: <ul style="list-style-type: none">• Site layout, height and massing;• Car parking provision.
Panel interests	No conflicts of interests.
Confidentiality	This report is confidential as the scheme is not yet the subject of a planning application. Full details on our confidentiality policy can be found at the end of this report.

Appendix B: Scheme details

Name	Trinity House, Oxford Business Park
Site location	Trinity House, John Smith Drive OX4 2RZ
Site details	<p>The site comprises a rectangular parcel of land at the junction of Garsington Road and John Smith Drive, accessed off John Smith Drive within the Oxford Business Park. Built development on site is currently in the form of a three-storey office building with dual pitched roof. Surface parking extends over the majority of the site to the north-east of the building, interspersed with soft landscaping. The site is bounded by trees and hedges.</p> <p>Surrounding built form comprises two- and three-storey buildings in a range of employment uses. Residential dwellings fronting Phipps Road lie approximately 90m to the west of the site.</p>
Proposal	Demolition and redevelopment of the site to provide a six-storey building with mechanical plant mounted on the roof top. The building would provide R&D lab and office space. This development is speculative, with no tenant on board at this time.
Planning stage	The scheme is at pre-application stage.
Local planning authority	Oxford City Council
Planning context	The site is a Category 1 employment site and as such, under the requirements of policy E1 of the Oxford Local Plan 2036, it is protected for employment floorspace only. Planning permission will be granted for the intensification, modernisation and regeneration for employment purposes of any employment site if it can be demonstrated that the development makes the best and most efficient use of land and does not cause unacceptable environmental impacts and effects.
Planning history	None.

This report is a synthesis of the panel's discussion during the review and does not relate to any discussions that may have taken place outside of this design review meeting. A draft report is reviewed by all panel members and the Chair ahead of issuing the final version, to ensure key points and the Panel's overarching recommendations are accurately reported.

The report does not minute the proceedings but aims to provide a summary of the panel's recommendations and guidance.

Confidentiality

If the scheme was not the subject of a planning application when it came to the panel, this report is offered in confidence to those who attended the review meeting. There is no objection to the report being shared within the recipients' organisations provided that the content of the report is treated in the strictest confidence. Neither the content of the report, nor the report itself can be shared with anyone outside the recipients' organisations. Design South East reserves the right to make the content of this report known should the views contained in this report be made public in whole or in part (either accurately or inaccurately). Unless previously agreed, pre-application reports will be made publicly available if the scheme becomes the subject of a planning application or public inquiry. Design South East also reserves the right to make this report available to another design review panel should the scheme go before them. If you do not require this report to be kept confidential, please inform us.

If the scheme is the subject of a planning application the report will be made publicly available, and we expect the local authority to include it in the case documents.

Role of design review

This is the report of a design review panel, forum or workshop. Design review is endorsed by the National Planning Policy Framework and the opinions and recommendations of properly conducted, independent design review panels should be given weight in planning decisions including appeals. The panel does not take planning decisions. Its role is advisory. The panel's advice is only one of a number of considerations that local planning authorities have to take into account in making their decisions.

The role of design review is to provide independent expert advice to both the applicant and the local planning authority. We will try to make sure that the panel are informed about the views of local residents and businesses to inform their understanding of the context of the proposal. However, design review is a separate process to community engagement and consultation.

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Report of the Oxford Design Review Panel

Trinity House, Oxford Business Park

15th August 2022

Introduction

This report is a summary of the design workshop held on the 4th August 2022 following the presentation of the proposed scheme to the panel by the design team. The proposal is for the redevelopment of Trinity House, which sits within the Oxford Business Park, to provide R&D and laboratory space. This was the second review of the same proposal.

The summary on the following page highlights the main items raised during the session. We then provide the key recommendations aimed at improving the design quality of the proposal. The detailed comments are presented under headings covering the main attributes of the scheme and we close with the details of the meeting (appendix A) and the scheme (appendix B).

Paragraph 133 of the National Planning Policy Framework (2021) states that *“local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for a Healthy Life⁵¹. These are of most benefit if used as early as possible in the evolution of schemes and are particularly important for significant projects such as large scale housing and mixed use developments. In assessing applications, planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels.”*

Key recommendations from previous review 26/6/22

1. Carry out a comprehensive contextual analysis to explore the existing and proposed character. Analyse the historic character of this place and its role within the wider city. The consultant landscape architects should undertake a landscape and visual impact assessment to help inform the design process.
2. Produce a detailed and robust sustainability strategy; this strategy should inform the key design decisions, such as the car and cycle parking provision and the creation of a basement.
3. Produce a thorough survey of the existing building, its structure and materials, to fully justify its demolition and scope the potential re-use of materials. The findings of this survey need to be reflected in the design of the new building.
4. Establish an architectural vision and narrative that bring together the context and setting, sustainability targets and historic uses, and with clear reference to the wider masterplan.

Summary

We welcome the opportunity to re-engage with the project; unfortunately several aspects of the proposal are still speculative and cannot be discussed in detail even though the team is intending to submit a planning application shortly. We are not convinced that the sustainability targets can be achieved if the proposed design does not change and develop significantly.

Even though the elevational treatment has improved, the proposal is similar to that which was reviewed in June and many of our comments have not been taken into consideration. The massing, siting and wider movements are problematic and cannot be resolved in isolation from the sustainability and energy strategy and the wider masterplan for the business park.

Key recommendations

1. Develop a realistic sustainability and energy strategy that informs the design and takes into consideration the carbon analysis of the basement provision in addition to the demolition of the existing building.
2. Amend the elevational treatment to provide the necessary number of solar panels facing south west and the appropriate horizontal shading on the southern/south-western elevations.
3. Analyse the movement patterns around the site and develop a wider movement plan, prioritising pedestrian and cycling modes, to inform the location of the entrances to the building.
4. Explore in detail the maintenance and watering strategy for the green wall; ensure that the elevational treatment behind it is articulated, should the green wall fail.

Detailed comments and recommendations

1. Sustainable design
 - 1.1. The proposal needs to be leading the way in terms of sustainability and zero carbon given the fact that it is the first new development in the business park, but also because of its use as an innovative R&D/laboratory space. The targets as set out in the presentation are aspirational and a good starting point; however, we are unconvinced that the siting, massing, orientation, demolition and provision of basement will help achieve them.
 - 1.2. A full carbon analysis of the demolition needs to be undertaken to provide realistic numbers on the reuse of a portion of the materials of the existing building.
 - 1.3. The basement provision was discussed in detail at the previous review. Even though the applicant has provided additional information on the other functions that the basement will and could serve in the future, we strongly encourage further testing prior to the design being finalised. Detailed structural engineering should happen at this stage and we advise that thorough ground investigation works are carried out on the site itself, rather than making assumptions based on existing bore holes over 100m away. We cannot see how the engineering team can prove that the proposed basement is 'more sustainable' than no basement. We recommend that an independent engineer assesses this aspect of the proposal when the time comes.
 - 1.4. The R&D and laboratory use will generate a substantial energy demand and will need large quantities of air and water to service the building. These should be tackled as part of the design development, for example by utilising the sawtooth roof for electricity generation through solar panels. Overheating should also be tackled by the provision of appropriate shading panels, especially horizontal ones on the southern elevations. These points should be looked at in detail at this stage as they are likely to impact on the elevational treatment and potentially the site and floorplan layout. This also provides opportunities for creativity within the elevational treatment, a reduction in cooling demand and the potential for additional electricity generation.
 - 1.5. Alternative ways of generating heat should be explored. The basement structure could be used to run pipes through the piles to connect to the ground. This is subject to the appropriate ground conditions, which should be surveyed as soon as possible.
 - 1.6. The whole life carbon of the building should be explored and predicted in detail. In order to achieve a fully sustainable outcome, this building should not become obsolete in just a few decades (like the existing building on the site) and should be adaptable to accommodate other uses in the future.

2. Movement, site layout and entrances
 - 2.1. At the previous review, we mentioned the need to look at the wider connectivity, both existing and future. The new train station that will open in 2025 will change the way that people reach this site and the business park. Even though the wider movement and connectivity are primarily a focus for the masterplan, they need to be considered as part of this proposal because it will be the first plot to come forward.
 - 2.2. The analysis of the movement patterns of the future users should guide the siting of the building within the plot and the location of the entrances. The distances between the building and the boundaries are restricted and do not reflect the potential different entrance points. A holistic approach should be taken to understand these relationships and design the site layout accordingly.
 - 2.3. Only one entrance is proposed, which might not conveniently serve the pedestrians and cyclists coming from the station. We encourage the team to explore the option of multiple entrances that prioritise active travel and serve people arriving from different directions.
 - 2.4. Active travel should form part of the sustainability strategy. Pedestrians and cyclists should be encouraged to use these modes to reach the site. We support the segregated entrance for the cyclists and the proximity of the showers to the cycle parking. The option of short-stay outdoor cycle parking should also be offered, including for visitors and couriers who arrive by cycle; these facilities should be easily visible and close to the main entrance.
 - 2.5. The longer term function of the basement needs to be included in the sustainability targets. The car parking might become obsolete, and as such, a strategy to use this space for other activities should be established. The strategy should include monitoring and establish 'triggers' for when car parking should be converted to other uses. We encourage the applicant to look beyond current guidance on electric cars and consider a future where motorised vehicles are not the primary method of transport.
 - 2.6. Consideration should be given to external seating provision; business parks rarely have benches where people can rest for a short period. Seating areas and benches can be accommodated on the site not only for visitors but also for the users of the building to have another option of an outdoor area.

3. Landscape strategy

- 3.1. The Townscape and Visual Impact Assessment (TVIA) should be used to inform the design, especially the height and massing. Even though the assessment is still work in progress, there is no indication in the design that its results have impacted how the building is formed and articulated. A full TVIA should be submitted as part of the planning application.
- 3.2. The positioning of the building is likely to overshadow the trees to the north, the landscaped terraces are facing primarily north and there is inadequate space left around the building. The landscape strategy should form part of the early design development, along with the wider movement strategy and sustainability aspirations, as mentioned above.
- 3.3. We are unconvinced by the green wall; the precedents shown are of car parks where green walls are mechanisms to hide what lies behind. This principle is conflicting with the use of the building which should be a celebrated marker building within the business park.
- 3.4. The maintenance and watering of the green wall could prove problematic, especially given the likelihood of frequent heatwaves and droughts due to climate change. Additionally, the required infrastructure to keep the plants vertical will probably outweigh the benefits. As a result, we consider the green wall to be a substantial risk in terms of reaching the sustainability targets and of providing an articulated building. Further analysis should be undertaken, and a clear and robust justification should form part of the planning application. If the green wall is eventually included, access for maintenance should be considered and form part of the building maintenance strategy.

4. Elevational treatment

- 4.1. The articulation of the elevations and roof profile has improved since the previous review. The sawtooth roof specifically is a creative way of providing solar panels that do not negatively impact the design and at the same time face the right direction (southwest) for maximum solar gain. The relationship between the glazing and the texture of the materials is promising.
- 4.2. The elevation behind the green wall should be articulated to the same extent as the rest, should the green wall fail.

Appendix A: Meeting details

Reference number	1862/220804
Date	4 th August 2022
Meeting location	Online (Zoom)
Panel members attending	Joanne Cave (Chair), urban design and planning Paul Appleby, energy and environmental engineering specialist Lindsey Wilkinson, landscape architecture and historic environment Camilla Ween, sustainable transport and development Wilf Meynell, architecture and sustainability
Panel manager	Kiki Gkavogianni, Design South East
Presenting team	Elias Niazi, David Roden Architects Eddie Jump, Thornton Tomasetti Jake Williams, Buro Happold Mike Martin, Turkington Martin Thomas Renn, Breakthrough Properties
Other attendees	David Roden, David Roden Architects Harri Aston, DP9 LTD Adam Wlodarczyk-Black, Breakthrough Properties Claudio Ricci, Velocity Transport Gabriela Amaya, KJ Tait Kevin Murphy, KMHeritage Felicity Byrne, Oxford City Council Tahima Rahman, Oxford Design Review Panel mentee (observing)
Site visit	A site visit was conducted at the previous sessions. A site refresher was carried out prior to the review.
Scope of the review	As an independent design review panel, the scope of this review was not restricted. The local planning authority has asked us to look at the following topics: <ul style="list-style-type: none"> • Site layout and scale; • Proximity to boundaries; • Maintenance and viability of green walls; • Basement parking.
Panel interests	No conflicts of interests.

Confidentiality This report is confidential as the scheme is not yet the subject of a planning application. Full details on our confidentiality policy can be found at the end of this report.

Appendix B: Scheme details

Name	Trinity House, Oxford Business Park
Site location	Trinity House, John Smith Drive OX4 2RZ
Site details	<p>The site comprises a rectangular parcel of land at the junction of Garsington Road and John Smith Drive, accessed off John Smith Drive within the Oxford Business Park. Built development on site is currently in the form of a three-storey office building with dual pitched roof. Surface parking extends over the majority of the site to the north-east of the building, interspersed with soft landscaping. The site is bounded by trees and hedges.</p> <p>Surrounding built form comprises two- and three-storey buildings in a range of employment uses. Residential dwellings fronting Phipps Road lie approximately 90m to the west of the site.</p>
Proposal	Demolition and redevelopment of the site to provide a six-storey building with mechanical plant mounted on the roof top. The building would provide R&D lab and office space. This development is speculative, with no tenant on board at this time.
Planning stage	The scheme is at pre-application stage.
Local planning authority	Oxford City Council
Planning context	The site is a Category 1 employment site and as such, under the requirements of policy E1 of the Oxford Local Plan 2036, it is protected for employment floorspace only. Planning permission will be granted for the intensification, modernisation and regeneration for employment purposes of any employment site if it can be demonstrated that the development makes the best and most efficient use of land and does not cause unacceptable environmental impacts and effects.
Planning history	None.

This report is a synthesis of the panel's discussion during the review and does not relate to any discussions that may have taken place outside of this design review meeting. A draft report is reviewed by all panel members and the Chair ahead of issuing the final version, to ensure key points and the Panel's overarching recommendations are accurately reported.

The report does not minute the proceedings but aims to provide a summary of the panel's recommendations and guidance.

Confidentiality

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If the scheme is the subject of a planning application the report will be made publicly available, and we expect the local authority to include it in the case documents.

Role of design review

This is the report of a design review panel, forum or workshop. Design review is endorsed by the National Planning Policy Framework and the opinions and recommendations of properly conducted, independent design review panels should be given weight in planning decisions including appeals. The panel does not take planning decisions. Its role is advisory. The panel's advice is only one of a number of considerations that local planning authorities have to take into account in making their decisions.

The role of design review is to provide independent expert advice to both the applicant and the local planning authority. We will try to make sure that the panel are informed about the views of local residents and businesses to inform their understanding of the context of the proposal. However, design review is a separate process to community engagement and consultation.

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Application number:	22/01554/FUL		
Decision due by	26 th December 2022		
Extension of time	28 th July 2023		
Proposal	Closure of the vehicular access from Westlands Drive to Elizabeth Place. Erection of a three storey building to create 15no residential units. (Amended plans)		
Site address	Land at Elizabeth Place and Westlands Drive, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Headington Hill And Northway Ward		
Case officer	Michael Kemp		
Agent:	Ms Soraya Baharum	Applicant:	Oxford City Housing Limited
Reason at Committee	The application is for major development.		

1. RECOMMENDATION

1.1. The Oxford 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 under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and

1.1.2. **Delegate authority** to the Head of Planning Services to:

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

Planning Services considers reasonably necessary; and

- Complete the section 106 legal agreement referred to above.

2. EXECUTIVE SUMMARY

- 2.1. This report considers an application, which proposes the erection of a building, which would be three storeys in scale and contains 15 dwellings consisting of a mix of 8 houses and 7 apartments. The application site lies at the centre of Northway and occupies part of Elizabeth Place, which is a side road; as well as access pathways and an area of public open space. The proposals would involve the partial stopping up (closure) of Elizabeth Place for through traffic between Westlands Drive and Gorse Leas. New pedestrian and cycle accesses would be provided on either side of the development site retaining a through route for pedestrians and cyclists.
- 2.2. All of the proposed housing would be affordable accommodation and the quantity of affordable homes and socially rented accommodation would exceed the requirements set out in Policy H2 of the Oxford Local Plan. The proposals would provide the windfall delivery of much needed affordable housing to meet the Council's housing need, which should be viewed as a significant public benefit.
- 2.3. The proposals would result in the partial loss of an area of public open space in the adjoining square. The plans include improvements to the remaining space, including tree planting, ecological enhancements and other public realm improvements. Whilst there are other more substantial and higher quality areas of public open space in the immediate vicinity of the site (within 800 metres) the site would not be considered to be surplus to requirements as an area of public open space. Whilst the proposals provide the opportunity to enhance the remaining public realm, around 25% of the existing public open space would be lost and therefore the proposals would be contrary to Policy G5 of the Oxford Local Plan as the quantity of open space would be reduced overall. On this basis the proposals must be considered as a departure from the development plan. The departure is however considered justified on the basis that the proposals present the opportunity to enhance the remaining public realm through a public open space strategy that would be secured through the accompanying legal agreement and that the proposals would deliver 15 new affordable homes, which would provide an important contribution in meeting the Council's need for affordable housing.
- 2.4. The closure of Elizabeth Place to through traffic has been assessed as acceptable by the Local Highways Authority subject to the provision of on-site public rights of way, in the form of the proposed cycle and pedestrian accesses, which are considered acceptable in allowing permeability of movement between Gorse Leas and Westlands Drive. The development is located within an area, where occupiers would not be dependent on private car use and existing parking controls would serve to prevent accumulation of parking in the surrounding streets and therefore not providing parking for the flats, with the exception of two disabled parking spaces is considered acceptable and compliant with Policy M3 of the Oxford Local Plan. In respect of highway safety and amenity and

encouraging a modal shift towards sustainable travel, it is considered that the development would comply with Policies M1, M2, M3, and M5 of the Oxford Local Plan.

- 2.5. The design of the development is considered appropriate in terms of its form, scale and massing and the appearance of the housing would harmonise appropriately with the character of existing development within the area in accordance with Policy DH1 of the Oxford Local Plan. The design achieves high sustainability standards, significantly exceeding the carbon reduction requirements outlined under Policy RE1 of the Oxford Local Plan.
- 2.6. Each of the proposed homes would provide appropriate standards of indoor and outdoor amenity for future occupiers in accordance with Policies H14, H15 and H16 of the Oxford Local Plan. It is considered that the scale and siting of the development would not have a significantly detrimental impact on the amenity of existing occupiers by reason of overbearingness, loss of privacy and loss of light and the proposals are considered to comply with Policies H14 and RE7 of the Oxford Local Plan.
- 2.7. For the reasons outlined in the report, officers recommend approval of the planning application subject of a completion of a Section 106 agreement to secure the measures listed below.

3. LEGAL AGREEMENT

3.1. This application would be subject to a legal agreement to cover the following matters:

- Provision of affordable housing.
- Requirement to enter into a Section 278 agreement to secure access improvements namely a dropped kerb crossing facility on Westlands Drive to facilitate access to the northbound bus stop adjacent to the development site. An obligation to provide an on-site public right of way through completion of a Section 38 agreement. This will identify the location of the right of way, timing of delivery and further facilities required.
- Financial contribution of £1409 towards upgrade and expansion of household waste and recycling centre capacity.
- On-site 5% Biodiversity Net Gain and Landscape and Ecological Management Plan (LEMP).
- Retention of public open space in perpetuity and public open space strategy to cover measures relating to the improvement and long term management and maintenance of the public realm.
- Provision and retention of footpath and cycle path.
- A financial contribution of £2290 to amend the Traffic Regulation Order.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal would be liable for a CIL contribution of £225,363.52.

5. SITE AND SURROUNDINGS

5.1. The site lies within the centre of Northway and comprises a section of Elizabeth Place, which is a public highway. The site also includes the adjoining square, which comprises a mix of soft landscaping, including hedges and trees, adjoining paths, amenity grass space pavements; and a hard surfaced area containing recycling bins.

5.2. The north western edge of the site forms a frontage to Westlands Drive and adjoins a three storey building containing a row of shops at ground floor level and maisonettes at first and second floor level, which are accessed to the rear of the block from Elizabeth Place. On the opposite side of Westlands Drive is a large sports field with a multi-use games area. To the north west of the site is Plowman Tower, a residential tower block. There is an existing bus stop and shelter immediately adjoining the site along the Westlands Drive frontage.

5.3. 10 Gorse Leas, a two storey residential property lies to the south east of the application site, with the side of the property and a single storey garage facing the site. The surrounding development to the south, north and west consists of small terraces and semi-detached pairs of two storey houses which feature a materials palette comprising red brick and render.

5.4. See block plan below:



6. PROPOSAL

6.1. The application proposes the erection of a building consisting of an L shaped plan form. The building would be three storeys in scale and would be faced with red brick materials. The western block of the building would contain five apartments, over three levels; whilst the adjoining section of the building consists of a terrace of eight houses. Four of the houses would be three storey houses, whilst four, two storey houses are proposed. Two maisonette flats are proposed above Houses 1 to 4. In total 15 dwellings are proposed on the site, all of which would be an affordable tenure, consisting of 6 x socially rented; 5 x affordable rent; and 4 x shared ownership homes.

6.2. Amendments have been made to the originally submitted drawings, which include:

- Amendments to the proposed pedestrian and cycle access to the north west of the building to increase the width of the shared access route.
- Increase in the width of access between the building and north elevation of the adjacent shops and maisonettes to 4 metres.
- Increase in cycle parking.
- Removal of 1 car parking space as this was not required for essential or operational use.
- Repositioning of building to provide larger rear gardens for the proposed houses.
- Amendments to the proposed landscaping, including increased soft landscaping and defensive planting.
- Amendments to boundary treatments and access gates to improve surveillance of public realm.
- Amendments to fenestration design, including addition of windows to the side elevation of house 8 facing Gorse Leas.

6.3. The frontage of the proposed flats would face Westlands Drive, whilst the houses would face the adjoining area of public open space. The houses would be set back from the adjoining access path behind a low brick wall and soft landscaping. Private rear gardens would be provided for each of the houses, which would be accessed via a retained section of Elizabeth Place. The proposed flats and maisonettes would be accessed from Westlands Drive.

6.4. The proposed building would be partially located on the route of Elizabeth Place and the proposals include the closure of Elizabeth Place to vehicular traffic from the junction of Westlands Drive to the end of the existing row of garages at Elizabeth Place. The road would no longer serve as a through route for vehicles, although access between Gorse Leas and Westlands Drive would be retained for cyclists and pedestrians between the south west side elevation of the proposed flats and the north side of the adjoining shops and maisonettes. The existing row of seven garages would be retained, along with the service access to the rear of the adjoining row of shops. An access path is proposed to the front of the proposed houses, adjoining the open area of green space to the north east of the site. This access pathway has been amended and increased to three metres in width and would function as a shared pedestrian and cycle route. Two car parking spaces are proposed for disabled occupiers, the remaining flats would not be provided with parking.

7. RELEVANT PLANNING HISTORY

7.1. There is no planning history on the site of material relevance to the proposed development.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan
Design	117-123, 124-132	DH1 - High quality design and placemaking DH7 - External servicing features and stores
Conservation/ Heritage	184-202	DH4 - Archaeological remains
Housing	59-76	H1 - Scale of new housing provision H4 - Mix of dwelling sizes H10 - Accessible and adaptable homes H2 - Delivering affordable homes H14 - Privacy, daylight and sunlight H15 - Internal space standards H16 - Outdoor amenity space standards
Natural environment	91-101	G1 - Protection of Green/Blue Infrastructure G2 - Protection of biodiversity geo-diversity G5 - Existing open space, indoor and outdoor G7 - Protection of existing Green Infrastructure
Transport	117-123	M1 - Prioritising walking, cycling+public transport M2 - Assessing and managing development M3 - Motor vehicle parking M4 - Provision of electric charging points M5 - Bicycle Parking
Environmental	117-121, 148-165, 170-183	RE1 - Sustainable design and construction RE2 - Efficient use of Land RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE5 - Health, wellbeing, and Health Impact Assessment RE6 - Air Quality RE7 - Managing the impact of development RE8 - Noise and vibration RE9 - Land Quality
Miscellaneous	7-12	S1 - Sustainable development

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 5th October 2022 and an advertisement was published in the Oxford Times newspaper on 6th October 2022. The application was advertised as a departure from the development plan.

9.2. Following receipt of amended plans, the application was re-advertised by site notice on 22nd March 2023 and in the Oxford Times newspaper on 23rd March 2023.

Statutory and non-statutory consultees

Oxfordshire County Council

Highways

9.3. The proposals are described as a low car development, employing two car parking spaces for disabled use and one for carer access. The principle of two car parking spaces on site is considered acceptable.

9.4. The applicant has demonstrated that the shops and garages will have private access rights. Based on this, the principle of stopping up Elizabeth Place is considered feasible.

9.5. The revised site layout has been improved since the first submission. A bollard or similar obstruction should be placed at the pedestrian entrance next to the allocated car parking spaces.

9.6. The shared pedestrian cycleway along the site frontage must be constructed to LTN1/20 standards. The width of the shared path should be increased to 5 metres, where possible. A planning condition requiring details of the shared pedestrian cycleway prior to the commencement of the development has been requested.

9.7. The County Council's parking standards document requires 1 cycle parking space per habitable room for new developments in Oxford City and the provision of further cycle parking has been requested by condition.

9.8. The proposed refuse collection arrangement is considered acceptable.

9.9. The traffic impact of the development is likely to be modest.

9.10. An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works, including:

- Dropped kerb crossing facilities on Westlands Drive and Gorse Leas to facilitate pedestrian access to the northbound bus stop on Westlands Drive and Gorse Leas adjacent to the proposed development
- A bollard or similar obstruction at the northern pedestrian site access to prevent unwanted entry by vehicles

Drainage

9.11. No objection subject to conditions.

Waste Management

9.12. The development will increase domestic waste and the demand for all waste management services including Household Waste Recycling Centres (HWRCs). A financial contribution of £1409 is requested and should be secured through a Section 106 agreement.

Thames Water Utilities Limited

9.13. 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.

9.14. On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the planning application.

Thames Valley Police

9.15. Initial response dated 2nd December raised a number of concerns including the following matters:

- Isolation and enclosure of existing Westlands Drive garages and rear gardens backing onto this area providing no active surveillance.
- Provision of rear access arrangement would leave houses and gardens vulnerable to burglary.
- Request improved surveillance and provision of defensible planting.
- The building placement and requirement to provide access to the stairway for 43-61 Westlands Drive creates a narrow and isolated alleyway, which will be dark and devoid of surveillance.
- Plans indicate the walkway running along the rear of the houses will have a metal handrail due to the topography, which will provide a foothold for climbing over the rear boundary into gardens.
- There should be clear definition between the public and private realm with defensible space provided.
- Notes that windows and doors should be provided to a recognised security specification and standard.
- Corner plots such as house 8 must be exploited to maximise surveillance over the public realm, with dual aspect windows from active rooms (kitchens or living rooms) added to “turn the corner”.
- Clarity required in relation to access arrangements to flats.
- Decked access to maisonettes should be enclosed.
- Request details of lighting.

9.16. Following the provision of amended plans in March 2023 updated comments have been provided by Thames Valley Police, which outline that although some previous concerns have been addressed the proposals create opportunities for crime and disorder, namely;

- Creation of an alleyway for access to 43-61 Westlands Drive
- Compromised security of existing garages/service road

- Vulnerable accessible rear garden boundaries lacking defensible space and planting
- Still lacking details regarding design and specification of cycle stores.
- Unable to locate lighting proposals
- Bin collection point for houses 1-4 is located against a residential boundary meaning bins may be used as a climbing aid to gain entry to this dwellings garden.

9.17. In relation to the above points, officers have discussed the concerns with Thames Valley Police and have suggested that the cycle parking specification and plans relating to lighting could be secured by condition, which has been agreed by the Police.

9.18. Officers consider that the proposed access between the flats and maisonettes is necessary for ease of movement and permeability and officers have outlined that they would not recommend the removal of this route through the site. In relation to surveillance of the garages and Elizabeth Place, officers note that there are no properties to the north of the garages at the present time and aside from some limited surveillance of the maisonettes, the garages are not extensively overlooked and the addition of housing would increase surveillance of the street and garages.

9.19. Thames Valley Police have since advised that they do not intend to object, subject to conditions to secure a lighting strategy, the provision of a specification for cycle parking and the requirement that the development achieves Secured by Design Accreditation.

Public representations

9.20. A total of 5 letters of objection were received in relation to the originally submitted plans. The main points of objection are summarised below:

- Concern regarding lack of parking provision and risk of overspill parking in surrounding streets.
- Criticism of applicant's public pre-application consultation in particular the focus on virtual consultation.
- Concern that the development would increase traffic on Gorse Leas including increased use by lorries and delivery vehicles.
- Increased traffic generation, on-street parking would present a risk to pedestrians.
- Concern that the development would increase strain on electrical services and drainage infrastructure.
- The development would impact on the privacy of existing occupiers including No.5 Gorse Leas.
- Development would impact on the outlook of properties including No.5 Gorse Leas.
- The scale of buildings is out of keeping with the character of the area.
- Safety has not been considered. There has been an increase in anti-social behaviour in the area recently.
- The development would impact on the outlook of residents in Halliday Hill, who currently overlook an area of green space.

- The park area is used by local residents for peaceful reflection and walking.
- Issues with bus infrastructure in the area and proposed implementation of LTN's/Bus gates means that further housing would put further pressure on the local road system.
- Inadequate service provision in the area including doctors, dentists and pharmacies and concern that schools in the area are oversubscribed. Development would place further pressure on these services.
- Car free development would not suit many occupiers who area dependent on car use.
- Concern regarding loss of open space and green infrastructure.

9.21. Following the period of re-consultation no further public comments were received in relation to the proposals.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Design
- Sustainability
- Neighbouring amenity
- Highways
- Ecology
- Drainage/Flood Risk
- Trees
- Land Quality

Principle of development

Provision of Housing

10.2. Paragraph 59 of the NPPF requires that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed; that the needs of groups with specific housing requirements are addressed; and that land with permission is developed without unnecessary delay.

10.3. NPPF Paragraph 11 outlines the overarching requirement that in applying a presumption in favour of sustainable development Local Authorities should be approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would

significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

10.4. Policy H1 of the Oxford Local Plan outlines that the majority of the Council's housing need would be met through sites allocated in the Oxford Local Plan, however in addition to housing which would be delivered on allocated sites windfall delivery of housing on sites not specifically allocated within the Local Plan remains important in terms of meeting the Council's housing needs. The application site is not allocated within the local plan and would be classed as a windfall site. The proposals would deliver 15 new homes which would be classed as a significant public benefit in terms of meeting the Council's housing needs.

Affordable Housing

10.5. Policy H2 of the Oxford Local Plan states that on self-contained residential developments where sites have a capacity for 10 or more homes (gross) or exceed 0.5 ha, a minimum of 50% of units on a site should be provided as homes that are truly affordable in the context of the Oxford housing market. At least 40% of the overall number of units on a site should be provided as on-site social rented dwellings.

10.6. 100% of the proposed dwellings provided on the site would be affordable homes, this would consist of: 6 x socially rented; 5 x affordable rent; and 4 x shared ownership units. As a ratio of the total number of units provided on the site, 40% of the units (6 homes) would be socially rented. The quantity of affordable homes and proposed tenure mix would therefore meet the requirements of Policy H2 of the Oxford Local Plan.

Mix of Units

10.7. Policy H4 of the Oxford Local Plan states that planning permission will be granted for residential development that is demonstrated to deliver a balanced mix of dwelling sizes to meet a range housing needs and create mixed and balanced communities. Policy H4 provides a target mix for unit sizes, however this is applicable only to developments of 25 or more units, or on sites of 0.5ha or greater and is not therefore applicable to the proposed development. Policy H4 states that sites below the threshold or within the city centre or a district centre should demonstrate how the proposal has had regard to local housing demand, including for affordable housing demonstrated by the housing register.

10.8. The following mix of units is proposed on the site:

- 1 x 1 bedroom units
- 8 x 2 bedroom units
- 5 x 3 bedroom units
- 1 x 4 bedroom units

10.9. Notwithstanding that less than 25 units would be provided on the site, the proposals would deliver a balanced mix of dwelling sizes consistent with Policy H4 of the Oxford Local Plan.

Loss of Public Open Space

- 10.10. Policy G5 of the Oxford Local Plan states that the City Council will seek to protect existing open space, sports and recreational buildings and land. The Policies map accompanying the local plan includes outdoor sports facilities, this includes the square area of public open space at Westlands Drive/Elizabeth Place. The site is not used for formal sports purposes and would not be suitable for formal sports use given its size, the number of paths through the site and the fact the site is surrounded on all sides by roads and residential properties. The site functions as an area of general amenity space for informal recreation and provides an open and green break in the surrounding street scene.
- 10.11. The land was purchased by the Council for housing purposes and is held within the Housing Revenue Account, it is not held as open space land under a statutory trust.
- 10.12. The site would be classed as an area of open space, which would be afforded protection under Policy G5 of the Oxford Local Plan, this policy reflects the requirements set out in Paragraph 99 of the NPPF. The Policy states that existing open space, indoor and outdoor sports and recreational facilities should not be lost unless:
- a) An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 - b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - c) The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*
- 10.13. The section of the square that would be lost includes areas containing hedges, trees, pathways and small areas of grass amenity space. A section of the square is also used for the storage of public recycling bins. Approximately 25% of the existing public open space would be redeveloped, whilst the remaining area would be retained as public open space.
- 10.14. The local area is relatively well served by existing recreation land and parks, which are larger in size than the existing park area at Elizabeth Place and Westlands Drive. The following much larger open spaces/parks are located within a 10 minute walk of the site (or 800 metres distance):
- Playground and sports pitches at Westlands Drive (adjacent to site)
 - Peasmore Piece Nature Park
 - Court Place Farm Nature Park
 - Dunstan Park
 - Boults Lane Recreation Ground
 - Sandfield Road Park
- 10.15. The area is not underserved by parks and areas of open space and it could be argued that the partial loss of the area of public open space would not result in a deficiency in available open space within the area. It is also understood that the

square in its current form is underutilised as an area of public open space. Notwithstanding this, officers do not consider the open space to be surplus to requirements as it provides a benefit to the local community in amenity terms and provides value from a visual amenity perspective in terms of its contribution to the public realm.

- 10.16. The red line area for the site includes the whole park and the proposed redevelopment of the site offers an opportunity to enhance the remaining area of public realm. This includes opportunities for further planting and soft landscaping, seating, public realm enhancement measures and/or public art which could improve the attractiveness of the open space for local residents, which in turn would lead to the space being better utilised.
- 10.17. The indicative proposals for this space include the planting of 6 additional trees, ecological enhancements and additional seating within the centre of the public open space which would enhance the remainder of the public realm. It is understood that public consultation undertaken by the applicants has not revealed any clear preference for how the remaining area of public open space could be better utilised. It is considered necessary that approval of the development is conditional on the submission of an appropriate enhancement and management scheme for the remaining area of public open space, as it is considered that the proposed development could enhance the quality and usability of this space. The proposals in their current form do not include sufficiently detailed plans for the design and management of the remaining park.
- 10.18. Where considering the loss of open space, criteria (b) of the Policy G5 of the Oxford Local Plan and Paragraph 99 (b) of the NPPF both require *equivalent or better provision in terms of quantity and quality*. Officers consider that through the provision of appropriate enhancement measures to the remaining open space, to be secured through the accompanying legal agreement, the proposals can deliver a better quality area of open space, notwithstanding the reduction in size of the space, though the quantity of public realm would be reduced. The development cannot therefore be considered to fully comply with Policy G5 of the Oxford Local Plan and would therefore need to be considered as a departure from the adopted local plan and has been advertised accordingly on this basis.
- 10.19. In accordance with Paragraph 12 of the NPPF, the Council must set out why material considerations justify a decision to depart from the provisions of the local plan. In this instance it is considered that the departure from Policy G5 is justified. Criteria (b) of the Policy G5 of the Oxford Local Plan would be partly met as the proposals offer the opportunity to provide a better quality area of open space for the remainder of the park, which in officers' view would constitute an enhancement of the public open space, notwithstanding the reduction in size. The proposals would deliver substantial public benefits through the provision of 15 new homes, all of which would be affordable housing, which would make a valued contribution towards meeting Oxford's housing need, in particular the need for affordable homes is considered to justify departure from the development plan in respect of Policy G5.

Design

- 10.20. Policy DH1 of the Oxford Local Plan states that planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness.
- 10.21. Paragraph 126 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 130 of the NPPF sets out that planning decisions should ensure that all developments:
- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
 - f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*
- 10.22. Paragraph 134 of the NPPF also sets out that development should take into account the principles set out within the National Design Guide and National Model Design Code.
- 10.23. The application proposes the erection of a building consisting of an L shaped plan form, which would be three storeys in scale. The western block of the building would contain five apartments, over three levels; whilst the adjoining section of the building comprises a terraced row of eight houses. Four of the houses would be three storey houses, whilst four, two storey houses are proposed. Two maisonette flats are proposed above Houses 1 to 4.
- 10.24. Development in the area is characterised by typically low rise, two storey housing, though there are buildings of more substantial scale along Westlands Drive, including the adjoining three storey parade of shops and Maisonettes, the Plowman Tower to the north west; and a more recent development of apartments located on the corner of Westlands Drive and Sutton Road. The existing palette of materials in the area consists of a mix of brick and render varying from buff brick used in the external elevation of the maisonette block to the north and darker red brick used for the housing at Gorse Leas and Halliday Hill.
- 10.25. Accounting for the context of the site and the character of the surrounding area, officers consider that the approach to the elevational treatment, scale and massing; and use of red brick materials would be appropriate. The development site is located at the centre of Northway and lies within the context of other larger

buildings and the scale of the building at three storeys would be considered appropriate. The building would sit alongside existing buildings in Westlands Drive of a similar or larger scale, including the adjacent row of maisonettes, Plowman Tower and the three storey apartment building on the corner of Westlands Drive and Sutton Road.

10.26. The north elevation of the housing would face the retained area of public open space and would provide surveillance over the retained area of public realm, whilst the setback position of the houses and the proposed boundary walls and proposed planting would provide defensible space to the front of the houses, which would be separated from the adjoining path by a low brick wall and a hedgerow and shrub planting. In response to comments from Thames Valley Police in their initial consultation response, further defensible planting is also proposed adjacent to the side elevation of house 8, which adjoins Gorse Leas. Low vertical bar fencing is also proposed to provide additional defensible space.

10.27. It is proposed that the retained section of Elizabeth Place would be resurfaced with block paving materials, this would be an enhancement of the existing tarmac surface and would provide an enhancement to the quality of the public realm. Whilst the backs of the houses and flats would face this retained section of the road, amendments have been made to improve surveillance of this area of the public realm, including the addition of metal grille gates to the rear gardens. The new section of street would also be overlooked by a series of first and second floor windows. It is noted that there is not significant surveillance of the public realm at present in Elizabeth Place. The Police, whilst expressing concern in respect of access to the rear of the houses have updated their response to raise no objection to the proposals subject to appropriate lighting being provided by condition, defensible planting to be proposed as part of a landscape strategy and the requirement to obtain Secured by Design accreditation. The proposal to retain pedestrian and cycle connections through the site to Westlands Drive via the new access road are considered appropriate in terms of ensuring that there is appropriate permeability and ease of movement through the site.

10.28. As noted in the above section of the report, the proposals include provision to enhance the remaining public realm in Westlands Drive, which subject to the provision of an appropriate scheme to be secured through the accompanying legal agreement would lead to the delivery of a more attractive area of public realm.

10.29. The proposals are considered therefore to be appropriately designed and would be in accordance with Policy DH1 of the Oxford Local Plan.

Sustainability

10.30. Proposals for development are expected to demonstrate how sustainable design and construction methods will be incorporated in line with Policy RE1 of the Oxford Local Plan. All development must optimise energy efficiency by minimising the use of energy through design, layout, orientation, landscaping and materials, and by utilising technologies that help achieve Zero Carbon Developments. The Policy requires that planning permission will only be granted for development proposals for new build residential developments which achieve

at least a 40% reduction in the carbon emissions from code 2013 Building Regulations, which has now been superseded by the 2021 Part L Building Regulations. Given that the previous regulations have been superseded, it is a requirement that new planning applications are measured against the 2021 Part L standards for the purposes of considering carbon reduction against Policy RE1.

10.31. The submitted Energy Statement outlines that the following energy efficiency measures will be incorporated into the buildings in the development:

- Installation of air sources heat pumps (ASHP's)
- Mechanical extract ventilation
- Water efficiency to meet target of 110 litres per day
- High standards of air tightness.
- Use of recycled and recyclable materials in construction.

10.32. The calculations provided in the energy statement indicate that the development would achieve a 66% reduction in carbon emissions compared to the part L regulations, this would significantly exceed the target requirement of a 40% reduction. Accounting for the sustainability measures outlined within the submitted Energy Statement, the development would comply with Policy RE1 of the Oxford Local Plan.

Impact on neighbouring amenity

Existing Occupiers and uses

10.33. Policy H14 of the Oxford Local Plan 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. Planning permission will not be granted for any development that has an overbearing effect on existing homes.

10.34. The south elevation of the westernmost wing of the proposed flats would adjoin the existing maisonette block to the south. The north (side) elevation of the maisonette block adjoining the site features a blank façade at first and second floor level, whilst there is a corner window at ground floor level facing Elizabeth Place, which serves Quainton's, a shop located at the end of the shopping parade at Westlands Drive. There are east facing windows at first and second floor level serving the nearest maisonette flats (43 Westlands Drive), however the western block of the proposed development would extend only to a very minor degree beyond the rear elevation of the flats and would not result in any significant loss of light to these properties. It is considered that the siting of the proposed building would not impact detrimentally on the amenity of the adjoining flats through loss of light, or by reason of the scale of the development appearing overbearing in relation to these properties.

10.35. No.10 Gorse Leas is a two storey house located to the south east of the proposed flats, the building has been extended significantly to the side at two storeys. The side (north) elevation of No.10 Gorse Leas faces the site, this contains a habitable window at ground floor level. The side garden serving this property runs adjacent to the site. An existing row of garages to the south of the

site lie between the proposed building and the rear garden of this property. The rear elevation of two of the proposed houses (Houses 7 and 8) would face the side garden and side facing window of No.10. In respect of the garden this would be at a distance of 11.4 metres. There would be a distance of 18.2 metres between the rear facing windows of Houses 7 and 8 and the side facing window of No.10 Gorse Leas. It should be noted that the position of the two facing sets of windows are offset so there would not be direct overlooking into the facing sets of rooms, although there would be some degree of overlooking that would arise. Notwithstanding this, it is considered that an adequate distance is afforded to retain an acceptable degree of privacy for the occupiers of this property.

10.36. There are further properties to the east of the site on Gorse Leas, including Nos. 3 and 5 Gorse Leas. The front elevations of the houses would face the side elevation of House 8. There would be a distance of 20 metres between the side elevation of House 8 and the front elevation of these properties. The amendments to the proposed plans include the addition of side facing windows at ground and first floor level which have been added to improve surveillance of the street, particularly in response to comments from Thames Valley Police. The separation distance between the side elevation of the proposed houses and the existing properties in Gorse Leas would be significant and accounting for this, it is considered that the development would not have a significantly detrimental impact on the amenity of these properties by reason of overlooking, loss of light; or the scale of the built form and its siting.

10.37. Taking the above matters into consideration, it is considered that the development would appropriately preserve the amenity of existing occupiers comply with Policies H14 and RE7 of the Oxford Local Plan.

Future Occupiers

10.38. 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 1. Each of the proposed units has been assessed as compliant with Nationally Described Housing standards and the development and internal spaces are considered to be of an appropriate standard, which would comply with Policy H15 of the Oxford Local Plan.

10.39. Policy H16 of the Oxford Local Plan states that planning permission will only be granted for dwellings that have direct and convenient access to an area of private open space. 1 or 2 bedroom flats should provide either a private balcony or terrace of usable level space, or direct access to a private or shared garden; for flats and maisonettes of 3 or more bedrooms a private balcony or terrace of useable level space with a minimum dimension of 1.5 metres depth by 3 metres length should be provided. Houses of 1 or more bedrooms should provide a private garden, of adequate size and proportions for the size of house proposed, which will be considered to be at least equivalent in size to the original building footprint.

- 10.40. Each of the proposed flats would be provided with external balcony spaces considered to be of an adequate size. In the case of the three bedroom maisonettes and four bedroom flat, each would meet the required dimensions set out in section (b) of Policy H16. The proposed houses would each be served by private rear gardens. Flat 1, which is located at ground level would be served by an area of private amenity space facing Westlands Drive. Although the gardens would be less than the footprint of the houses, the gardens are considered to be of an adequate size and are south east facing and would benefit from good standards of natural light. Each of the dwellings would also have ease of access to the retained, adjoining area of public open space.
- 10.41. The open deck access to the third floor maisonettes, which would be sited above houses 1 and 2 presented potential issues of overlooking, however this has since been amended to a semi-enclosed design, and featuring metal floor to ceiling fins angled in a way to avoid overlooking. To prevent direct overlooking of the gardens of houses 3 and 4 from the lobby and kitchen area serving the maisonettes, a condition is recommended to require fitting of obscured glazing to a height of 1.8 metres to the south east facing windows of the maisonettes.
- 10.42. It is considered that the proposed dwellings would be served by adequate external areas of amenity space and would comply with Policy H16 of the Oxford Local Plan.

Transport

Closure of Elizabeth Place

- 10.43. A large section of the development would be sited on Elizabeth Place, which is a public road linking Gorse Leas and Westlands Drive and is a through route for vehicles. This is one of three roads which provide access to Westlands Drive and Gorse Leas, with Saxon Way to the south and Halliday Hill to the north also linking the two roads.
- 10.44. As the development would be located on part of the route of Elizabeth Place adjoining the existing three storey block of flats, the street would cease to function as a through route for vehicles and road access would terminate to the north of the existing garages. Vehicular access would be retained to serve the garages, the existing lane to the rear of the shops on Westlands Drive and the two disabled parking spaces that are proposed within the development. The proposals involve the partial closure of the highway which would require a stopping up order, this would need to be agreed between the applicant and Local Highway Authority. It is not the applicant's intention for the section of road that would not be stopped up to be adopted by the County Council.
- 10.45. It is proposed that a route would be retained between the proposed block of flats and the adjoining, existing three storey block of flats in order to retain access for cyclists and pedestrians between Gorse Leas and Westlands Drive. The width of this route has been increased following amendments to the plans, as advised by the County Council. The County Council have requested that a bollard be provided along this access, adjacent to the parking bays to ensure that there is no attempt to use this access by vehicle users.

- 10.46. The originally submitted proposals included a pedestrian path to the front of the proposed houses and apartments adjoining the retained area of public open space. The width of this route has also been increased to ensure that adequate access and permeability of movement is retained between Gorse Leas and Westlands Drive, accounting for the siting of the development and stopping up of the highway that would be required.
- 10.47. It is considered that closure of the through route to vehicles would be acceptable in highway amenity terms, as there are already two through routes between Gorse Leas and Westlands Drive and Elizabeth Place itself is not extensively used by vehicles. The County Council have raised no objection to the closure of Elizabeth Place, providing that the pedestrian and cycle links are secured as a right of way through a Section 278 agreement, this requirement would also be secured through the Section 106 agreement accompanying this application should planning permission be granted for the development.
- 10.48. The proposed plans show a 3 metre wide segregated cycle/pedestrian route, with a width of 1.5 metres each for cyclists and pedestrians. The County Council had commented regarding the proposed width of the cycle/pedestrian route, recommending that an LTN 1/20 compliant pedestrian/cycleway would need to be 5m wide in total. This is a desirable width for new cycle routes, however in this instance the site constraints mean that a wider route would result in the loss of existing trees, which are of a good quality, whilst a wider route would also result in further loss of useable open space. The route is not anticipated to be highly trafficked and visibility is good along all sections of the route, therefore officers consider a lesser width would be appropriate in this instance. The Local Highway Authority has accepted that the lesser width proposed would be appropriate accounting for the site specific constraints. The specific details of the route would be secured by planning condition.
- 10.49. It is therefore considered that the proposals make appropriate provision for access and movement and would not compromise highway amenity for all road users. The proposals are therefore considered to comply with Policies M1 and M2 of the Oxford Local Plan.

Car and Cycle Parking

- 10.50. Policy M3 of the Oxford Local Plan 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 (15minute) public transport services and within 800m walk to a local supermarket or equivalent facilities (measured from the mid-point of the proposed development) planning permission will only be granted for residential development that is car-free. In all other locations, planning permission will only be granted where the relevant maximum standards set out in Appendix 7.3 are complied with. Disabled parking is considered permissible, where specifically justified.
- 10.51. The application site and surrounding streets fall within the Northway Controlled Parking Zone. There are two bus stops within 100 metres of the site, the bus stops are currently served by the number 14 service, which serves Oxford City

Centre and the John Radcliffe Hospital, with some services continuing to Risinghurst via Headington. This is a half hourly service and would not be classed as a 'frequent' service under the definitions set out in the Oxford Local Plan (15 minutes). Northway was until recently served by the 13 and X3 services to the JR Hospital, City Centre and Abingdon, which was a more frequent 20 minute service and 30 minutes in the evening, although not classed as 'frequent' in line with the Local Plan definition. The nearest bus stops served by frequent services would be on Cherwell Drive, located approximately 670 from the site. The site lies within 800 metres of food stores, which would be classed as a 'supermarket' as defined under Policy M3, this includes Rosie's supermarket (50 metres) and Thejus Foods (60 metres) both of which are on Westlands Drive; Co-op Cherwell Drive (700 metres); and Londis, Cherwell Drive (730 metres). The site is therefore considered to fall within a reasonably sustainable location in terms of accessibility by bus and access to essential local shopping facilities.

- 10.52. Two disabled parking spaces are proposed within the development, which is considered acceptable in line with Policy M3 of the Local Plan. A further parking space was previously proposed. The plans included a further parking space, which was suggested that this would be provided for use by carers, though this was not deemed necessary and has been excluded from the amended plans. The Council's parking standards are maximum standards and it is considered that not providing parking, with the exception of the disabled spaces, would be appropriate as residents would not be dependent on private car ownership to access key services, owing to the overall sustainability of the site.
- 10.53. The presence of parking controls in all of the streets surrounding the site also limits the likelihood of overspill parking. To further reduce the likelihood of overspill parking, approval would be subject to a planning condition that would secure the exclusion of residents from eligibility for parking permits. A cost of £2290 to amend the Traffic Regulation Order shall be met by the applicant through the accompanying legal agreement. Accounting for the low parking provision associated with the development and the overall quantum of development, overall traffic generation is anticipated to be low and would not have a severe impact on the surrounding road network contrary to Policy M1 of the Oxford Local Plan and Paragraph 111 of the NPPF.
- 10.54. In accordance with Policy M4 of the Oxford Local Plan, both disabled parking spaces shall be fitted with electric vehicle charging points. This requirement should be secured by planning condition.
- 10.55. Cycle parking will be required for all residential dwellings in accordance with the Council's minimum standards outlined under Policy M5 of the Oxford Local Plan. A total of 28 cycle parking spaces would be provided for the apartments, whilst 4 cycle parking spaces would be provided for each dwelling within the rear gardens of the houses. It is noted that the County Council within their response have made reference to *Parking Standards for New Developments – Oxfordshire County Council* and noted that the proposed cycle parking provision would fall short of these requirements and suggested the provision of further cycle parking to serve the development. It should however be noted that the County Council's standards have not been formally adopted but, notwithstanding this, the standards listed under Policy M3 of the Oxford Local Plan must be used where

calculating minimum cycle parking provision. For the 7 proposed flats there would be a requirement to provide 16 cycle parking spaces, with a minimum requirement to provide three cycle parking spaces for each of the houses, except for the two bedroom homes, where there would be a requirement to provide 2 spaces per dwelling. The proposals exceed the minimum requirements outlined under Policy M3 of the Oxford Local Plan and are considered to make adequate provision for cycle parking, subject to a design and specification of the cycle parking, which would be agreed by planning condition.

Flooding/Drainage

10.56. The application site is located in Flood Zone 1 and is considered to be at a low risk of flooding.

10.57. The drainage strategy utilises a flow control system to limit discharge into the public sewer. The small scale nature of the site does not allow for the ability to reduce flow rates to greenfield rates. Permeable paving and road surfacing (block paving) will be used to attenuate run off before discharging into the public sewer. A SuDS maintenance strategy has also been provided, which sets out measures for the ongoing management and maintenance of the drainage system that would be installed on site.

10.58. It is considered that the proposals make adequate provision for the management of surface water drainage and the proposals are considered to comply with Policies RE3 and RE4 of the Oxford Local Plan.

Ecology

10.59. The Local Planning Authority has a duty to consider whether there is a reasonable likelihood of protected species being present and affected by development at the application site. The application site consists of a mix of road and hardstanding, which is of no ecological value and amenity grassland with trees. The submitted Preliminary Ecological Appraisal (PEA) identifies that the site habitats are of low ecological value. The site, including the trees and surrounding open space has been assessed as having negligible potential to support roosting bats and further surveys are not recommended. The PEA concludes that the site is unlikely to support any other protected species. Officers support these observations.

10.60. The Local Planning Authority should have regard, in exercising its functions, to conserve, restore and enhance biodiversity (section 40 Natural Environment and Rural Communities Act 2006). A revised Defra 3.1 metric has been provided, which indicates that the development would deliver a biodiversity net gain of 0.12 habitat units (+6.21%) and 0.02 hedgerow units (+12.55%). Officers are satisfied with the habitat classifications and condition assessments as set out in the Ecological Impact Assessment provided in support of the planning application. The metric shows the proposals fail a metric trading rule, requiring the replacement of habitats lost with others of the same or higher distinctiveness, owing to a very minor change in the number of urban tree units, though this is considered acceptable, subject to a landscape plan being secured by planning condition. The requirement to deliver biodiversity net gain and secure

management of the site for a period of at least 30 years would need to be secured through an accompanying legal agreement. The management required to deliver the proposed habitats should be set out in a Landscape and Ecological Management Plan (LEMP), which would be included in the accompanying legal agreement.

10.61. The Local Planning Authority should have regard to the protection of wild birds under the Wildlife and Countryside Act 1981. Officers consider the addition of a condition will protect wild birds and their nests enabling the development to proceed.

10.62. Subject to securing the required net gain in biodiversity and ecological management measures, the development would comply with Policy G2 of the Oxford Local Plan.

Trees

10.63. The proposals would result in the removal of 8 individual trees of a moderate quality and one tree group of a low quality as a direct result of the footprint of the development and future landscaping proposals for the site.

10.64. Tree numbers T36, T37 and T39 are indicated to be retained, although their Root Protection Areas (RPA's) are encroached upon by the proposed access link cycle path; very significantly in regard to T36. It should however be feasible to limit the impact to RPAs through appropriate No-Dig hard surface design, subject to details, which due to the site being flat can be left to conditions. The remaining retained trees on the site can be adequately protected via a construction exclusion zone (CEZ) using protective barriers/hoarding in accordance with BS 5837: 2012.

10.65. A tree canopy cover assessment has been provided which concludes that new planting would result in a 7% increase in canopy cover over the next 25 years. Officers are satisfied that there would be no net-loss in canopy cover as a consequence of the proposed development subject to adequate replacement planting being secured through an acceptable landscaping plan. Officers therefore consider that the proposals would comply with Policy G7 of the Oxford Local Plan.

Land Quality

10.66. Historical documentation and plans indicate that the site has had a previous agricultural use prior to development of the adjacent housing estate in the 1950's. Therefore it is considered that the risk of significant contamination being identified on site is likely to be low.

10.67. The submitted Phase I and II report by Geo-Integrity documents investigation covers works carried out across the whole of the public open space square park area rather than being targeted specifically at the area proposed for the residential building works. One sample of below ground soils contained some asbestos contamination, although this area does not appear to coincide with the proposed residential development area so may not be relevant should the

location of contamination remain unchanged. Further confirmatory investigations and commentary should be provided in this regard.

10.68. One sample of shallow soil was sampled in the area of the proposed residential build (south of the current public open space area). This is considered inadequate to assess the overall potential ground contamination risk to future residents and construction workers at the proposed building site. It is therefore considered necessary that further intrusive investigative works are completed in the actual area of the proposed above ground building works to quantify ground contamination risks. The Council's Land Quality Officer has advised that these works are carried out and presented in a risk assessment which will be required under a pre-commencement planning condition. Subject to these details being secured, the proposals would comply with Policy RE9 of the Oxford Local Plan.

11. CONCLUSION

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

11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver sustainable development, with paragraph 11 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.

11.3. The proposals would provide the windfall delivery of 15 much needed affordable homes to meet the Council's housing need, which should be viewed as a significant public benefit of the development.

11.4. The proposals would result in the partial loss of an area of public open space in the adjoining square. The plans include improvements to the remaining space, including tree planting, ecological enhancements and other public realm improvements. Whilst there are other more substantial and higher quality areas of public open space in the immediate vicinity of the site (within 800 metres) the site would not be considered to be surplus to requirement as an area of public open space. Whilst the proposals provide the opportunity to enhance the remaining public realm, around 25% of the existing public open space would be lost and therefore the proposals would be contrary to Policy G5 of the Oxford Local Plan as the quantity of open space would be reduced overall. On this basis the proposals must be considered as a departure from the development plan. The departure is however considered justified on the basis that the proposals present the opportunity to enhance the remaining public realm through a public open space strategy that would be secured through the accompanying legal agreement and that the proposals would deliver 15 new affordable homes, which

would provide an important contribution in meeting the Council's need for affordable housing.

11.5. The closure of Elizabeth Place to through traffic has been assessed as acceptable by the Local Highway Authority subject to the provision of on-site public rights of way, in the form of the proposed cycle and pedestrian accesses, which are considered acceptable in allowing acceptable permeability of movement between Gorse Leas and Westlands Drive. It is considered that the development is located within an area, where occupiers would not be dependent on private car use and existing parking controls would serve to prevent accumulation of parking in the surrounding streets. It is considered that the proposals to not provide parking, with the exception of two disabled spaces is acceptable and would comply with Policy M3 of the Oxford Local Plan. In respect of highway safety and amenity and encouraging a modal shift towards sustainable travel, it is considered that the development would comply with Policies M1, M2, M3, and M5 of the Oxford Local Plan.

11.6. The design of the development is considered appropriate in terms of its form, scale and massing and the appearance of the housing would harmonise appropriately with the character of existing development within the area in accordance with Policy DH1 of the Oxford Local Plan. The design achieves high sustainability standards, significantly exceeding the carbon reduction requirements outlined under Policy RE1 of the Oxford Local Plan.

11.7. Each of the proposed homes would provide appropriate standards of indoor and outdoor amenity for future occupiers in accordance with Policies H14, H15 and H16 of the Oxford Local Plan. It is considered that the scale and siting of the development would not have a significantly detrimental impact on the amenity of existing occupiers by reason of overbearingness, loss of privacy and loss of light and the proposals are considered to comply with Policies H14 and RE7 of the Oxford Local Plan.

11.8. 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 this report and the satisfactory completion (under authority delegated to the Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers.

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 referred to shall be constructed strictly in complete

accordance with the specifications in the application and the submitted plans.

Reason: To avoid doubt as no objection is raised only in respect of the deemed consent application as submitted and to ensure an acceptable development as indicated on the submitted drawings in accordance with Policy S1 of the Oxford Local Plan.

Material Samples

3. Samples of the exterior materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before the start of above ground works on the site and only the approved materials shall be used.

Reason: In the interests of visual amenity in accordance with Policy DH1 of the Oxford Local Plan.

Land Contamination

4. Prior to the commencement of the development a further phase of contamination 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. The phased risk assessment shall be submitted to and be approved in writing by the Local Planning Authority.

Phase 1 has been completed and approved. A further element of Phase 2 intrusive investigation shall be completed in the area of the proposed development in order to fully 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 be approved in writing by the Local Planning Authority to ensure the site will be suitable for its proposed use.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy RE9 of the Oxford Local Plan 2016 - 2036.

5. 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 been approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy RE9 of the Oxford Local Plan 2016 - 2036.

6. 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 policy RE9 of the Oxford Local Plan 2016 - 2036.

Electric Vehicle Charging

7. Prior to the commencement of above ground works, details of the Electric Vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle infrastructure shall be formed, and laid out in accordance with the 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 policies M4 and RE6 of the new Oxford Local Plan 2016- 2036.

CEMP – Dust Mitigation

8. No development shall take place until the complete list of site specific dust mitigation measures and recommendations that are identified on page 31 (for Earthworks, Construction and Trackout) and on Annex B (pages 44-44) of the Air Quality Assessment that was submitted with this application, are included within a Construction Environmental Management Plan (CEMP) that shall be 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 Core Policy RE6 of the new Oxford Local Plan 2016- 2036.

Energy Statement Compliance

9. The development shall be carried out in accordance with the recommendations of the Energy and Sustainability Statement prepared by CBG Consultants dated 26th September 2022 accompanying this planning application.

Reason: To ensure the incorporation of sustainable design and construction with the approved scheme and to ensure carbon reduction in line with Policy RE1 of the Oxford Local Plan.

Landscaping Plan

10. A Landscape Plan shall be submitted to, and approved in writing by, the Local Planning Authority prior to first occupation 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 plan shall correspond to a schedule detailing plant numbers, sizes and nursery stock types.

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

Implement Landscaping

11. The Landscape Plan as approved by the Local Planning Authority shall be carried out no later than the first planting season after first occupation or first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

Landscaping Proposals – Reinstatement

12. Any existing retained trees, or new trees or plants planted in accordance with the details of the approved Landscape Plan 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 2016-2036.

Tree Protection Plan

13. No development, including demolition or enabling works, shall take place until a Tree Protection Plan (TPP) has been submitted to, and approved in writing by the Local Planning Authority. The TPP shall include such details as are appropriate for the protection of retained trees during development, and shall be in accordance with the current BS. 5837: "Trees in Relation to Design, Demolition and Construction – Recommendations" unless otherwise agreed in writing by the Local Planning Authority.

The TPP shall include a scale plan 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. The approved physical protection measures shall be in place prior to the commencement of any development, including demolition or enabling works, and shall be retained for the duration of construction, unless otherwise agreed in writing beforehand by the Local Planning Authority.

The Local Planning Authority shall be informed in writing when physical measures are in place, in order to allow Officers to make an inspection prior to the commencement of development. No works or other activities including storage of materials shall take place within designated Construction Exclusion Zones and Root Protection Area's unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

Landscape Surface Design

14. No development shall take place until 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. The hard surfaces shall be constructed before first occupation of the development in accordance with the approved details unless otherwise agreed in writing beforehand by the Local Planning Authority.

The submitted 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 2016-2036.

Underground Services – Tree Roots

15. No development shall take place until details of the location of all underground services and soakaways have been submitted to and approved in writing by the Local Planning Authority. The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas of retained trees as defined in the current British Standard 5837 "Trees in Relation to Design, Demolition and Construction - Recommendations". Works shall only be carried out in accordance with the approved details unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

Arboricultural Monitoring Programme (AMP)

16. The development hereby permitted, including any 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. 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 Tree Protection Plan, as approved 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 Local Planning Authority at scheduled intervals in accordance with the approved AMP. The development shall be carried out 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 2016-2036

Protection of Breeding Birds – Construction

17. No removal of hedgerows, trees or shrubs that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before works proceed and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation shall be submitted to the Local Planning Authority before the removal of any hedgerows, trees or shrubs.

Reason: To protect all wild birds, their nests and young in accordance with The Wildlife and Countryside Act 1981 (as amended).

Ecological Enhancements

18. The development hereby approved shall be implemented in accordance with the measures stated in Section 6.3 of the report 'Ecological Impact Assessment' produced by Windrush Ecology and dated March 2023. The approved bird nesting devices shall be fully constructed prior to occupation of the approved dwellings and retained as such thereafter, unless otherwise approved in writing by the Local Planning Authority.

Reason: To improve the biodiversity in Oxford City in accordance with Policy G8 of the Oxford Local Plan 2036 and the National Planning Policy Framework.

Site Layout – Surfacing

19. Prior to the commencement of above ground works, full specification details (including construction, layout, surfacing and drainage) of the site layout, including the new bollard at the northern pedestrian access or similar such

feature, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and public amenity and to comply with Government guidance contained within the National Planning Policy Framework.

Cycle Parking

20. Prior to the first occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority beforehand. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

Parking Permits

21. The development hereby permitted shall not be occupied until the relevant Oxfordshire County Council Controlled Parking Zone Order governing parking at the application site has been varied by the Oxfordshire County Council as highway authority to exclude the approved new dwellings subject to this permission from eligibility for residents' 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.

Provision of Shared Pedestrian and Cycle Access

22. Prior to the commencement of above ground works, a detailed specification of the new shared pedestrian/cycle route shall be submitted to and approved in writing by the Local Planning Authority. The pedestrian/cycle route shall be formed, constructed, surfaced, laid, marked out, drained and completed in accordance with the approved specification before first occupation of the development and shall be retained thereafter.

Reason: In the interests of highway safety and public amenity in accordance with Policy M1 of the Oxford Local Plan and to comply with Government guidance contained within the National Planning Policy Framework.

Construction Traffic Management Plan

23. Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall include a commitment to deliveries only arriving at or leaving the site outside local peak traffic periods (07:30-09:30am, 15:00-15:30pm and 16:30-18:00pm). The approved CTMP shall be implemented and operated in accordance with the approved details during the construction phase of the development. The CTMP shall include the following details:

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
- The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc.
- Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc.) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111.
- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Any temporary access arrangements to be agreed with and approved by Highways Depot. Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road

infrastructure and local residents, particularly at morning and afternoon peak traffic times.

Secured by Design

24. Prior to commencement of development, an application shall be made for Secured by Design (SBD) silver accreditation. The development shall not be occupied or used until confirmation that SBD accreditation has been achieved has been received by the Local Planning Authority.

Reason: To create a safe environment for existing and future occupiers which reduces opportunities for crime in accordance with Policy DH1 of the Oxford Local Plan 2016-2036.

Lighting Plan

25. Prior to the first occupation of the development, details of a proposed external lighting scheme shall be submitted to the Local Planning Authority. The scheme shall set out the steps that will be taken to ensure that external lighting, including zonal/security lighting and column lighting within parking courts promotes a secure environment and does not cause a nuisance to local residents. The lighting scheme shall be approved in writing by the Local Planning Authority and shall be implemented before first occupation of the development and shall be retained thereafter.

Reason: In the interests of providing a safe and suitable public realm for occupiers and users of the site and to prevent opportunities for crime in accordance with Policy DH1 of the Oxford Local Plan.

Obscured Glazing

26. Prior to the first occupation of the development, the proposed south east facing windows serving flat number 7 shall be fitted with obscured glazing up to a minimum height of 1.8 metres and shall be retained in that condition thereafter.

Reason: In the interests of preserving the amenity of future occupiers in the adjoining houses, in accordance with Policy H14 of the Oxford Local Plan 2016-2036.

Privacy Screen

27. A design and specification of privacy screening to be installed adjacent to the third floor south east facing walkway serving flats 6 and 7 shall be submitted to and shall be approved in writing by the Local Planning Authority before first occupation of the development. The approved screening shall be fitted in accordance with the approved specification prior to first occupation of the development and shall be retained thereafter.

Reason: In the interests of preserving the amenity of existing residential occupiers, in accordance with Policy H14 of the Oxford Local Plan. 2016-2031.

Drainage Scheme

28. Development shall not commence until a detailed surface water drainage scheme for the site, has been submitted to and been approved in writing by the Local Planning Authority. The scheme shall 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 the incorporation of adequate measures to manage surface water drainage and to prevent an increase in flood risk in accordance with Policies RE3 and RE4 of the Oxford Local Plan 2036.

SuDS Details

29. Prior to first occupation of the development, a record of the installed SuDS and site wide drainage scheme shall be submitted to and be 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 the incorporation of adequate measures to manage surface water drainage and to prevent an increase in flood risk in accordance with Policies RE3 and RE4 of the Oxford Local Plan 2036.

13. APPENDICES

- **Appendix 1** – Site location plan

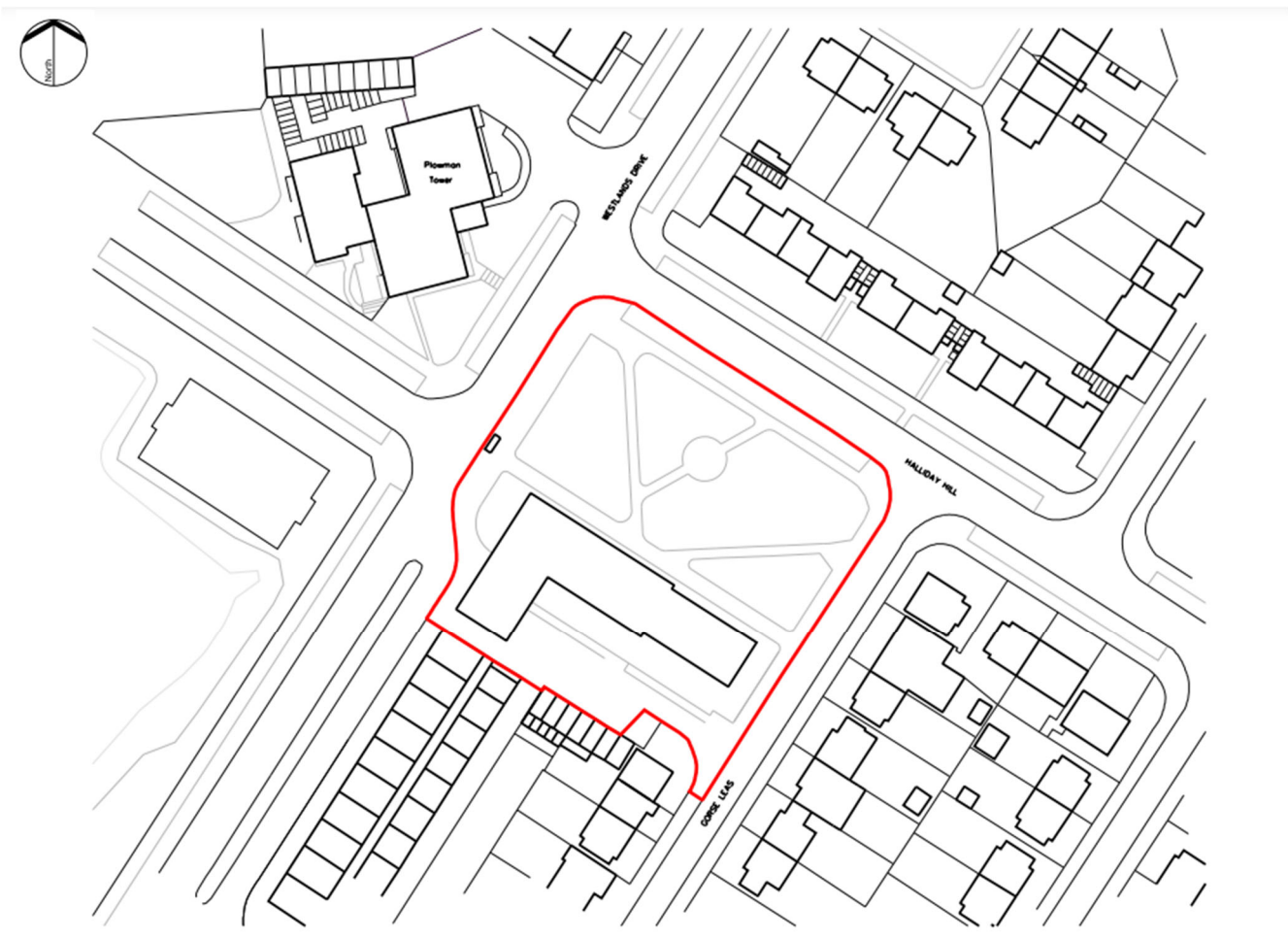
14. HUMAN RIGHTS ACT 1998

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.

Appendix 1 - 22/01554/FUL – Westlands Drive, Site Location Plan



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Minutes of a meeting of the Planning - Oxford City Planning Committee on Tuesday 23 May 2023



Committee members present:

Councillor Altaf-Khan	Councillor Chapman
Councillor Clarkson (Chair)	Councillor Fouweather
Councillor Hollingsworth (Vice-Chair)	Councillor Kerr
Councillor Malik	Councillor Railton
Councillor Rehman	Councillor Upton
Councillor Nala-Hartley (for Councillor Mundy)	

Officers present for all or part of the meeting:

Emma Lund, Committee and Member Services Officer
Andrew Murdoch, Development Management Service Manager
Robert Fowler, Development Management Team Leader (West)
Louise Greene, Planning Lawyer
Felicity Byrne, Principal Planning Officer
Sarah De La Coze, Principal Planning Officer
Gill Butter, Principal Heritage Officer

Apologies:

Councillor Mundy sent apologies.
The substitute is shown above.

1. Election of Chair for the Council Year 2023-24

Councillor Mary Clarkson was elected Chair for the Council year 2023-24.

2. Election of Vice-Chair for the Council Year 2023-24

Councillor Alex Hollingsworth was elected Vice-Chair for the Council year 2023-24.

3. Declarations of interest

General

Councillor Upton declared that as a member and trustee of the Oxford Preservation Trust she had taken no part in that organisation's discussions regarding the applications before the Committee. Councillor Upton said that she was approaching the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

23/00326/FUL

Councillor Fouweather stated that he had been a signatory to the call-in but was approaching the application with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

22/00962/FUL

Councillor Clarkson stated that she lived near the application site, in Dunstan Road. However, not sufficiently close as to be affected by the application.

Councillors Nala-Hartley and **Altaf-Khan** stated that they were former students of Ruskin College. However, each declared that they had not taken part in any discussions with the College regarding the application.

Councillor Kerr joined the meeting late, and during consideration of the item declared that she had objected to the application on the grounds of a lack of cycle storage. However, she was approaching the application with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

4. 22/02849/FUL: Land at Winchester Road, Banbury Road and Bevington Road, Oxford

The Committee considered an application (22/02849/FUL) for the development of land at Winchester, Banbury and Bevington Road for the provision of student accommodation through the construction of accommodation buildings, a new villa on Bevington Road and the conversion of 43-45 Banbury Road together with a student pavilion building, and academic accommodation building, maintenance and repair works to the conservatory at 59 Banbury Road and associated landscaping works including walls and railings to roadside frontages, electrical substation, associated ancillary accommodation, access, cycle parking, accessible parking and refuse and recycling facilities.

The Planning Officer provided the following updates and clarifications:

- The applicant was both the University of Oxford and Hertford College.
- The CIL amount shown in the report was incorrect, due to the way it had been reported and calculated. Following an amended CIL form and calculation the correct figure was £784,457.
- The Section 106 highways contribution had also been re-negotiated with the County Council. The contribution was now proposed to be £100,000.
- Since publication of the report three additional letters of representation had been received. The issues raised related to conditions; impact on water and sewerage infrastructure; intensification of the site; the location of access points; traffic construction times and general noise. All of the planning issues raised had been addressed in the officer's report. With regard to the use of conditions, planning policy guidance was clear that conditions could enhance the quality of development and enable development to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects. Therefore the use of planning conditions was a recognised way of dealing with planning issues.

The Planning Officer gave a presentation and highlighted the following:

- The application sought planning permission for the redevelopment of land to the rear of Winchester Road, Banbury Road and Bevington Road in the north of Oxford. It sought to provide a new academic community, with the introduction of student accommodation and a new departmental building - Southeast Asian Studies Centre (SASC) - bringing together Hertford College, Kellogg College, Reuben College and Oxford School of Global and Area Studies (OSGA).
- The proposed development would provide 130 new graduate student rooms for Hertford College, Kellogg College and Reuben College across 6 new buildings, together with the conversion and upgrade of the existing detached twin villa building at 43 - 45 Banbury Road.
- Additional ancillary student facilities would also be provided, including a pavilion which would accommodate a reading room, recreation room and common room. The ground floor of 11 Winchester Road would be partially refurbished to provide a Porter's Lodge, an accessible bedroom and staff facilities, replacing an existing bedroom and communal kitchen.
- The site would provide 7 car parking spaces and 346 cycle spaces across the site.
- The site was located within the North Oxford Conservation Area. In addition, 59 Banbury Road and Gees Restaurant were Listed Buildings which were located within the setting of the proposed development. Great weight had been given to preserving these heritage assets when determining the application.
- The buildings had been designed and arranged to limit the harm to the Conservation Area and Listed Buildings. The buildings had been located in positions which would seek to retain views into the site from the street. The heights of the buildings also related to their position and context on the site, with the taller elements being located on the edge of the site and the lower lying buildings on the boundaries where they were located closer to neighbouring properties.
- The report set out the impact of the development on the historic environment. Whilst less than substantial harm had been identified, great weight had been given to the conservation of these designated heritage assets.
- Historic England had raised no objection to the application. Notwithstanding this, the NPPF required that where less than substantial harm to the significance of a designated heritage asset is identified, this harm should be outweighed by the public benefits. The public benefits of the scheme were set out in the report, the greatest of which would be new landscaped frontages including new tree planting and the reinstatement of the front gardens and railings, and the delivery of 130 student rooms which equated to the equivalent of 52 dwellings being released back into the housing market.
- With regard to impact on neighbouring amenity, the buildings had been designed so not to have an unacceptable impact with regard to loss of light, outlook, overlooking

and overbearing impact. Where harm had been identified, mitigation measures had been incorporated.

- No technical objections had been received.
- The site was an allocated site and the proposal was considered to comply with the requirements of the allocation as well as the other policies of the Oxford Local Plan.
- Officers had considered the application to be acceptable in terms of principle, design, impact on neighbouring amenity, highways, heritage and the issues set out in the report. Therefore the application was recommended for approval subject to conditions and a Section 106 agreement.

Nik Lyzba (on behalf of Mogford Group) and Richard Katz (local resident) spoke against the application.

Stephen Sensecall (agent) spoke in favour of the application.

The Committee asked questions about the details of the application, which were responded to by officers and the agent and architect. The Committee's discussions included, but were not limited to:

- The buildings were new pieces of architecture of a high design quality that was appropriate for buildings in the conservation area; they were not intended to copy or imitate the original Victorian Gothic architectural language but rather take reference and re-interpret this in a contemporary manner.
- The County Council would agree a Construction Transport Management Plan. Any issues relating to unacceptable levels of noise could be dealt with by the Council's Environmental Health team. The Council expected developers to sign up to the Considerate Contractors Scheme, and there were many examples of large scale construction projects having been successfully undertaken in residential areas of the city previously.
- The proposal would require biodiversity offsetting in order to comply with Policy G2 of the Oxford Local Plan 2036.
- The provision of the student accommodation would allow for the private sector rented accommodation and affordable housing which was currently occupied by students to be released into the market for the benefit of other Oxford residents.
- The proposal had been thoughtfully designed, and allowed for better, more efficient use of the neglected garden spaces behind the buildings.
- The buildings would be of Passivhaus standard across the entirety of the site, and the development would be car free.
- There would be some harm to the heritage asset (the North Oxford Victorian Suburb Conservation Area) arising from the loss of the rear garden plots in particular. However, this would be balanced by enhancements to the significance of the heritage asset by way of the careful restoration of the frontages to gardens

with front boundary walls topped with railings. It was considered on balance that the sum of benefits resulting from the development would outweigh the lower level of less than substantial harm that would be caused to the significance of heritage assets.

- Thames Water had requested additional information which could be provided through a condition, which was considered standard for these types of application. A condition had been included to ensure that the scheme complies with the requirements of Thames Water.
- The requested Oxfordshire County Council Highways Section 106 contribution was to help improve the Bevington Road junction for cyclists which would include signage and symbols.
- The site allocation policy included three different sites in Oxford; this application related to one of the three allocations.

Councillor Kerr, having arrived at the meeting after the conclusion of the officer's presentation, did not participate in determining the application.

On being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application for the reasons set out in the report and subject to the conditions and planning obligations set out in the report.

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
2. **delegate authority** to the Head of Planning Services to:
 - finalise the recommended conditions 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 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
 - complete the Section 106 agreement referred to above and issue the planning permission.

5. 23/00326/FUL: 39 South Parade, Oxford OX2 7JL

The Committee considered an application (23/00326/FUL) for partial demolition of the existing building; erection of a three storey building to create 6 x 1 bed flats (Use Class C3); alterations to fenestration of the west elevation; provision of bin and bicycle stores; and alterations to landscaping and ancillary works at 39 South Parade, Oxford.

The Planning Officer gave a presentation and highlighted the following:

- There was a minor error in the officer's report in that paragraphs 10.68 – 10.70 suggested that only part of the roof would be used for photovoltaic solar panels. In fact, solar panels would be maximised over most of the roof. The figures given in the report were correct, and the scheme was policy compliant with regard to energy efficiency measures.
- The application was a resubmission of two previously refused applications (22/01994/FUL and (22/00393/FUL). Application 22/00393/FUL had been the subject of an appeal decision, details of which were provided in the report.

Rosalind Philps (local resident) spoke against the application.

Nik Lyzba (agent) and Bruce Coburn (architect) spoke in favour of the application.

The Committee asked questions about the details of the application which were responded to by officers. The Committee's discussions included, but were not limited to:

- The new application sought to overcome the existing basis for the development being found to be unacceptable, as determined by the Planning Inspector. The proposal before the Committee only significantly differed from the previous application with respect to the proposed rear staircase which would be enclosed, with light provided by high level windows only.
- With the exception of the outstanding issue of privacy (which had now been addressed), the judgement of the Planning Inspector overrode all previous reasons for refusal.
- There had been no material change to national or local planning policy since the Planning Inspector's judgement, nor had anything factually changed on ground. This application only significantly differed from the previous in respect of the proposed rear enclosed staircase, to deal with the privacy issue. Refusal of this application risked the decision being appealed and under the circumstances discussed it was suggested that a refusal relating to the design and amenity impacts of the development would be unlikely to be upheld by a Planning Inspector with a further risk of costs being awarded against the Council.

On being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application for the reasons set out in the report and subject to the conditions set out in the report.

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; and
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.

6. 22/00962/FUL: Ruskin Hall, Dunstan Road, Oxford, OX3 9BZ

The Committee considered an application (22/00962/FUL) for demolition of existing 24-bed student accommodation building (Bowen Building) and erection of 65 bed student accommodation building and erection of 30 bed student accommodation building with associated landscaping at Ruskin Hall, Dunstan Road, Oxford.

The Planning Officer gave a presentation and highlighted the following:

- The scheme would provide 95 rooms, representing a net gain of 71 student rooms, on a site which was allocated for student accommodation. The new accommodation would also be of a higher standard than that currently provided within the Bowen building.
- The proposal followed a series of identical applications for the proposed new student blocks. The principle of the development had therefore been previously established and accepted in principle.
- A representation had been received subsequent to the publication of the report which had referred to part of the land to the north of the site being designated as peat. The Planning Officer clarified that whilst this had been the case in the past, updated British Geological Survey mapping had changed this designation. However, the applicant had nonetheless worked with officers and the Lead Local Flood Authority to move the attenuation tank out of that zone. Officers were therefore satisfied that there would be no harm, and that the applicant had done as much as was necessary, with regard to sustainable drainage.
- Correction was required to the percentage figures provided at paragraph 10.100 of the report in relation to carbon reduction, due to errors in the modelling. However, the development was still policy compliant. Block A would achieve carbon reduction of 41.3% against a 2021 Part L compliant baseline. The figure for Block B was 54.4%.
- There was considered to be a level of less than substantial harm in terms of reducing the glimpsed views of the crinkle crankle wall and the parkland setting to the listed building (The Rookery), and also to the character and appearance of the Old Headington Conservation Area by reducing the sense of a house within a parkland setting. However, the public benefits of the scheme, including the provision of housing for students and meeting the College's needs for their full-time students; increasing biodiversity; provision of sustainable buildings; and increasing tree canopy were considered to outweigh the harm that would be caused to the significance of heritage assets in this case. Conditions had been included to

prevent harm to the Sequoia tree, and further to original objections there was now policy compliant cycle parking. Officers were also satisfied that there would be no harm caused by overlooking of the Rookery Villa.

David Ramsey (agent) spoke in favour of the application.

The Committee asked questions about the details of the application, which were responded to by officers. The Committee's discussions included, but were not limited to:

- Parking of cars on the campus driveway and in Stoke Place was currently an issue for local residents. Officers were requested to include wording within the conditions to the effect that parking should only be permitted within designated parking spaces.
- The cycle route through the site included provision for cyclists to cycle down steps by way of a ramp. Officers were requested to include wording relating to this within the conditions, requiring the applicant to reconsider that part of the route to make it accord with LTN1/20.
- Committee members agreed that officers be authorised to progress these using delegated authority.

On being proposed, seconded and put to the vote the Committee agreed with the officer's recommendation to approve the application for the reasons set out in the report and subject to the required planning conditions set out in the report.

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; and
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
 - issue the planning permission.

7. Minutes

The Committee resolved to approve the minutes of the meeting held on 18 April 2023 as a true and accurate record.

8. Forthcoming applications

The Committee noted the list of forthcoming applications.

9. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 8.56 pm

Chair

Date: Tuesday 20 June 2023

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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