

Agenda

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Planning - Oxford City Planning Committee

This meeting will be held on:

Date: **Tuesday 17 October 2023**

Time: **6.00 pm**

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

For further information please contact:

Emma Lund, Committee and Members' 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](#)

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

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

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

Committee Membership

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

Councillor 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 Sajjad Malik	Temple Cowley;
Councillor Edward Mundy	Holywell;
Councillor Anna Railton	Hinksey Park;
Councillor Ajaz Rehman	Lye Valley;
Councillor Louise Upton	Walton Manor;

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

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

Agenda

Pages

Planning applications - background papers and additional information

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

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

1 Apologies for absence and substitutions

2 Declarations of interest

3 23/01509/RES: Land Bounded by A34 And A44 And A40, Parcel 1, Woodstock Road, Oxford OX2 8JP

11 - 62

Site Address: Land Bounded By A34 And A44 And A40, Parcel 1, Woodstock Road, Oxford, Oxfordshire

Proposal: Reserved matters approval of scale, layout, landscaping and appearance for the central landscaping area to include provision of a pond, woodland area and play area. The original application was EIA development.

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 12 of the report and grant planning permission.

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2. **Delegate authority** to the Head of Planning Services to:
- Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary and issue the planning permission.
 - Respond to any comments received by Oxfordshire County Council (Lead Local Flood Authority) to resolve any concerns or objections and to finalise any recommended conditions relating to site drainage.

4 22/02446/CT3: Donnington Recreation Ground, Freelands Road, Oxford OX4 4BT

63 - 90

Site Address: Donnington Recreation Ground, Freelands Road, Oxford, Oxfordshire

Proposal: Removal of existing fencing and formation of footpath and cycle path and associated landscaping works (additional information: Updated Arboricultural Impact Assessment and Biodiversity Net Gain Design Stage Report). (Amended Description)

Reason at Committee: Called in by Councillors Turner, Pressel, Railton, Munkonge, Chapman, Fry, Coyne and Brown as this is a council project and there are local concerns in regards to the loss of trees and impact on biodiversity.

Recommendation:

The Oxford City Planning Committee is recommended to:

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

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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 legal agreement referred to above and issue the planning permission.

5 Minutes

91 - 100

Recommendation: to approve the minutes of the meeting held on 19 September 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.

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
23/00693/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
23/01198/FUL: Unit 1, Ozone Leisure Park, Grenoble Road, Oxford	Major
23/01003/CT3: Tumbling Bay, Head of Bulstake Stream, Botley Road, Oxford	Called-in

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23/01884/ADV: 91-99 Botley Road, Oxford OX2 0EZ	Called-in
23/02006/FUL: 43 Dodgson Road, Oxford OX4 3QS	The applicant is an Oxford City Councillor
23/01928/FUL: 1 Marlborough Road, Oxford OX1 4LW	Called-in
23/02114/FUL: John Radcliffe Hospital, Headley Way, Oxford OX3 9DU	Major
23/02166/FUL: BMW UK Manufacturing Ltd, Garsington Road, Oxford, OX4 6NL	Major
23/02092/FUL: Littlemore House, Oxford Innovation Park, 33 Armstrong Road, Oxford OX4 4FY	Major

7 Dates of future meetings

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

21 November 2023

12 December 2023

23 January 2024

20 February 2024

19 March 2024

23 April 2024

*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.*

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.

Application number:	23/01509/RES		
Decision due by	2 nd November 2023		
Extension of time	N/A		
Proposal	Reserved matters approval of scale, layout, landscaping and appearance for the central landscaping area to include provision of a pond, woodland area and play area. The original application was EIA development.		
Site address	Land Bounded By A34 And A44 And A40, Parcel 1 , Woodstock Road, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Wolvercote Ward		
Case officer	Michael Kemp		
Agent:	Edward Adamson	Applicant:	Oxford North Ventures GP LLP
Reason at Committee	The proposals are 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.

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 issue the planning permission.
- Respond to any comments received by Oxfordshire County Council (Lead Local Flood Authority) to resolve any concerns or objections and to finalise any recommended conditions relating to site drainage.

2. EXECUTIVE SUMMARY

2.1. This application relates to areas of land located towards the centre of the central parcel of the Oxford North site totalling 15,401sqm in area. The site includes a large parcel of land to the east of the Red Hall and north east of the two buildings

approved under Phase 1a of the Oxford North development. Part of the site subject of this reserved matters application benefitted from detailed planning permission for a public park under hybrid planning permission 18/02065/OUTFUL. The remainder of the site fell within an area of the site subject of outline planning permission. All areas of the site subject of this reserved matters application have since been excluded from the detailed element of the planning permission, under an application made under Section 96A of the Town and Country Planning Act 1990 (18/02065/NMA3). This application was made to allow amendments to the proposals for the park and public open space that was approved under the detailed element of the planning permission.

- 2.2. The proposals contained within this reserved matters application include the provision of a new public park, consisting of open areas of amenity space, access paths, landscaped areas including a wildflower meadow, woodland and a pond. The proposed park also includes a children's play area. The site includes the provision of a new public square located to the north of the Red Hall described as the 'Market Square'. The proposals also include the provision of landscaped courtyards to the north east of the Phase 1a buildings approved under application 18/02065/OUTFUL.
- 2.3. The location of park and market square are compliant with the land use and access and circulation parameter plans in terms of the location of these areas of public open space. The proposed provision of public realm within this application would equate to the delivery of 16.8% public open space across the central parcel of the Oxford North site, which would exceed the requirement to deliver 15% public open space as set out within Policy NG7 of the Northern Gateway Area Action Plan. The areas of public realm are considered to be of a high standard in terms of their urban design and the quality of landscaping, consistent with Policy DH1 of the Oxford Local Plan. The proposed park includes substantial new tree planting and attractive landscaped spaces, including the new pond and woodland areas, which will provide a valued contribution towards biodiversity net gain, whilst also providing functional areas of amenity space and space for events. The relocation of the public square to the north of the Red Hall is well justified in terms of promoting activity and useability of this space, given its connection with the Red Hall, which would serve as a hub building for the site. The space is of an adequate size, whereby it may be used for a range of events. In summary it is considered that the approach to the design and siting of the landscaping and public realm would be acceptable and compliant with Policy DH1 of the Oxford Local Plan.
- 2.4. Good standards of pedestrian access are proposed throughout the public realm, whilst the proposals include the provision of a primary cycle and pedestrian route through the centre of the park, consistent with the access parameter plan and providing access connections between the A40 and A44 through the site. The proposals include the provision of an additional 40 cycle parking spaces to supplement individual on plot provision of cycle parking. In accessibility terms it is considered that the development would comply with Policies M1 and M3 of the Oxford Local Plan.
- 2.5. The application is accompanied by an updated surface water drainage strategy, covering the site subject of this reserved matters application, in addition to the

other parcels of land forming Phase 2 of the development. The Phase 2 surface water drainage strategy aligns with the consented surface water drainage strategy for the central parcel of the site and makes appropriate provision for surface water drainage in accordance with Policies RE3 and RE4 of the Oxford Local Plan and Policy BES4 of the Wolvercote Neighbourhood Plan. Delegated authority is therefore sought for officers to resolve any remaining technical matters relating to surface water drainage and to respond to any further comments submitted by the LLFA.

- 2.6. A biodiversity net gain strategy has been submitted covering Phase 2 of Oxford North, outlining target delivery of net gain proposed for each of the reserved matters applications submitted under Phase 2, which will contribute towards delivering net gain across the Oxford North site across the duration of the development in accordance with Policy G2 of the Oxford Local Plan and Policy GBS5 of the Wolvercote Neighbourhood Plan. The proposals are considered to provide a positive contribution towards achieving the target of 5% biodiversity net gain across the Oxford North project duration.
- 2.7. For the reasons outlined in the report, officers recommend that the application is approved subject to the resolution of the drainage issues and the conditions set out in Section 12 of this report.

3. LEGAL AGREEMENT

- 3.1. This application would not require a new legal agreement or any variation to the original agreement relating to planning application 18/02065/OUTFUL.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The original planning agreement was the subject of a detailed CIL agreement, no additional CIL would be payable based on the proposals submitted under this reserved matters application.

5. SITE AND SURROUNDINGS

- 5.1. The application site comprises a section of a wider 26-hectare area of former grazing farmland located in the north of Oxford, just inside the ring road which was the subject of planning application 18/02065/OUTFUL.
- 5.2. Planning approval was granted on 23rd March 2021 for planning application 18/02065/OUTFUL. This followed a resolution to grant planning permission made by the Planning Review Committee held on 16 December 2019 and the prior completion of the Section 106 agreement. The description of development is listed below:

Hybrid planning application comprising: (i) Outline application (with all matters reserved save for "access"), for the erection of up to 87,300 m² (GIA) of employment space (Use Class B1), up to 550 m² (GIA) of community space (Use Class D1), up to 2,500 m² (GIA) of Use Classes A1, A2, A3, A4 and A5 floorspace, up to a 180 bedroom hotel (Use Class C1) and up to 480 residential units (Use Class C3), installation of an energy sharing loop, main vehicle access points from A40 and A44, link road between A40 and A44 through the site,

pedestrian and cycle access points and routes, car and cycle parking, open space, landscaping and associated infrastructure works. Works to the A40 and A44 in the vicinity of the site. (ii) Full application for part of Phase 1A comprising 15,850 m² (GIA) of employment space (Use Class B1), installation of an energy sharing loop, access junctions from the A40 and A44 (temporary junction design on A44), construction of a link road between the A40 and A44, open space, landscaping, temporary car parking (for limited period), installation of cycle parking (some temporary for limited period), foul and surface water drainage, pedestrian and cycle links (some temporary for limited period) along with associated infrastructure works. Works to the A40 and A44 in the vicinity of the site. (Amended plans and additional information received 19.06.2019)

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

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

- East: the parcel to the east of the A44, south of the Peartree Park and Ride and west of the railway line
- Central: the largest parcel, to the west of the A44 and to the north-east of the A40 which will include development in Phase 1a and Phase 2.
- Canalside: the parcel to the south-west of the A40 and the north-east of Joe White's Lane

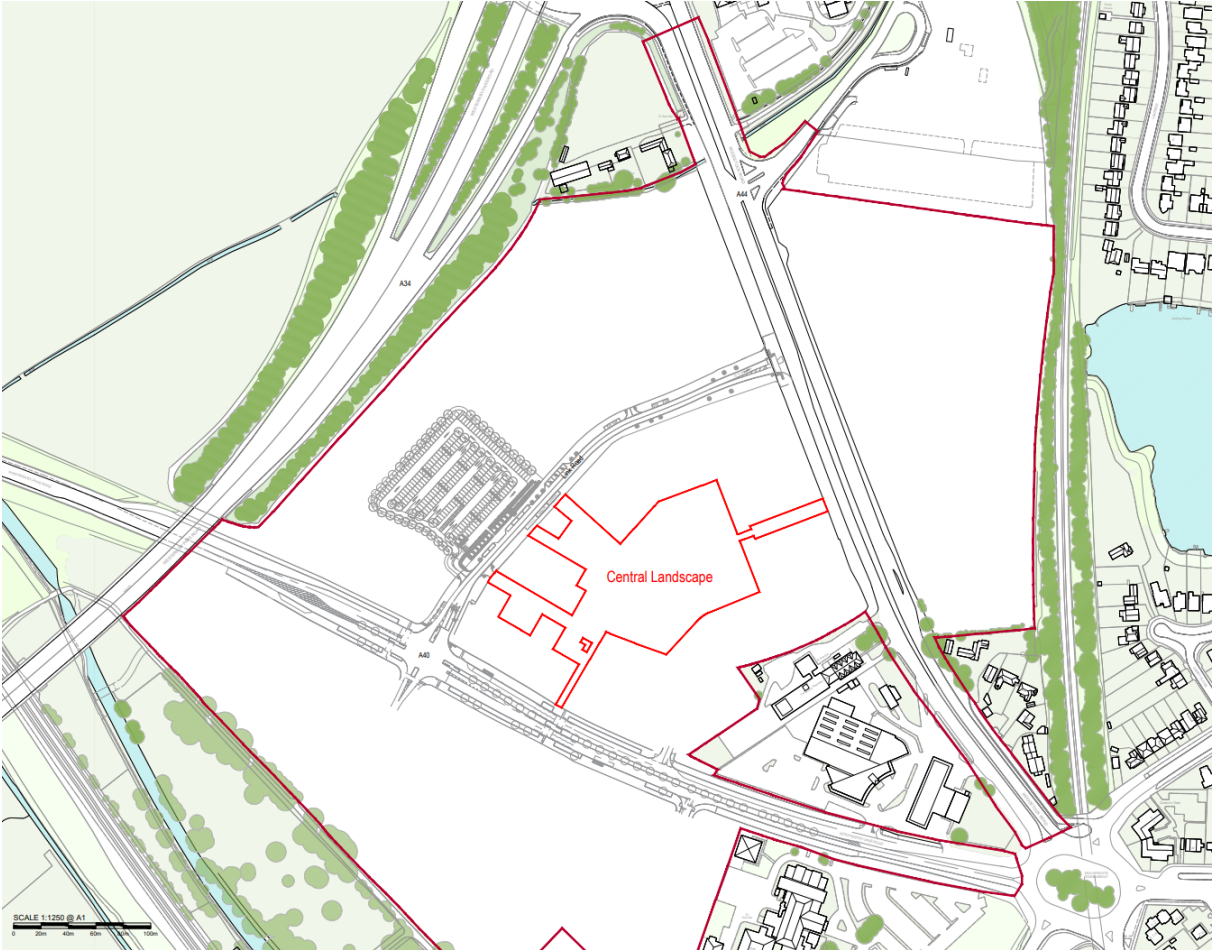
5.5. This application relates to areas of land located towards the centre of the central parcel of the Oxford North site totalling 15,401sqm in area which forms part of Phase 2 of the development. The site includes a large parcel of land to the east of the Red Hall and north east of the two buildings approved under Phase 1a of the Oxford North development. Part of the site subject of this reserved matters application benefitted from detailed planning permission for a public park under hybrid planning permission 18/02065/OUTFUL. The remainder of the site fell within the part of the site benefitting from the outline part of the Hybrid planning permission. The development masterplan for Oxford North covering the outline areas of the site and included the indicative location of a building and areas of public open space within the site subject of this reserved matters application, as well as further sections of parkland and a play area.

5.6. The boundary of the RM application site extends up to the edge of a future development Plot (Plot K) which lies to the south east of the site. The application site lies to the north of proposed Plot A (23/00707/RES) and is surrounded on three sides by access and service roads, which have been proposed under reserved matters application (23/01562/RES). The site plan includes a strip of land leading between the site of the proposed park and the A44 road, which is proposed to include a pedestrian and cycle path.

5.7. The application site also contains a strip of land to the south east of the two buildings approved under Phase 1a of the detailed planning permission, which is shown on the development masterplan and access parameter plan as an important pedestrian/cycle access route. The site plan contains two rectangular courtyards to the front of approved Buildings 1 and 2 (Phase 1a). The site also includes a rectangular parcel of land to the north of the extended Red Hall as permitted under planning application 22/03042/RES. This section of the RM application site referred to as the 'Market Square' extends up to what is envisaged to be a future development plot (Plot G). The site plan excludes a square parcel between the Red Hall and Plot G, which is the site of a proposed cycle parking pavilion that has been submitted under planning application (23/01648/RES).

5.8. As explained elsewhere in this Report Sections of the RM application site were formerly included under the detailed PP element of the hybrid planning permission covering the wider Oxford North site, however all areas of the site subject of this reserved matters application have since been excluded from the detailed element of the hybrid planning permission, under an application made under Section 96A of the Town and Country Planning Act 1990 (18/02065/NMA3). This application was made to allow amendments to the proposals for the park and public open space that were approved under the detailed element of the planning permission. The Effect of this is that the proposal before members now requires RM approval.

5.9. The site location plan for this reserved matters application is included below:



6. PROPOSAL

- 6.1. The application seeks reserved matters permission for a series of works to deliver public open space, landscaping and the provision of a service road to the south of the approved Red Hall and pedestrian/cycle routes, including a primary cycle route linking the A40 and A44, which crosses the centre of the site.
- 6.2. The proposals include the provision of a new area of parkland, referred to as the 'central park'. This is proposed to include areas of amenity grassland, wildflower planting, provision of a new pond for drainage and ecological purposes, woodland planting, and the provision of an equipped children's play area. The proposals include cut and fill earthworks to form a grass amphitheatre space leading downwards to the pond, which is a space that could be used for events purposes. The south eastern edge of the site would contain a more extensively planted area of woodland, which also includes a children's play area. A series of paths are proposed through the park. Crossing through the centre of the park is one of the primary cycle and pedestrian routes, linking the A40 and A44, which provides a link between the site and surrounding areas, including the Canalside residential development and Wolvercote.
- 6.3. The proposals include two sections of a 4-metre-wide access path leading between the A40 and A44. A section of path is proposed to the southwest of the central park, located between Buildings 1 and 2, which were approved under Phase 1a of the development and Plot A. A further section of pathway is proposed to the north east of the park linking the park with the A44. This path crosses two spur roads, which are subject of a separate reserved matters application (23/01562/RES).
- 6.4. The site plan contains two courtyard areas to the front (north east) of the Phase 1a buildings A and B, as well as a service access road that extends to the north west of the Phase 1a buildings and to the south of the Red Hall. This service road connects with a further spur road proposed under reserved matters application 23/01562/RES and adjoins the primary link road through the central parcel of the site which connects the A40 and A44 in a position to the south west of the Red Hall.
- 6.5. The proposals also include the provision of a rectangular area of hard surfaced public realm located to the north of the Red Hall, which is referred to as the 'Market Square'. This is intended to function as a public square and events space as well as providing a connection between the service road and the proposed park. A square section of this parcel is excluded from the red line area of the site as this includes a cycle storage pavilion, which is subject of a separate reserved matters application (23/01648/RES).
- 6.6. In total 12,960sqm of public open space would be provided within this application.

7. RELEVANT PLANNING HISTORY

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

<p>18/02065/OUTFUL - Hybrid planning application comprising:</p> <p>(i) Outline application (with all matters reserved save for "access"), for the erection of up to 87,300 sqm (GIA) of employment space (Use Class B1), up to 550 sqm (GIA) of community space (Use Class D1), up to 2,500 sqm (GIA) of Use Classes A1, A2, A3, A4 and A5 floorspace, up to a 180 bedroom hotel (Use Class C1) and up to 480 residential units (Use Class C3), installation of an energy sharing loop, main vehicle access points from A40 and A44, link road between A40 and A44 through the site, pedestrian and cycle access points and routes, car and cycle parking, open space, landscaping and associated infrastructure works. Works to the A40 and A44 in the vicinity of the site.</p> <p>(ii) Full application for part of Phase 1A comprising 15,850 sqm (GIA) of employment space (Use Class B1), installation of an energy sharing loop, access junctions from the A40 and A44 (temporary junction design on A44), construction of a link road between the A40 and A44, open space, landscaping, temporary car parking (for limited period), installation of cycle parking (some temporary for limited period), foul and surface water drainage, pedestrian and cycle links (some temporary for limited period) along with associated infrastructure works. Works to the A40 and A44 in the vicinity of the site. (Amended plans and additional information received 19.06.2019). Permitted 23rd March 2021.</p> <p>22/00081/NMA - Non-Material amendment to planning permission 22/00081/RES to allow change in surface materials and update to drainage strategy.. Permitted 6th December 2022.</p> <p>22/03042/RES - Erection of commercial building (revised design of approved Red Hall) and immediate hard landscaping.. Permitted 31st March 2023.</p> <p>18/02065/NMA2 - Amendments to the extent of land covered by the detailed and outline elements of hybrid planning permission 18/02065/OUTFUL and reserved matters approvals related to this consent.. Permitted 31st March 2023.</p> <p>18/02065/NMA3 - Non-material amendment to planning permission 18/02065/OUTFUL to allow the removal of the area of the central landscaping and the removal of the temporary car park. Removal of a central parcel of land located between buildings 1 and 2, along with minor amendments to the external elevations of Buildings 1 and 2 and minor amendments to the footpath and lay by to spaces along the link road.. Permitted 27th July 2023.</p> <p>23/00707/RES - Reserved matters approval of scale, layout, landscaping and appearance for the erection of commercial building, erection freestanding service pavilion for storage of associated waste and gas bottle storage and provision of landscaping (Plot A). The original application was EIA development.. Pending consideration.</p> <p>23/00708/RES - Reserved matters approval of scale, layout, landscaping and appearance for the erection of commercial building, erection freestanding service</p>
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pavilion for storage of associated waste and gas bottle storage and provision of landscaping (Plot B). The original application was EIA development. (Amended plans). Pending consideration.

23/01191/FUL - Provision of temporary car parking and cycle storage. Associated alterations to landscaping (Retrospective). Permitted 28th July 2023.

23/01224/RES - Reserved matters approval of scale, layout, landscaping and appearance for the erection of a utilities building located between buildings 1 and 2. The original application was EIA development.. Permitted 3rd August 2023.

23/01412/RES - Reserved matters for the approval of scale, layout, landscaping and appearance for the erection of commercial building, erection freestanding service pavilion for storage of associated waste and gas bottle storage and provision of landscaping (Plot C). The original application was EIA development.. Pending consideration.

23/01509/RES - Reserved matters approval of scale, layout, landscaping and appearance for the central landscaping area to include provision of a pond, woodland area and play area. The original application was EIA development.. Pending consideration.

23/01562/RES - Reserved matters approval of scale, layout, landscaping and appearance for the provision of the southern roads and spurs to adjacent plots and connection to the link road including pavements, street tree landscaping and sustainable drainage features. The original application was EIA development. Pending consideration.

23/01569/RES - Reserved matters approval of scale, layout, landscaping and appearance for the provision of the northern loop road and spurs to adjacent plots including pavements, street tree landscaping and sustainable drainage features. The original application was EIA development.. Pending consideration.

23/01592/RES - Reserved matters approval of scale, layout, landscaping and appearance for the multi-storey split decked car park including immediate landscaping. The original application was EIA development. Pending consideration.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Wolvercote Neighbourhood Plan:	Northern Gateway Area Action Plan
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Design	126-136	DH1 - High quality design and placemaking		NG7 – Design and Amenity
Conservation/ Heritage	189-208	DH3 - Designated heritage assets DH4 - Archaeological remains		
Commercial	174-182	E1 - Employment sites - intensify of uses		
Natural environment	91-101	G2 - Protection of biodiversity geo-diversity G5 - Existing open space, indoor and outdoor G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	GBS1 - Publicly Accessible Green Space GBS3 - Playing Fields, Playing Areas GBS5 - Biodiversity GBS6 - Green space in developments	NG8 – Oxford Meadows SAC
Transport	104-113	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development M3 - Motor vehicle parking M5 - Bicycle Parking	CHS1 - Community Connectivity	NG4 – Sustainable Travel NG5 – Highway Access NG6 – Car Parking
Environmental	119-125; 137-151; 153-169; 183-188	RE1 - Sustainable design and construction RE2 - Efficient use of Land RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface	BES4 - Drainage and Flooding	NG9 – Energy and Resources

		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 S2 - Developer contributions		NG2 - Mix of Uses NG3 - Employment NG11 - Delivery of Infrastructure

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 19th July 2023 and an advertisement was published in the Oxford Times newspaper on 20th July 2023.

Statutory and non-statutory consultees

Oxfordshire County Council

Highways

9.2. No objection

9.3. The application is for reserved matters approval for the central landscaped area which will provide a large area of open space within the Oxford North development. The application also includes the central section of the primary walk/cycle route through the development between the A44 and A40 which will in time have onward connections north towards Parkway station via the 'Lakeside' parcel of the development and south to Joe White Lane and the canal towpath.

9.4. The route would be identifiable as the primary route and provides sufficient space for shared foot and cycle movements although it may become busy during the peak 'office hours'. Whilst there is a general preference for segregated foot and cycle provision in this case the shared arrangement fits with the facilities at either end of this section of the route and so has continuity for users.

9.5. The two points that the foot/cycle route cross the internal roads are included in this Reserved Matters application however there is no feature such as raised table or different surface on the internal road to identify the crossing point to vehicles as is to be provided in the Canalside parcel of the development on the same route. Details of crossing points should be provided by condition.

Drainage

9.6. An objection has been raised by the County Council in relation to the Phase 2 drainage strategy, part of which covers this RM application. The majority of the matters raised within their response relate directly to Buildings A, B and C, which are subject of separate reserved matters applications, however there are other matters which are relevant to this reserved matters application. The objections are summarised below:

- Detailed design drainage layout drawings of the sustainable drainage scheme proposals including cross section details required.
- Applicant must provide details of the party that will conduct the maintenance during the life span of the development and include the details in the maintenance regime.
- The applicant must provide a basin construction detail drawing.

Thames Water

9.7. Do not intend to comment.

Natural England

9.8. Do not wish to comment.

Environment Agency

9.9. Do not wish to comment.

Historic England

9.10. Do not wish to comment.

Thames Valley Police

9.11. Have expressed the following concerns with the application.

- Impact of tree cover and siting of landscaping impacting on surveillance and CCTV coverage.
- Importance of surveillance in providing overlooking of the play facilities. Concerns that as the development is not residential that there would not be adequate surveillance. CCTV should be used in combination with robust management and security processes, also recommend regular security patrols and a permanent security presence on site.
- The lighting of areas of public open space must also be very carefully considered and designed, to prevent providing lighting that enables crime and anti-social behaviour. For example, the areas of equipped play should not be lit at night, as there will be no legitimate usage associated with these spaces in hours of darkness.
- There are two areas of this development which will be vulnerable to vehicle related threats these being the central park and Market Square. Robust vehicle mitigation measures should be put in place to prevent unauthorised vehicular incursion.

9.12. To address the concerns raised, the following conditions are suggested:

- Submit an application for secured by design accreditation.
- Submit details of a proposed external lighting scheme.
- Submit a CCTV operational requirements study.
- Submit landscape maintenance and management plan.

Officer Response

9.13. In response to the above comments, officers note that all of the further details requested by Thames Valley Police are already required under planning conditions on the hybrid permission and are applicable to this reserved matters application. There would be no requirement to replicate similar conditions on this reserved matters permission. Details of CCTV and security measures would be required alongside a lighting strategy, which will assist in ensuring that the new public space is safe and secure. The applicant has indicated that there are no proposals to provide lighting around the play areas, which was expressed as a concern by the Police, as this may encourage activity in this space outside of daylight hours.

9.14. In relation to the comments regarding vehicle incursion into the central park and Market Square, there is extensive soft landscaping, as well as a notable levels difference across the park area. Incursion into this space by vehicles would be unlikely and very difficult. In relation to the Market Square, where read in conjunction with the siting of the Red Hall and the proposed cycle pavilion, in addition to the hard and soft landscaping proposed, deliberate vehicle incursion into this space would be similarly difficult and therefore unlikely to occur.

Public representations

9.15. No public comments have been received in relation to this application.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Design and Heritage
- Transport/Access
- Drainage
- Ecology

Principle of development

10.2. The RM application site forms part of the wider Site the subject of the hybrid planning permission, which includes in outline the erection of up to 87,300 sqm (GIA) of employment space (Use Class B1), up to 550 sqm (GIA) of community space (Use Class D1), up to 2,500 sqm (GIA) of Use Classes A1, A2, A3, A4 and

A5 floorspace, up to a 180 bedroom hotel (Use Class C1) and up to 480 residential units (Use Class C3), installation of an energy sharing loop, main vehicle access points from A40 and A44, link road between A40 and A44 through the site, pedestrian and cycle access points and routes, car and cycle parking, open space, landscaping and associated infrastructure works and works to the A40 and A44 in the vicinity of the site. The principle of Development in accordance with the Hybrid planning permission is established, and only the detailed proposals covered within this Reserved Matters Application are for consideration.

- 10.3. Three buildings to be delivered under Phase 1a of the development were approved in detail under the Full (detailed) permission element of the hybrid planning permission, alongside the provision of a new park and temporary car park. As noted in the site description section of this report, the Red Hall, and other parcels of the wider site, have been excluded from the detailed element of the planning permission. This includes all parcels of the site subject of this reserved matters application.
- 10.4. The hybrid permission is accompanied by parameter plans and a development masterplan which form part of the approved set of plans accompanying this permission. The land use and access and circulation parameter plans are of particular relevance to the proposals.
- 10.5. Both parameter plans include the location of two areas of public open space on the central parcel of the Oxford North site. The area shown on the parameter plan as POS1 (Public Open Space) indicates the location of a large area of public open space, which corresponds to the location of the central park indicated on the development masterplan accompanying the hybrid planning permission. POS2 relates to a smaller area of public realm, which is shown as a hard landscaped area of public realm, which did not form part of the detailed element of the planning permission and was envisaged to sit between two buildings proposed to be delivered under a later phase of the development. In terms of both areas of public open space, the proposals allow for some variation in terms of where the public realm would be sited, this is providing that the location of the POS falls within the maximum limits of deviation defined on the relevant parameter plans.
- 10.6. The central park falls broadly within the location of the park indicated on both the development masterplan and the accompanying parameter plans (POS1) and within the limits of deviation allowed for within the parameter plan. The location of the proposed Market Square has been moved to a position to the south west of where this was originally shown on the parameter plan (POS2) and development masterplan. This is to align the square with the extended Red Hall. The position of the Market Square lies within the maximum permitted limits of deviation allowed for under the parameter plan and as noted in the relevant section of this report, there are design and placemaking benefits to locating this space immediately to the north of the Red Hall. The location of the public open space is therefore consistent with the parameter plans accompanying the hybrid planning permission.

- 10.7. The proposed park would be 9,086sqm in total area. The park approved under the detailed element of the hybrid permission measured 7,100sqm in total area. The proposals submitted under this reserved matters application would bring forward the delivery of an enlarged park at an early phase in the development compared with the area of open space previously approved under the detailed element of the planning permission. Policy NG7 of the Northern Gateway Area Action Plan requires that at least 15% of the total site area for Oxford North shall be provided as public open space. The total provision of public open space that would be delivered under this reserved matters application would be equivalent to 16.8% of the total area of the central parcel of the Oxford North site. This figure also does not include areas of open space adjacent to the ponds in the north west corner of the site, or open space that would be delivered within the adjoining plots, which the applicants have indicated would bring provision of public open space within the central parcel of the site to 18.3% of the total area. Beyond the central parcel substantial areas of public open space have been approved on the Canalside residential site and would be provided on the Eastside development on the opposite side of the A44. The delivery of public open space within this application would exceed the requirements set out in Policy NG7 of the NGAPP.
- 10.8. Policy GBS3 of the Wolvercote Neighbourhood Plan states that new developments of more than 10 dwellings must include provision for children's play areas that are safe, and nearby (within 100 metres). This provision should either enhance existing facilities or provide for new facilities where appropriate. Whilst no residential development is proposed within this application, or any of the other Phase 2 applications, the central park was envisaged within the development masterplan as offering a space to provide children's play facilities. Areas of the central parcel of the site are included in the land use parameter plan as offering potential to support residential development, whilst residential development has been approved on the Canalside Parcel to the south of the A40 and further residential development would be provided on the Eastside parcel to the northeast of the A44. The provision of the children's play area would encourage a greater range of visitors into the central parcel, beyond those working on the site, which is important in ensuring that the more employment focussed areas are inclusive to the existing community and future residents.
- 10.9. In terms of the provision of the public realm and play facilities, it is a requirement of the Section 106 agreement accompanying the hybrid planning permission that the owner shall submit a programme for the delivery of public open space for each phase of the development, prior to implementation of development on that phase. This must be approved in writing by the Council before the first occupation of any development to be delivered under that phase. The public open space programme includes a requirement for the phased delivery of public open space relative to the completion of housing and commercial buildings on the site. The S106 agreement also secures public access rights to the public open space. These provisions are also applicable to the children's play facilities. A condition is recommended requiring the submission of details of the design and specification of the play equipment to be provided.

10.10. It is a requirement of condition 51 of the hybrid planning permission that an estate management plan is submitted for approval in writing prior to the occupation of all new buildings, including the buildings subject to full planning permission. This covers a range of management requirements relating to landscape and ecological management, access and servicing, car parking, public realm, security control measures and maintenance of drainage. The estate management plan is however required prior to first occupation of any buildings. As there are no buildings on the site, but the management plan contains measures that are relevant to the proposals set out in this reserved matters application, a condition requiring the submission of an estate management plan is required under this RM application, albeit that details should be provided prior to first use of the public open space and accesses.

Environmental Impact Assessment

10.11. An Environmental Statement (ES) was prepared as part of hybrid planning application 18/02065/OUTFUL, which covered in outline all development across the Oxford North site. This reserved matters application would constitute a 'subsequent application' under Regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, the likely significant effects of the proposed development need to be considered.

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

Design and Heritage

Urban Design and Landscaping

10.13. 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. The design of all development should respond appropriately to the site character and context and shall be informed by a contextual analysis and understanding of the setting of the site. Paragraph 129 of the NPPF requires that all developments are considered in line with the National Design Guide and Model Code.

10.14. Plans for the central park were approved under the detailed element of the hybrid planning permission, however the continued design evolution for the Oxford North site and revised approach to the positioning of future development and new design of the Red Hall has resulted in a reconsideration of the approach to the landscaping of the park and use of the space, whilst also considering the site wide approach to drainage and delivery of biodiversity net gain.

10.15. The original design of the central park area approved under the detailed planning permission described as 'The Green' consisted of an open area of grass

amenity space with tree planting surrounding the edges of the site. This formed only part of the central park area shown on the development masterplan and did not include the provision of the areas of woodland and children's play equipment, although similar spaces were shown on the development masterplan and were intended to be delivered under a future reserved matters application. The proposals contained within this reserved matters application consist of a more extensive area of public open space than was previously approved in detail. The provision of a more extensive area of public open space at an early phase in the development is positive in terms of urban design and placemaking.

- 10.16. The landscape design is considered to be an improvement on the previously approved plans for the 'The Green' which were consented under the hybrid permission. The amended proposals provide greater variation in terms of the character space compared with the approved scheme, which principally consisted primarily of an open area of amenity space. The functionality of the space for general amenity use and for events purposes would not be lost as there remains open level areas of grass amenity space within the park, in addition to an amphitheatre space, which could function as an area for events. The more detailed landscaping proposals set out within this application includes areas dedicated for wildflower meadow planting, as well as climate resistant Mediterranean planting and a new pond, which would be a natural feature, with surrounding planting.
- 10.17. The woodland area would be a positive space in design and visual terms, providing a natural edge to the park, whilst providing additional tree canopy cover and a positive contribution to the biodiversity net gain requirements for the site, aligning with the respective aims of Policies G2 and G7 of the Oxford Local Plan. The pond whilst forming part of the sustainable drainage strategy for the site and contributing to biodiversity net gain is an attractively designed feature that would enhance the visual amenity of the park and adds interest to the public realm.
- 10.18. The revised plans for the landscaping and provision of the public realm were presented to the Oxford Design Review Panel, in conjunction with the proposals for Phase 2 of the Oxford North Development and the revised proposals for the Red Hall building. The panels comments are included in full at Appendix 3 of this report. The response from the panel to the landscaping changes and the rationale for the changes was generally positive and the repositioning of the Market Square adjacent to the Red Hall was viewed as a positive change that would encourage use of the space as a social hub. The panel recommended that the applicants continue to develop a site wide landscaping strategy considering incidental landscape, edges, and interfaces and to avoid isolated parcels of landscaping and public realm. The panel advised that there should be common agreement about the definition, identity, and purpose of each external space. The panel also advised that the applicants should demonstrate that the scheme is inclusive for all users and that the design of the Red Hall and external spaces should be designed for a specific use to avoid a generic design approach. There was some discussion regarding the potential benefits siting of the play area away from the Market Square and Red Hall in the southern section of the site and whether the siting of the play area in the southern section of the site would help to promote use of the site by the wider community.

- 10.19. The play area was shown within the north east corner of the public open space within the public realm strategy and masterplan accompanying the hybrid planning application in a position close to the location of the new pond. This was an indicative rather than a fixed location and moving the play area to the south east corner would be an improvement given that the play area would be sited much nearer the buildings that would be provided under Phase 1a and Phase 2 of the development. This is likely to increase use and surveillance of the play area.
- 10.20. ODRP's comments with regard to the siting of the play area were made in relation to ensuring that the landscape design promotes inclusive use of the site by the public other than those working in the development and providing the play space adjacent to the Red Hall would encourage wider public to use the areas within the centre of the site. The applicant's strategy for play provision includes the provision of small informal play equipment within the area to the front of the Red Hall. This may consist of logs, stepping stones, balancing poles and small pieces of play equipment such as rockers. Whilst there is merit in considering the siting of the formal play area within this space, this would impact adversely on the function of the park in providing space for general amenity and events use, as this would break the connection between the Red Hall/Market Square spaces and the adjoining areas of grass amenity space in the park. The woodland space offers an attractive area for the provision of play equipment, one which is still relatively central in the context of the site and is not within a peripheral or isolated location, as this would be adjacent to proposed Plot A and a future potential development plot (Plot K). The siting of the play equipment will help to activate this area and draw users of the central park across the wider area, as opposed to concentrating all activity around the Red Hall/ Market Square. Officers therefore consider that the applicant's strategy for the provision of play equipment is appropriate and well justified, notwithstanding Oxford Design Review Panel's (ODRP) preference for this space to be located adjacent to the Red Hall.
- 10.21. Accessibility is discussed in the following section of this report; however, the proposals include step free access throughout the park via multiple hard surfaced routes, which would respond to the site gradient and officers consider that the proposals would make provision for inclusive access for all users. The proposed hard landscaping materials for the primary cycle and pedestrian pathway through the site and the secondary access paths, which are proposed to be resin bound gravel and hoggin respectively are considered appropriate in design and accessibility terms.
- 10.22. In terms of the wider landscaping strategy, the proposals for the central landscaping provide a continuation of a corridor of landscaped space through the Oxford North site, connecting with the central park approved within the Canalside residential development to the south west on the opposite side of the A40. The pedestrian and cycle route through the centre of the site aligns with the primary pedestrian and cycle route through the canalside site, leading to Joe Whites Lane and Wolvercote. The proposals are therefore considered to provide a well-integrated network of public open space and spaces for biodiversity enhancement, consistent with the development masterplan and parameter plans accompanying the original planning permission.

10.23. The edges of the open space extend up to adjoining development plots, proposals for which would be considered under future reserved matters applications. The Market Square adjoins proposed Plot G. It is has been indicated Plot G may be delivered for a hotel use; a use approved under the hybrid planning permission. The Market Square extends up to the edge of this plot and this would facilitate opportunities in terms of allowing potential for active ground floor uses and outdoor uses, such as provision of outdoor seating within the Market Square. Similarly, the landscaping is sufficiently flexible to enable positive interaction between future Plot H to the north east of Plot G and the adjoining areas of public open space. The proposed park and adjoining accesses extend up to the edge of two of the future development plots (G and H) which is a positive approach as this will assist in achieving connections between future buildings and the public realm providing the potential for active frontages and outdoor seating, which would enliven the public realm.

10.24. Officers consider that the positioning of the Market Square to the north of the extended Red Hall building is positive in design terms. A public square was previously shown to the north east of an adjoining employment building in the development masterplan and in the open space parameter plan. There is however considerable deviation allowed for in terms of where this area of public open space is positioned, and this fell under the outline element of the hybrid planning permission allowing flexibility for this space to be repositioned. The revised design for the Red Hall included the provision of further retail/café uses at ground floor level along the north elevation of the building. The amendments to the Red Hall as approved under planning application 22/03042/RES were made with the aim of enhancing the Red Hall's role as a focal point for activity and as a social hub within the Oxford North site. Additional ground floor uses within the building would enliven the adjoining public realm through provision of active frontages and outside seating. The proposals for the Market Square, as submitted under this reserved matters application are complementary to the changes to the Red Hall and officers consider the Market Square has the potential to be a well-used space that would contribute positively to the vibrancy of the Oxford North site. The market square offers a sizeable space which could accommodate a range of potential events including markets, sport and entertainment events. The space also connects to both the primary street, Red Hall and central park. Reconstituted stone paving materials are proposed, which would assist in creating an attractively design space. It is considered that the siting and design would offer a positive contribution to the public realm and character of Oxford North.

10.25. In summary, officers consider that the proposals for the park and surrounding public realm are appropriately designed and would contribute positively to the creating a strong sense of place within the Oxford North site. The proposals are therefore considered to be compliant with Policy DH1 of the Oxford Local Plan and Policy NG7 of the Northern Gateway Area Action Plan.

Heritage

10.26. The Wolvercote with Godstow Conservation Area extends to a point approximately 150 metres to the south west of the application site and the development site would fall within the wider setting of the Conservation Area.

The site also falls within the peripheral setting of the Oxford Canal Conservation Area that lies within Cherwell District to the west and south west of the site.

- 10.27. In line with Paragraph 199 of the NPPF consideration must be given to the impact of a proposed development on the significance of this designated heritage asset and great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 10.28. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 outlines that in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 10.29. The application site falls within the wider setting of the Grade II listed Manor Farm (26 Godstow Road a large former farmhouse originally dating to the 17th Century but which has been the subject of a number of later additions) as well as the Grade II listed Church Farmhouse, which was historically linked to surrounding agricultural land which includes the land which forms the site. Both buildings are located to the south of the Leonardo Royal Hotel (Formerly Jury's Inn) and are surrounded by housing constructed in the late 20th Century which has greatly altered the original setting of the listed buildings. There are also two late 18th Century Grade II listed tilting canal bridges which are located to the south west and west of the site, these bridges provide a connection from Joe Whites Lane onto the Canal towpath.
- 10.30. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering applications for development which affect a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.31. Policy DH3 of the Oxford Local Plan specifies that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance, character and distinctiveness of the heritage asset and locality. When considering development proposals affecting the significance of designated heritage assets (including Listed Buildings and Conservation Areas), great weight will be given to the conservation of that asset and to the setting of the asset where it contributes to that significance or appreciation of that significance).
- 10.32. The wider impact of the redevelopment of the land at Oxford North in respect of the Wolvercote with Godstow Conservation Area and the aforementioned listed buildings was considered in depth by officers at the time application 18/02065/OUTFUL was determined. This was informed by an Environmental Statement accompanying the hybrid planning application which included an assessment of the impact on the Conservation Area, the Grade II listed Manor Farm, Church Farmhouse; Grade II listed canal bridges, St Peter's Church and

Port Meadow, which is a scheduled ancient monument. There was also an assessment of the impact of the development on the Oxford Canal Conservation Area in Cherwell District.

- 10.33. Officers' assessment of the hybrid application considered the relative harm to the setting and significance of the Wolvercote with Godstow Conservation Area, which was deemed to be a moderate level of less than substantial harm. This was as a result of an overtly urban development replacing surviving, historically agricultural land which currently provides a green gap and permits uninterrupted views from these assets to the rural hillside backdrop beyond the city to the north west and north-east. The introduction of buildings to the south-west of the A40 resulting in built development encroaching closer to the settlement of Wolvercote than at present which would harm the surviving character and appearance of a rural settlement. The impact of the development proposed under this reserved matters application would not result in harm to the setting of the Oxford Canal Conservation Area, given the site's peripheral location in relation to the Conservation Area, particularly given the likely limited visibility of the development owing to development currently under construction and likely future development that would sit in the foreground of views between the site and the Conservation Area.
- 10.34. In terms of the setting of the Grade II listed Manor Farm and Church Farmhouses it was considered that whilst the setting of the farmhouses had been eroded by residential development and non-residential development including the Leonardo Royal hotel, there would be further harm arising from the loss of agricultural land on the Oxford North site which forms part of the wider setting which contributes to the significance of these buildings, furthermore the approved development would also be of a significant scale. This harm to the setting of the Grade II listed buildings was identified as less than substantial and at the low end of this classification.
- 10.35. The identified harm to these designated heritage assets was balanced against the significant package of public benefits delivered by the proposed development, including the provision of 480 homes and significant economic benefits deriving from the provision of 87,300sqm of employment space. A conclusion was reached that the benefits arising from the development would outweigh the respective moderate and low level of less than substantial harm to the Wolvercote with Godstow Conservation Area and the Grade II listed Manor Farm and Church Farmhouse.
- 10.36. The proposals submitted within this reserved matters application, which are for landscaping public realm works and the provision of cycle and pedestrian accesses as well as a small section of access road are consistent with the scope of the hybrid planning permission and the character of the site would be altered from a rural setting to urban realm. In terms of the specific development proposed under this reserved matters application, the works are primarily limited to ground level landscaping and access alterations and do not include the provision of buildings. Given the siting of surrounding buildings that are under construction on adjoining development plots or are likely to be brought forward under future developments, it is unlikely that the development would be visible within the setting of the Conservation Area or surrounding listed buildings.

Officers consider that the development would result in no additional harm to the setting of the Conservation Area and surrounding listed buildings, beyond the scope of harm that was assessed under hybrid planning application 23/01509/RES.

- 10.37. In the context of the original proposals, Paragraph 202 of the NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm must be weighed against the public benefits of the proposal. The proposals must be considered in the context of the wider public benefits which would be delivered as part of the hybrid application, including the provision of 87,300sqm of employment space, transport, and connectivity improvements; and the provision of the further 480 dwellings, which are substantial in social and economic terms. The specific proposals contained within this planning application would bring forward the provision of 12,960sqm of public open space, including a new park and public square which would be of a high standard in design terms and would assist in the delivery of high quality public open space and public realm on the Oxford North site. Furthermore the proposals would provide new play space on the site and would assist in contributing towards biodiversity net gain, as well as providing a new, primary pedestrian and cycle route through the site.
- 10.38. Officers consider that the proposals in isolation would not result in additional harm to surrounding heritage assets and would provide additional public benefits, as the proposals would bring forward detailed plans for the provision of high quality public open space. This would add to the wider benefits of the Oxford North development. As a whole the public benefits of the Oxford North development would outweigh the less than substantial harm resulting from the development that would be caused to the setting and significance of the Wolvercote with Godstow Conservation Area and the setting of the Grade II listed Manor and Church Farmhouses.
- 10.39. As such it is considered that the development accords with Policy DH3 of the Oxford Local Plan and the NPPF. In coming to this conclusion great weight and due regard has been given to the requirements of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Transport and Access

- 10.40. The access parameter plan accompanying the hybrid planning permission was approved with the aim of ensuring permeability of access through the site for pedestrians and cyclists and indicating the appropriate location of primary, secondary, and tertiary vehicular roads through the site.
- 10.41. The proposals contained within this reserved matters application include the provision of a 4 metre wide cycle and pedestrian route leading from the A40 between the Phase 1a buildings and Plot A, through the central park, crossing the adjoining spur roads proposed under reserved matters application 23/01562/RES up to a position adjoining the A44, where improvement works to cycle and pedestrian infrastructure are being undertaken by Oxfordshire County Council.

- 10.42. The primary cycle and pedestrian route linking the A40 and A44 follows the route of the indicative alignment of the key pedestrian/cycle route set out within the development masterplan and access parameter plan accompanying the hybrid planning application. This would provide a key route through the Oxford North site for cyclists and pedestrians providing a link to the Canalside residential development and Wolvercote via the A40 and Joe White's Lane. Provision of this 4-metre-wide route would enhance permeability of access for pedestrians and cyclists in line with Policy M1 of the Oxford Local Plan and Policy CHS3 of the Wolvercote Neighbourhood Plan.
- 10.43. The proposals include the provision of a service road leading from the primary link road through the centre of the Oxford North site, which connects the A40 and A44. This road would connect with an adjoining service road proposed under reserved matters application 23/01562/RES. The position of this road aligns with the location of the indicative junction off the central street and the alignment of tertiary streets, as shown on the access parameter plan and the development masterplan accompanying the hybrid permission. The route of the street is also shown as a key pedestrian and cycle route.
- 10.44. The proposals include the provision of three blue badge car parking spaces to the north of approved Phase 1a Buildings A and B, as well as a service vehicle parking space. Whilst parking is proposed to be delivered elsewhere on the site within a multi-storey car park submitted under reserved matters application (23/01592/FUL), there would be a need for operational parking and blue badge parking to be located closer to the approved buildings, in this case the Phase 1a Buildings and the Red Hall and this operational requirement is justified. It is proposed that the route would otherwise be restricted to vehicles, with bollard-controlled access. It is proposed that the access road would be a shared surface for pedestrians, cyclists and very occasional use by vehicles. Whilst providing necessary service access the proposals would prioritise use by pedestrians and cyclists.
- 10.45. 40 visitor cycle parking spaces are proposed alongside the access road, the spaces would be complementary to, and in addition to, cycle parking that is proposed within Plots A, B and C, the cycle pavilion proposed under reserved matters application 23/01648/RES which would serve the Phase 1a Buildings and the Red Hall, and further visitor parking approved under reserved matters applications 23/01562/RES and 23/01569/RES relating to the provision of access roads. The provision of the additional visitor cycle parking is welcomed and acceptable in line with Policies M1 and M5 of the Oxford Local Plan.
- 10.46. The County Council have advised within their consultation response that there is no feature such as a raised table or different surface on the internal road to identify the crossing point to vehicles as is to be provided in the Canalside parcel of the development on the same route. It is recommended that a condition is attached to require details of a crossing point to be submitted before first use of the accesses.

Drainage

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

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

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

10.49. The above provisions are similarly accounted for under Policy BES4 of the Wolvercote Neighbourhood Plan.

10.50. A detailed surface water drainage scheme was approved for the Oxford North site under discharge of conditions application 18/02065/CND. Reserved matters approval (21/01053/RES) was also granted for attenuation ponds on the central parcel of the Oxford North site, which form an integral part of the SuDS strategy for the central parcel of Oxford North. Works to form the ponds have recently been completed.

10.51. A drainage strategy has been submitted in support of this reserved matters application to demonstrate how the proposed development and the other buildings proposed under Phase 2 of the development would relate to the approved, overarching surface water drainage strategy for the Oxford North site. This is in line with Condition 44 of the hybrid planning permission which requires a surface water drainage strategy must be submitted for each phase of the development.

10.52. The surface water drainage strategy submitted as part of Phase 2 of the development includes the provision of a permanently wet attenuation pond, which would be provided within the area adjoining the park and landscaped areas that would be provided under reserved matters application 23/01509/RES. This would complement the consented drainage strategy and would provide additional attenuation volume for the eastern part of the site, which would improve the previously consented drainage strategy. The underground storage that was included in the previously consented strategy would be retained. Swales are also proposed to the side of the access roads submitted under reserved matters applications 23/01562/RES, 23/01509/RES, and 23/01569/RES.

10.53. Oxfordshire County Council as Lead Flood Authority (LLFA) have submitted an objection to the Phase 2 Drainage Strategy based on the level of detail

provided by the applicants, which included a request for further information to be provided. Delegated authority is sought for officers to resolve any remaining technical matters relating to surface water drainage and to respond to any further comments submitted by the LLFA, given that the submitted drainage strategy is in substantial accordance with the approved surface water drainage strategy for the Oxford North site.

10.54. Subject to resolving these matters, officers consider that in principle the drainage strategy would be consistent with Policies RE3 and RE4 of the Oxford Local Plan and Policy BES4 of the Wolvercote Neighbourhood Plan.

Ecology

10.55. Policy G2 of the Oxford Local Plan states that development that results in a net loss of sites and species of ecological value will not be permitted. Policy G2 of the Oxford Local Plan states that compensation and mitigation measures must offset the loss and achieve an overall net gain for biodiversity. For all major developments proposed on greenfield sites or brownfield sites that have become vegetated, this should be measured through use of a recognised biodiversity calculator. To demonstrate an overall net gain for biodiversity, the biodiversity calculator should demonstrate an improvement of 5% or more from the existing situation. Offsetting measures are likely to include identification of appropriate off-site locations/projects for improvement, which should be within the relevant Conservation Target Area if appropriate, or within the locality of the site when assessing whether a site is suitable for compensation.

10.56. Policy GBS5 of the Wolvercote Neighbourhood Plan outlines that where ecological value is lost on a site this can be mitigated and compensated for on a like-for-like basis elsewhere within the WNPA by providing a replacement habitat of an equivalent or higher ecological value, that is appropriate for the habitat and species within it, and which provides net gains in biodiversity, which must be protected.

10.57. Condition 52 of the hybrid planning permission requires that details of ecological enhancements must be submitted with each reserved matters application (excluding enabling works, roads or infrastructure) for that phase or sub-phase to ensure that the minimum overall net gain in biodiversity of 5% will be achieved across the whole site or in conjunction with specific off-site enhancements approved by the local planning authority.

10.58. The application is accompanied by a biodiversity strategy which is related to all works proposed under Phase 2 of the Oxford North development, this has been submitted to meet the requirements set out under condition 52 of the hybrid permission.

10.59. In total it is proposed that 5.7 biodiversity units will be delivered within Phase 2 of the development. This reserved matters application for the proposed park and area of public open space will deliver the highest contribution of all of the Phase 2 proposals (3.35 units). The contribution towards biodiversity net gain would be delivered through the provision of the following habitats within the landscaping: wildflower meadow (0.40 units), orchard (1.13 units), ornamental planting (0.34

units), amenity grassland (0.95 units), lake/pond (0.39 units) and woodland planting (0.14 units). A total of 15 bird boxes are also proposed within the central landscaping area alongside one insect hotel and two log piles.

10.60. Officers are satisfied that the development proposals would provide a positive contribution towards the delivery of biodiversity net gain as a means of contributing towards the delivery of 5% biodiversity net gain across the Oxford North site as a whole. The proposals are considered to comply with Policy G2 of the Oxford Local Plan and Policy GBS5 of the Wolvercote Neighbourhood 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. Therefore, in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole. The overall principle of development would be established through the approval of the hybrid planning permission to which this reserved matters application relates. This matters for consideration under this reserved matters application relate only to detailed matters that were not established under the hybrid permission.

11.4. The location of park and market square are compliant with the land use and access and circulation parameter plans in terms of the location of these areas of public open space. The proposed provision of public realm within this application would equate to the delivery of 16.8% public open space across the central parcel of the Oxford North site, which would exceed the requirement to deliver 15% public open space as set out within Policy NG7 of the Northern Gateway Area Action Plan. The areas of public realm are considered to be of a high standard in terms of their urban design and the quality of landscaping, consistent with Policy DH1 of the Oxford Local Plan. The proposed park includes substantial new tree planting and attractive landscaped spaces, including the new pond and woodland areas, which will provide a valued contribution towards biodiversity net gain, whilst also providing functional areas of amenity space and space for events. The relocation of the public square to the north of the Red Hall is well justified in terms of promoting activity and useability of this space, given its connection with the Red Hall, which would serve as a hub building for the site.

The space is of an adequate size, whereby it may be used for a range of events. In summary it is considered that the approach to the design and siting of the landscaping and public realm would be acceptable and compliant with Policy DH1 of the Oxford Local Plan.

- 11.5. Officers consider that the development proposed under this reserved matters application would result in no additional harm to the setting of surrounding heritage assets above the scope of less than substantial harm assessed under the hybrid planning application. Taking the public benefits of the Oxford North development as a whole; and the benefits of the development proposed within this reserved matters application, officers consider that the benefits would outweigh the less than substantial harm resulting from the proposed development that would be caused to the setting and significance of the Wolvercote with Godstow Conservation Area and the setting of the Grade II listed Manor and Church Farmhouses. As such it is considered that the development accords with Policy DH3 of the Oxford Local Plan and the NPPF. In coming to this conclusion great weight and due regard has been given to the requirements of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 11.6. Good standards of pedestrian access are proposed throughout the public realm, whilst the proposals include the provision of a primary cycle and pedestrian route through the centre of the park, consistent with the access parameter plan and providing access connections between the A40 and A44 through the site. The proposals include the provision of an additional 40 cycle parking spaces to supplement individual on plot provision of cycle parking. In accessibility terms it is considered that the development would comply with Policies M1 and M3 of the Oxford Local Plan.
- 11.7. The application is accompanied by an updated surface water drainage strategy, covering the site subject of this reserved matters application, in addition to the other parcels of land forming Phase 2 of the development. The Phase 2 surface water drainage strategy aligns with the consented surface water drainage strategy for the central parcel of the site and makes appropriate provision for surface water drainage in accordance with Policies RE3 and RE4 of the Oxford Local Plan and Policy BES4 of the Wolvercote Neighbourhood Plan. Delegated authority is therefore sought for officers to resolve any remaining technical matters relating to surface water drainage and to respond to any further comments submitted by the LLFA.
- 11.8. A biodiversity net gain strategy has been submitted covering Phase 2 of Oxford North, outlining target delivery of net gain proposed for each of the reserved matters applications submitted under Phase 2, which will contribute towards delivering net gain across the Oxford North site across the duration of the development in accordance with Policy G2 of the Oxford Local Plan and Policy GBS5 of the Wolvercote Neighbourhood Plan. The proposals are considered to provide a positive contribution towards achieving the target of 5% biodiversity net gain across the Oxford North project duration.

11.9. It is recommended that the Committee resolve to grant reserve matters approval for the development subject to the resolution of the Drainage issues and subject to the conditions set out below.

12. CONDITIONS

Approved Plans

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

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

Biodiversity Net Gain and Enhancements

2. The ecological enhancements and biodiversity net gain provided by this phase of development shall be delivered in accordance with the details contained in the scheme submitted to and approved by the Council and referred to in 'Discharge of Condition 52 for Reserved Matters Applications Central Landscape, Development Plots A, B and C and Central External Works North and South produced by BSG Ecology V3 dated 16th August "The Approved Scheme". The Development shall be carried out in accordance with the Approved Scheme and provided in full prior to the first use of the the public open space and accesses hereby approved and shall be maintained and retained in accordance with the Approved Scheme thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To comply with the requirements of the NPPF, The Conservation of Habitats and Species Regulations 2017, The Wildlife and Countryside Act 1981 (as amended) and Policy G2 of the Oxford Local Plan 2036.

Cycle Parking Provision

3. Prior to the first use of the public open space and accesses hereby approved, details of the proposed cycle parking shall be submitted to the Local Planning Authority for approval in writing. The approved cycle parking shall be installed prior to the first use of the park and accesses hereby approved and shall be retained as cycle parking thereafter.

Reason: To ensure that the opportunities for sustainable travel modes are taken up in accordance with Policy M1 and M5 of the Oxford Local Plan and Paragraph 110 of the NPPF.

Pedestrian and Cycle Crossings

4. The open space hereby approved shall not be opened for first use until the crossing points of the internal roads for the foot/cycleways hereby permitted are completed in accordance with details that have previously been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that priority is given to pedestrians and cycles in accordance with Paragraph 112 of the NPPF and Policies M1 and M2 of the Oxford Local plan 2036.

Samples of Hard Landscaping Materials

5. Samples of external hard landscaping materials shall be made available for inspection on site and shall be approved in writing by the Local Planning Authority prior to the implementation of the landscaping works on the site. The landscaping shall be carried out in accordance with the approved landscaping materials prior to the first use of the accesses and public open space hereby approved.

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

Landscaping

6. A detailed 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, proposed new tree, shrub and hedge planting. The plan shall correspond to a schedule detailing plant numbers, sizes and nursery stock types.

The landscaping shall be carried out in accordance with the Approved Landscaping Scheme no later than the first planting season after first use of the development hereby approved and thereafter maintained in accordance with the Approved Scheme 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 Planting Pits

7. Details of tree pit designs for each of the public realm tree planting types specified in the approved landscaping plan shall be submitted to and approved in writing prior to the commencement of landscaping works.

The Tree pit works shall be carried out in accordance with the approved Tree Pit design scheme prior to the first use of the public open space and accesses hereby permitted unless otherwise agreed in writing by the local planning authority and shall be maintained in accordance with the approved scheme

Reason: To ensure newly planted trees are established, to provide visual interest in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2036.

Play Equipment

8. Not to use the public open spaces within the development until the design and specification of all children's play equipment to be provided within the children's play area as shown on the approved plans has been submitted to and approved in writing by the Local Planning Authority. The play equipment shall be provided and installed in accordance with the approved scheme the first use of the public open spaces

Reason: To ensure that the design of the children's play equipment is appropriate in terms of its design and functionality in accordance with Policy DH1 of the Oxford Local Plan.

Estate Management Plan

9. An estate management plan shall be submitted to and approved in writing by, the local planning authority prior to the first use of the accesses and areas of public open space hereby approved. The content of the estate management plan shall include the following:

Landscape and ecological management to include:

- o description and evaluation of features to be managed within the scheme and off-site compensatory habitat;
- o ecological trends and constraints on site that might influence management;
- o aims and objectives of management;
- o long term design objectives;
- o management responsibilities and maintenance schedules
- o proposed intervention measures for achieving aims and objectives;
- o preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- o where relevant, details of the body/organisation or qualifications necessary to implement certain conservation and landscape management measures; and
- o ongoing monitoring and remedial measures.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Access and servicing management to include:

- o cycle parking management
- o details of the management of on-site deliveries and servicing including:
- o how impacts will be minimised including congestion, safety, noise and how zero or ultra-low emission and last mile opportunities

will be considered

- o measures to avoid service and delivery vehicles using the central stretch of the link road between the A40 and A44
- o waste management details setting out how waste will be

stored and car parking management to include:

- o measures for preventing unauthorised parking including monitoring and sanctions.

The car parking management plan shall be in accordance with the submitted Transport Assessment (doc. ref. 21714/5571 Rev 02 July 2018), the approved Framework Travel Plan and paragraph 2.2 of Schedule 6 of the Section 106 agreement accompanying planning application 18/02065/OUTFUL.

Public realm management and maintenance to include:

- o cleaning and maintenance of soft and hard infrastructure
- o street furniture, to ensure its maintenance and retention
- o estate roads, footpaths and cycle links
- o public open space
- o play areas
- o cycle parking, including measures to deal with abandoned bikes
- o safety on site
- o events

The site management plan shall also include details of:

- o the costs for implementing the plan in perpetuity and an information on how the costs shall be funded
- o the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer
- o the management body(ies) responsible for its delivery or any part there of;
- o any proposals for separating out costs and/or legal responsibilities amongst the phases or sub-phases (e.g. allocating costs to certain phases only)
- o the standard to which the public realm areas are to be kept and managed which shall be no less than the standard applied by the City Council so that the development feels a contiguous and integrated part of the City;
- o any reasonable rules and regulations with regard to the conduct of persons using any specific part of the public realm areas, including the possibility for exclusive hire and the associated terms and conditions e.g. hire fees; and
- o the arrangements for public liability insurance

Details of how to review and update the plan from time to time and gain approval from the local planning authority.

Reason: To ensure the site is managed in the public interest to maintain a safe, high quality public realm in accordance with policies G8, DH1, M1, M3 and M5 of the Oxford Local Plan 2036, to ensure the car parking on site is controlled and managed for those it is designed to cater for and to manage traffic generation in accordance with policy NG6 of the Northern Gateway AAP and policy M3 of the Oxford Local Plan 2036, to prevent an increase in flood risk in accordance with policy RE4 of the Oxford Local Plan 2036, and in the interests of improving the biodiversity of the City in accordance with policy G2 of the Oxford Local Plan 2036 and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

13. APPENDICES

- **Appendix 1 – Site location plan**
- **Appendix 2 – Phase 2 Development Plan**
- **Appendix 3 – ODRP Report**

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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Appendix 1 – Landscaping Plan – Oxford North Central Landscaping Scheme



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Appendix 2 – Phase 2 Layout Plan



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Oxford Design
Review Panel

Design
South East

Appendix 3

Report of the Oxford Design Review Panel

Oxford North, Phase 2

25th November 2022

Introduction

A design workshop was held in Oxford on 10th November 2022, preceded by a site visit and presentations by the design teams.

The proposal is for phase 2 of Oxford North, a mixed-use urban district. The proposals reviewed comprised of the Red Hall; plots A, B, and C; and the car parking proposal as well as amendments to the consented outline masterplan.

A summary of the Panel discussion is provided, highlighting the main items raised, followed by a set of key recommendations aimed at improving the design quality of the proposal. Detailed comments are presented under headings covering the main attributes of the scheme.

Appendix A contains a set of sustainability related comments from Kat Scott, architecture and sustainability expert, who was unable to attend the meeting but was due to be part of the review panel. The document closes with the details of the meeting (appendix B) and the scheme (appendix C).

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 Life 51. 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

The buildings are developing positively in architectural terms. However, it is important that as the design development progresses, the focus on the creation of a cohesive place drives the decision-making to avoid a dilution of the overall vision. This approach must foreground the quality of the in-between spaces and landscape rather than just focusing on the individual buildings and plots. Outstanding architecture will only create a successful place if the spaces in-between are treated equally sensitively, in an integrated manner.

The experience of working, living and visiting Oxford North must be considered inclusively, designing for a range of users, needs and scenarios in the day and night. To achieve a successful inclusive place, the teams should continually test the design, from site-wide principles through to architectural details, against diverse perspectives and experiences.

Key recommendations

1. Develop and rigorously apply a site-wide landscape strategy considering incidental landscape, edges, and interfaces.
2. Develop the pavilion building to an equivalent stage to the Red Hall and town square proposals and clarify its role within the scheme.
3. Demonstrate that the scheme is inclusive and designed for a diversity of users and experiences to successfully foster community.
4. Design the Red Hall and associated external spaces for likely specific use settings, to avoid an overly generic design.
5. Test movement scenarios across the site, consider where the front door for each building is and how one would travel there at different times of day and using different transport modes.
6. Define external spaces, in relation to the buildings and set out their role and purpose. Identify opportunities for social interaction spaces at all scales.
7. Set out the long-term strategy for the dismantlable car park. Describe how people will be incentivised not to use cars and to transfer to zero carbon travel options; how the car park material, once dismantled, will be reused; and how landscape will encroach over time.

Detailed comments and recommendations

1. Vision and landscape

- 1.1. Typical science parks risk being clinical, developed as a series of building plots rather than a cohesive place. Whilst we welcome the vision that this place will be different and the concept of building community in phases, we are not yet convinced that Oxford North can build a collaborative mixed-use community, that seamlessly links residential, commercial, and innovation. A convincing narrative should describe how people across the site relate to one another, linked by public spaces where collaboration and interactions can occur, fostering a diverse and inclusive community. There must be a holistic approach to ensure this is a genuinely innovative place tied together with an applied sitewide landscape strategy.
- 1.2. Although the landscape proposals for the central park are largely convincing, the incidental landscape around the scheme's edges and interfaces is underdeveloped and not contributing as strongly to character of place as the buildings.
- 1.3. Beyond spill-out landscape within plot boundaries, a sitewide strategic approach to landscape and biodiversity corridors is required to avoid isolated pockets of landscape. This is proposed to be an innovative place, yet it is not clear how innovation is permeating throughout the public realm and landscape. There should be common agreement about the definition, identity and purpose of each external space and how they reinforce the defined character of the area. Incidental landscape needs to integrate the functional uses of these spaces (bike parking, waste streams, specialist services such as cafes etc), these uses cannot be left to eat away at these spaces.
- 1.4. Two residential communities will form part of Oxford North, to the west of the A40 and east of the A44. Each one has its own amenity spaces, but these communities should also be invited into the heart of the scheme to use areas such as the town square and central park. Locating the children's play space away from the town square to the southern edge does not encourage a mix of people and uses, and this should be reviewed.

2. Masterplan and movement

- 2.1. Repositioning the town square adjacent to the Red Hall is a positive move. This space is developing positively as a social hub. The pavilion building will be key to wayfinding, programming activity, cycle storage and defining the north-western edge of the town square, but its design is at a diagrammatic stage and consequently underdeveloped. This should be progressed as the pavilion design will impact the relationship between buildings and the town square – primarily plot C.
- 2.2. Movement scenarios should be tested considering different journeys. The location of front doors and arrival at each plot needs to be considered so that all users and modes are equally welcome by including appropriate access and provision for short-stay visitors to leave their transport such as bikes, e-scooters, mobility scooters and wheelchairs. It is not clear how deliveries and couriers will be accommodated.
- 2.3. Although the shuttle bus is promising, its implementation is not certain. Public transport provision and options need to be progressed rapidly to the same level of detail as the carparking. Cycle storage across the site should be developed further to ensure cycling is celebrated and bikes are integrated into site-wide design. This should include provision for cargo bikes.
- 2.4. The team should consider the routes someone would take when on a work break, the location of quiet spaces, where one would one roam or meet a friend and how strategic approaches to security, landscape, movement, and public realm will shape these experiences.
- 2.5. The Red Hall will provide a marker for those navigating the site but will not be visible everywhere. Legibility and wayfinding must be built into the scheme through distinctive characters, so people understand which area of the site they are in.
- 2.6. The loop road has been brought into the site. This could be a pleasant evening walk that works better than the original road, provided the experience is designed to ensure this is a safe and pleasant route.

3. Red Hall

- 3.1. The Red Hall's architecture is developing positively. The bold design and striking colour work well, and this building will create a heart to the scheme and legibility through the masterplan. The split roof and flues are positive and aid distinctiveness.

- 3.2. An overly flexible approach to the design may lead to the building being generally suitable for everything and specifically suitable for nothing. If the building is fully flexible there will be nothing for the landscape to relate to. A similar approach to the programming of the town square could be taken, by anticipating the most likely configurations of the space.
- 3.3. As the building has evolved, the canopies have lost their sense of hierarchy and this should be refined to establish where the 'front door' of the building is, and how it relates to internal uses and the natural meeting point for people who gather here.
- 3.4. This building has a community focus and provides unique uses that will encourage people to gather from across the site as well as incubation spaces above the ground floor. Whilst recognising child safeguarding concerns, we would encourage the team to explore whether the nursery could be located here to strengthen the concept of this building as a community anchor.
- 3.5. The south-western elevation, facing onto the phase 1a buildings, is a glazed flat façade. Although there will be a sense of activity within the building, more could be done to encourage a sense of connection and articulate a specific connection.
- 3.6. The town hall studio faces the link road and would perhaps be better located off the square where the activity will be focused. The facilities office sits on the corner of the square, but this use will not activate the corner adequately and a more community focused use should be explored here.
- 3.7. The fire escapes should be relocated, as their positioning fixes the size of the retail space onto the square and significantly reduces the flexibility of the ground floor.

4. Plot A

- 4.1. The building's façade and proportions have developed sensitively, and the stepping is interesting. The experimental service pavilion is conceptually strong and presents an opportunity to be genuinely experimental. By offsetting the two forms there is an opportunity to be seized regarding the relationship between the inside and outside, considering building and landscape together.
- 4.2. The experience of the secondary street and of the approach to this building should be defined.

- 4.3. The depth of the plan is concerning, and the lack of natural light to some areas restricts future flexibility. The plan's adaptability and environment for users should be tested to ensure flexibility, and the insertion of natural daylight in the future should be designed for, in the event that some areas become office space.
- 4.4. The red fire escapes have a strong synergy with the red hall and are reminiscent of Parc de la Villette. To ensure they are both joyful and useful, their use, security arrangements and how they relate to the inside and outside should be defined.

5. Plot B

- 5.1. Unlike other plots, much of plot B is given over to landscape rather than building, which presents interesting opportunities to create a variety of landscape spaces. Care should be taken to avoid the north-western space appearing as an afterthought rather than a structured piece of landscape that enhances the topography and introduces the site for those approaching the A40 from the north. We are unconvinced that the cycle storage should be located around the back of the building, as cycling should be celebrated and cycle storage easily accessible.
- 5.2. We are not concerned about the chimneys breaching the height parameters; they enhance the building and views from the road. The long-distance views of the building are positive.
- 5.3. The visuals of the A40 appear green and softened in comparison to the existing condition. However, the road may not be like this and could instead be noisy. Measures should be taken to either mitigate or celebrate this condition.
- 5.4. The landscaped forecourt and entrance lobby require further work to successfully achieve a sense of arrival, perhaps as an external foyer space. The balcony could be used to activate the façade further and the core pushed westwards to help resolve the geometry.
- 5.5. Transporting wet lab material from certain areas to the loading bay may be challenging and should be tested.

6. Plot C

- 6.1. This building will play a civic role and partially address the town square. It has a heavier quality in comparison to the other buildings reviewed. As the design develops, the team could explore introducing further delight to the building, for example through some asymmetry in response to the offset of the town square. The changes to the southwest corner of the building, facing plot B, are subtle and could be celebrated further.
- 6.2. This building comes up to the edge of the plot, therefore more thought has to be given to how landscape will be integrated using innovative planting, and to the building's response to surrounding spaces, particularly the entrance to plot B, perhaps through a recess on the southwestern corner.
- 6.3. The design process for plot C is largely positive. We welcome that the landscape and visual impact assessment (LVIA) has been used as a tool to inform design development and that sustainability considerations have been embedded. However, the experience for those using a wheelchair is unacceptable, as users will have to take a small platform lift and then go to the back of the building to access the main lifts.
- 6.4. The shift from a vertical emphasis on the front façade to a horizontal one along the sides of the building is compelling. Further work is needed to describe how the back relates to the carpark and where the front and back begin and end.

7. Car park

- 7.1. We welcome that the carpark will be dismantable and that undercroft parking to individual buildings has been removed. It is not clear how people will be encouraged not to use cars. As part of a long-term strategy, we encourage the team to consider how this material could subsequently be re-cycled on or off-site and consider how landscape could encroach along this biodiversity corridor. The team should demonstrate that the number of spaces needed is accurate. Due to increased wet laboratories being accommodated across the district, there will potentially be a dropped occupancy from the original masterplan calculations.
- 7.2. A clear strategy for car use reduction should be included, with clear phases and triggers for reduction (such as improved public transport services).

- 7.3. The carpark extends along the north-western edge of the site, from the balancing ponds to plot B, bordering the A34. Many people experiencing the development will be driving past, and the car park will, in the early years, foreground and frame the rest of the site (although it is low enough to avoid dominating the view). The films depicting this journey reiterate the importance of these views and they should be referred to when developing the design.
- 7.4. Alternative approaches to the car park cores were discussed, and their design, detailing and treatment require further development to fully understand their impact on the views and whether they enhance or detract from the scheme's identity. They could be designed as a strong visual marker to the development when viewed from the A34.
- 7.5. The roof could be utilised for biodiversity, for example by including beehives or insect habitats, and to support bird watching or similar activities. Facilities (include wcs and access) for a rooftop summer space could also be incorporated into the design.
- 7.6. With the introduction of a single car park and the relocation of the square, the pedestrian route between the two becomes critical for access and legibility of the site. The design of this route should reflect this and the entrance to the car park ~~also~~ should relate to this. Approximately 900 vehicles could be entering and exiting the site at peak times. When developing the detailed landscape design, careful consideration needs to be given to the design and character of these routes, considering the experience at busy times of day.

Appendix A: Sustainability comments

9. Sustainable design

- 9.1. We welcome that whole life carbon and nature is playing a role in the masterplan. However, for this typology of buildings, given their probable higher unregulated and regulated energy loads, clear targets should be set out in regard to operational and embodied energy. Biodiversity targets should be clearly defined.
- 9.2. The architectural proposals should now be tested against sustainability targets. The team must demonstrate how the designs are addressing and meeting sustainability targets and how these are shaping design development. We are concerned that the proposals have been overly shaped by aesthetic drivers without considering sustainability and responding to environmental conditions, which would offer new tensions and parameters to drive the architectural design forward and embed it within place.
- 9.3. The individual plots lack robust environmental analysis and therefore lack robust strategies to address the environmental conditions their building is sited in. All assumptions should be tested and analysed for the panel to have confidence that the buildings are efficient, responding to environmental conditions, and pursuing optimum carbon solutions.
- 9.4. The buildings are proposed to be adaptable and could be used as workspaces, whilst designed for commercial services. We question if there is therefore a risk of over-provision of commercial services in Oxford (hence the need for adaptability). If this is the case the team should evidence how the servicing strategy can be designed to anticipate adaptability so that the architecture does not become overly engineered and significantly impactful in carbon terms based on hypothetical scenarios that may not come into being in the future.
- 9.5. The façade design, orientation and massing for all buildings should be shaped by environmental conditions, to maximise energy performance and achieve an optimal internal environment for users.
- 9.6. As part of a site-wide water strategy, the team should set out how greywater will be reused within buildings and how water consumption will be reduced.

10. Red Hall: sustainability

- 10.1. The red hall's façade strategy should be reviewed. The northwest façade is glazed which will lead to significant heat loss, and heating gain will be limited in the winter due to orientation. Glazing should only be applied when needed and be justified beyond aesthetic reasons. A varied and articulated façade could engage with external spaces without excessive glazing. The east and west facades will also require vertical shading devices such as fins. However, the fins are depicted inside the building, they will be least effective here and, if required, should ideally be outside the building's thermal line.
- 10.2. Consideration of the internal environmental performance of the red hall is limited. A robust analysis is required, setting out how the revised red hall is performing and how the facades and forms will need to be mitigated within the building, whether through servicing or otherwise.

11. Plot A: Sustainability

- 11.1. Plot A describes an 'optimum structural grid'. The team should evidence how the grid has been tested with inhabitation in various arrangements showing how it functions.
- 11.2. Plot A includes a significant amount of plant. The team should evidence the environmental strategy is informing efficiencies in the mechanical, electrical, and plumbing (MEP) servicing.
- 11.3. The energy capture performance of the photo voltaic panels on Plot A should be optimised to justify their whole-life carbon cost. We are not convinced that their inclines and east-facing orientation is the most efficient arrangement available. Their positioning seems arbitrary and should be justified.

12. Carparking: sustainability

- 12.1. The whole life carbon impact of the car park should be assessed. The mobility hub and cycle parking experience should be clarified to understand how the opportunity to create an optimal experience for those using active travel.

Appendix B: Meeting details

Reference number	Ref: 1869/221110
Date	10 th November 2022
Meeting location	Jurys Inn (Leonardo Royal Hotel), Godstow Rd, Oxford OX2 8AL
Panel members attending	Joanne Cave (Chair), urban design and planning Camilla Ween, urban design and transport planning Dan Jones, architecture and education, arts & public buildings Justin Nicholls, architecture and regeneration Lindsey Wilkinson, landscape architecture and historic environment
Panel manager	Lizzie Atherton, Design South East
Presenting teams	Iulia Fratila, Fletcher Priest Keith Priest, Fletcher Priest Phil Pryke, Fletcher Priest Stina Hokby, Fletcher Priest Neil Porter, Gustafson Porter, and Bowman Nat Keast, Wilkinson Eyre Stafford Critchlow, Wilkinson Eyre Chris Neve, Gort Scott Jay Gort, Gort Scott
Other attendees	Robert Linnell, Savills Adam Smith, Stanhope Gary Taylor, Stanhope Kel Ross, Hoare Lea Victoria Collett, Thomas White Oxford Mike Kemp, Oxford City Council Gill Butter, Oxford City Council Joseph Sorrel, Oxford City Council Natalie Dobraszcyk, Oxford City Council
Site visit	Panel members visited the site before the meeting, accompanied by the client, design team and City Council officers

Scope of the review	As an independent design review panel, the scope of this workshop was not restricted.
Panel interests	Joanne Cave is currently working with Stina Hokby of Fletcher Priest Architects on an unrelated project. This was not deemed a conflict of interest
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.
Previous reviews	Oxford North Phase 1 was reviewed by the ODRP twice on the 20 th May and 29 th September 2021.

Appendix B: Scheme details

Name	Oxford North Phase 2
Site location	Oxford North (Northern Gateway) Land Adjacent To A44, A40, A34 And Wolvercote Roundabout.
Site details	<p>Oxford North comprises approximately 30 hectares of land at the northern edge of the city, adjacent to the A34. The land is split into three parcels by the A40 and A44 roads. Phase 2 is the central parcel bordered by the A34 on the north-west boundary, A44 on the north-east boundary, and the A40 along the south-west boundary.</p> <p>Development has commenced on site works that have commenced include: the formation of a link road between the A40 and the A44; earthworks to form development platforms on central and Canalside parcels of site; A40 improvement works including addition of bus lanes, bus stops, formation of junctions to A40, and cycle infrastructure.</p>
Proposal	<p>The proposals relate to ‘phase 2’ of the Oxford North works, comprising:</p> <ul style="list-style-type: none"> - three new life sciences buildings on plots A,B, and C; parking provision;

- revisions to the design of the 'Red Hall' building approved under the full element of the hybrid planning permission;
- revisions to landscape and public open spaces approved under the full element of the hybrid planning permission including the central park.

Phase 2 is the next major reserved matters phase related to planning application (18/02065/OUTFUL), changes are also proposed for phase 1a, which benefits from full planning permission.

Planning stage	The scheme is at pre-application stage with intention to submit a reserved matters application.
Local planning authority	Oxford City Council
Planning context	<p>The Northern Gateway development area was first allocated in the Oxford Core Strategy document adopted in 2011. This was later taken forward in the Northern Gateway Area Action Plan (AAP) adopted in July 2015 which fixed the overall parameters for the whole area as:</p> <ul style="list-style-type: none"> - Up to 90,000sqm of B1 employment - Up to 500 dwellings - Up to 2,500 sqm of local retail uses - 180 bed hotel <p>Both of these documents were subject to independent Inspector's deliberations and ultimate approvals. The recent Oxford City Local Plan 2036 amended the area to the north-east of the Park and Ride to a housing allocation.</p>
Planning history	<p>The proposals would be a reserved matters application relating to planning application 18/02065/OUTFUL. Hybrid outline planning permission was granted for the following uses in March 2021:</p> <ul style="list-style-type: none"> (i) Outline application (with all matters reserved save for "access"), for the erection of up to 87,300sqm(GIA) of employment space (Use Class B1), up to 550sqm(GIA) of community space (Use Class D1), up to 2,500sqm(GIA) of Use Classes A1, A2, A3, A4 and A5 floorspace, up to a 180 bedroom hotel (Use Class C1) and up to 480 residential units (Use Class C3), installation of an energy sharing loop, main vehicle access points from A40 and

A44, link road between A40 and A44 through the site, pedestrian and cycle access points and routes, car and cycle parking, open space, landscaping and associated infrastructure works. Works to the A40 and A44 in the vicinity of the site.

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

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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Application number:	22/02446/CT3		
Decision due by	30th December 2022		
Extension of time	9th June 2023		
Proposal	Removal of existing fencing and formation of footpath and cycle path and associated landscaping works (additional information: Updated Arboricultural Impact Assessment and Biodiversity Net Gain Design Stage Report). (Amended Description)		
Site address	Donnington Recreation Ground, Freelands Road, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Rose Hill And Iffley Ward		
Case officer	Chloe Jacobs		
Agent:	Ms Chloe Duggan	Applicant:	Oxford Direct Services
Reason at Committee	Called in by Councillors Turner, Pressel, Railton, Munkonge, Chapman, Fry, Coyne and Brown as this is a council project and there are local concerns in regards to the loss of trees and impact on biodiversity.		

1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

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

- the satisfactory completion of a legal Obligation 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

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 Obligation 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 Obligation referred to above and issue the planning permission.

2. EXECUTIVE SUMMARY

2.1. This report considers the formation of a footpath and cycle path and associated landscaping works at Donnington Recreation Ground. The report considers the principle of development, impact on design, trees, ecology and biodiversity and the risk of flooding on the site.

2.2. The key matters for assessment set out in this report include the following:

- Principle of development
- Design
- Neighbouring impact
- Highways and pedestrian safety
- Trees
- Biodiversity
- Flooding and drainage

2.3. For the reasons outlined in the report, it is concluded that the proposal has an acceptable impact with regard to these considerations and that permission should be granted subject to conditions and a legal obligation to secure the measures listed below.

3. S106 TCPA 1990 LEGAL OBLIGATION

3.1. This application is subject to a legal obligation to secure the biodiversity net gain through a combination of on-site planting and off-site planting at Greyfriars School as set out in the report.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

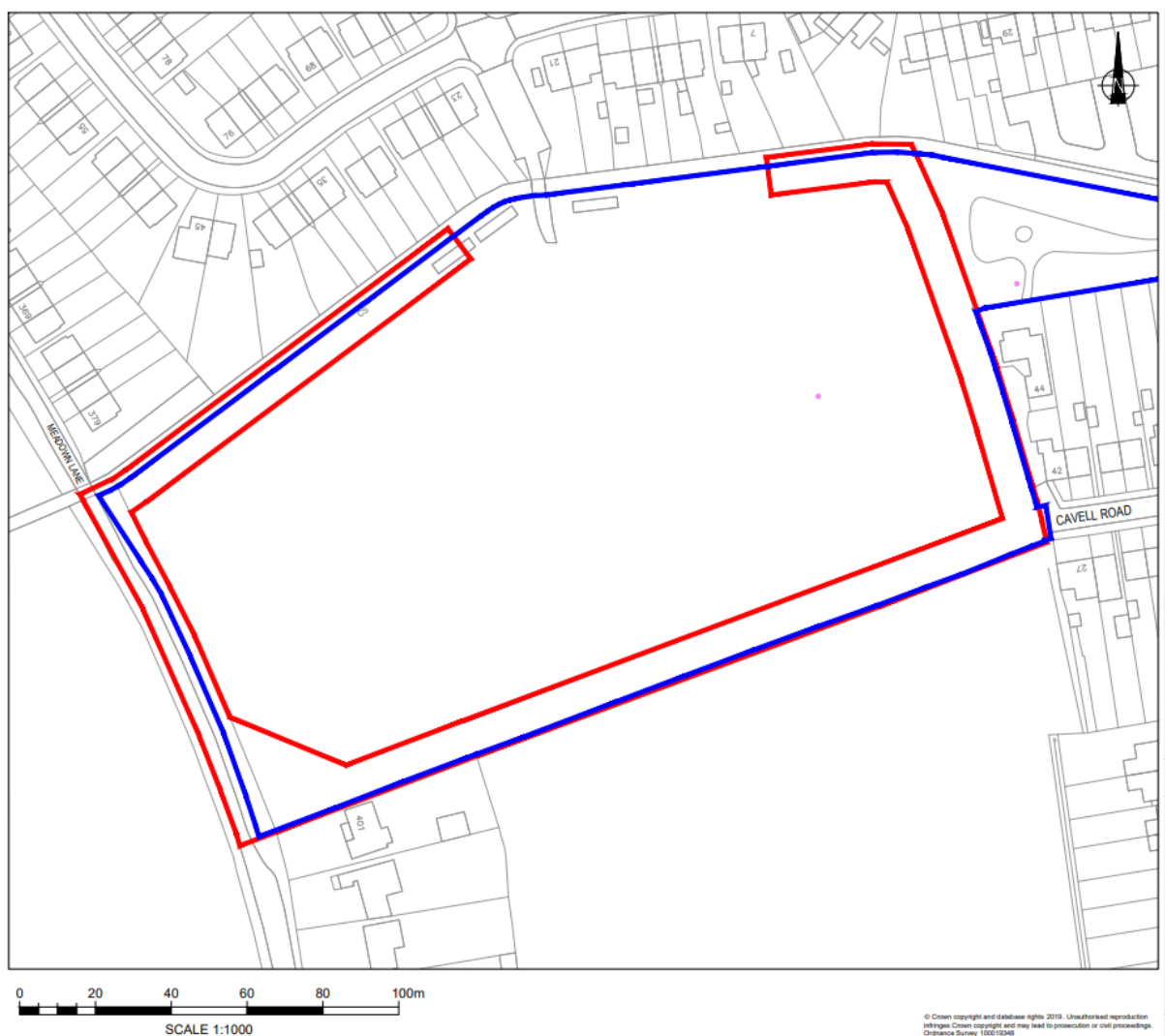
5.1. The site relates to Donnington recreation ground which is an area of protected open space owned by Oxford City Council. The application site is bound by mature trees around the majority of the site.

5.2. The predominant surrounding land use is residential, with Freelands Road running along the north of the site, Cavell Road and Arnold Road to the east and Meadow Lane to the west.

5.3. The application site is bounded on the north and east sides by residential properties, with Boundary Brook forming the northern site boundary. To the south of the site is Iffley Academy's playing fields and the last house of the southern portion of Meadow Lane. To the west lies scrubland to the River Thames.

5.4. The site lies partially within flood zones 2 and 3 (medium to highest risk of flooding). To the south western corner, the application site falls within flood zone 3.

5.5. See block plan below:



6. PROPOSAL

6.1. At present, there is an informal 'desire' line which runs from the Cavell Road entrance to the recreation ground in a north westerly direction towards the existing gate on Meadow Lane.

- 6.2. The application proposes the formation of a footpath and cycle path and associated landscaping works.
- 6.3. The proposed path would comprise a 3m wide path which would run along the southern boundary of Donnington recreation ground, connecting Meadow Lane and Cavell Road.
- 6.4. The proposed path would be surfaced in a Flexipave surface course in a Stone Age Bronze colour. For elements of the path within root protection areas, a porous 3D cellular confinement system would be used.
- 6.5. The existing fencing at the Cavell Road entrance would be removed to provide a wider access for pedestrians and cyclists. A removable bollard would be placed at the Cavell Road entrance to allow for access by emergency services.
- 6.6. The existing gate at Meadow Lane is also proposed to be removed and a new kissing gate would be installed along with associated fencing wither side of the new gate.
- 6.7. Where the proposed cycle and footpath meets Meadow Lane, the proposal would include the installation of 3no. timber, staggered bollards.
- 6.8. Luminescent markers will edge either side of the proposed path.
- 6.9. In order to facilitate the new path, twelve trees and one group of trees have been identified for removal. The proposal would seek landscaping works by means of the planting of 7 replacement trees on the boundaries of the playing field, and enhancements to the existing grass with species enriched wildflower planting on the boundaries. It is also proposed that there would be the provision of off-site planting of additional trees at Greyfriars School.
- 6.10. During the course of this application, amended plans and information have been submitted. The amended plans have included the location of appropriate flood signage and the provision of staggered bollards. Additional and amended information has also been submitted, this includes the submission of an updated Arboricultural Impact Assessment and Biodiversity Net Gain Design Stage Report and associated Biodiversity Metric.

7. RELEVANT PLANNING HISTORY

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

05/01133/CT3 - Erection of single storey changing rooms with plant and storage facility. Car park for 47 cars.. APPROVED 5th October 2005.
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08/01326/CT3 - Erection of community noticeboard.. WITHDRAWN 1st July 2008.

08/01676/CT3 - Proposed community notice board. APPROVED 24th September

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:
Design	117-123, 124-132	DH1 - High quality design and placemaking RE1 - Sustainable design and construction RE2 - Efficient use of Land		
Natural environment	91-101	RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface 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 G8 - New and enhanced Green and Blue Infrastructure		
Social and community	102-111			
Transport	117-123	M1 - Prioritising walking, cycling and public transport	Parking Standards SPD	

Environmental	117-121, 148-165, 170-183	RE7 - Managing the impact of development RE8 - Noise and vibration RE9 - Land Quality	Energy Statement TAN	
Miscellaneous	7-12	S1 - Sustainable development RE5 - Health, wellbeing, and Health Impact Assessment	External Wall Insulation TAN,	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 24th November 2022 and an advertisement was published in The Oxford Times newspaper on 25th May 2023.

Statutory and non-statutory consultees

Oxfordshire County Council Highways (on amended plans)

9.2. The proposed plans have been amended to include further speed reduction methods in the form of staggered timber bollards at the Meadow Lane access. The introduction of the proposed bollards as well as the signage at the Cavell Road access has addressed our previous safety concerns. Furthermore, the use of luminescent discs along the shared path will ensure that suitable visibility is provided.

9.3. The width of the proposed footway/cycleway meets the recommended width stated in LTN 1/20 and the Oxfordshire cycle design standards and is considered to be acceptable.

9.4. The proposals are unlikely to have a detrimental impact on the local highway network in traffic and safety terms. Oxfordshire County Council do not object to the granting of planning permission.

Public representations

9.5. 58 letters of representation have been received.

9.6. In objection to the original submission of the proposed scheme 25 people commented on this application from addresses in 402 (2 letters), 405 (10 letters), 413 (2 letters), 425 (3 letters), and 431 (2 letters) Meadow Lane, 21 Freelands Road, Tree Lane, 13 and 27 Abberbury Road, 52 and 58 Fairacres Road, Cordey Green, 22 Arnold Road, 21B, 50 and 58 Church Way, 20 Mill Lane (2 letters), 30 Swinburne Road, 1 Maywood Road, 21 Hudson Road, 38 Stratford Street, OX4 4ED and from 3 unknown addresses.

9.7. In summary, the main points of objection (25 residents) were:

Ecology

- The proposal would have an adverse impact on biodiversity
- The proposal does not meet both local and national guidelines of providing 10% Biodiversity Net Gain
- The scheme is not compliant with national or local planning policies in regard to biodiversity.
- The scheme does not follow the mitigation hierarchy.
- There is no justification for why less environmentally damaging alternatives are not feasible/been considered.
- The assessment of the grassland condition is incorrect.
- Most of the survey samples are outside of the red line site boundary.
- Flawed methodology used for collecting data.

Trees

- The amount of trees to be removed is unjustified
- Removal of trees would impact on the visual amenity of Meadow Lane
- Removal of the trees would impact local wildlife and biodiversity
- Removal of trees and impact on wider climate considerations including air quality and urban heat affect.
- General dislike to the removal of the trees along Meadow Lane
- Inaccuracies with arboricultural report and landscape plans
- Not clear as to the amount of trees to be removed

Drainage and flooding

- Concern that the development would increase flood risk.

Highways

- Concerns regarding visibility on Meadow Lane
- Lack of safety calming measures

Other matters

- The development should be re-routed along the north and eastern boundaries

- The development would create a new desire line across the field
- Inaccuracies with plans and arboricultural report and the number of trees to be removed
- Proposal goes against the pre-application advice

9.8. In support of the scheme, 16 people commented on this application from addresses in 12 (2 letters) and 40 Cavell Road, 58 Magdalen Road, 43 Argle Street (2 letters), 140 Campbell Road, 28 Stratford Street, 14 Church Way, 30 Cornwallis Road, 5 Kenilworth Avenue, 23 Henley Avenue, 18 Hampden Road, 39 Rymers Lane, 26 Fletcher Road and 1 Eastchurch.

9.9. In summary, the main points of support were:

- Provides a good car-free link
- Improve the condition of the football pitches
- Improves and encourages healthy modes of travel
- Supports local communities and groups
- Health benefits associated with promoting cycling
- The proposal would have a biodiversity net gain
- The planting of additional trees would mitigate the harm caused by the removal of the trees along Meadow Lane

9.10. Following receipt of revised Arboricultural Impact Assessment, Updated Biodiversity Net Gain Stage Report (REV C) and Metric and amended plans to show location of staggered bollards, the application was re-advertised for an additional 21 days. Following this re-consultation, 5 letters of representation from Nos. 50 and 58 Church Way, All Souls College and Nos. 402 and 431 Meadow Lane were received.

9.11. These letters of representation object to the proposed scheme for the following, summarised reasons:

- The proposal seeks to fell a large number of mature trees which is part of the character of Meadow Lane
- The removal of the trees has not been justified and is unnecessary
- The proposed access would compromise the safety of pedestrians, cyclists, dogs, horses etc who use Meadow Lane.
- The proposal would not resolve the issue with the existing desire line cutting across the playing field.

- The proposed path should run along the western side of the field.
- The resubmission does not adequately address local concerns in regards to loss of trees and biodiversity.

Officer response

9.12. Where the above comments relate to material planning considerations including the impact of trees, visual amenity, impact on residential amenity the impact on biodiversity and ecology, and highways safety concerns, these will be addressed in the relevant sections of the committee report below.

9.13. Officers note the comments made with regard to the inaccuracies contained within the supporting information, primarily in the Arboricultural Report and the Biodiversity Metric. The Council have worked proactively with the agent and the applicant to address and resolve these issues. As a result, an amended Arboricultural Impact Assessment and an amended Biodiversity Net Gain Design Stage Report and associated Biodiversity Metric has been submitted and the application readvertised on that basis.

9.14. Officers note the concerns regarding the consultation process prior to the submission of the application and that the application proposal goes against the Council's advice as detailed in the pre-application submission. It is noted that the applicant has submitted the pre-application advice from the Council as part of their submission whereby officers state their objections to the scheme and offer an alternative solution whereby the path could run along the eastern and northern boundaries to the existing gate/access on Meadow Lane. However, what is not detailed in the applicant's submission is that further discussions were held between the Council and the applicant following the pre-application written advice whereby officers had agreed that the proposal to run the path along the southern boundary was considered acceptable.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Design
- Impact on neighbouring amenity
- Highways and pedestrian safety
- Impact on trees.
- Ecology and biodiversity
- Flooding and Drainage

a. Principle of development

- 10.2. Policy S1 of the Oxford Local Plan 2036 (2020) sets out a presumption in favour of development in accordance with the presumption set out in the NPPF (2021). The policy states when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development including approving planning applications that accord with the Local Plan without delay.
- 10.3. Policy M1 of the Local Plan aims to promote cycling in the city and ensure an accessible environment for cyclists, with the Council expecting development to provide for connected, high quality, convenient, and safe (segregated where possible) cycle routes that are permeable. The principle of enhancing connectivity for pedestrians and cyclists as sustainable modes of transport is supported in accordance with policy M1 and the Local Plan as a whole.
- 10.4. Policy G5 of the Local Plan sets out the City Council's stance on protecting open space and sports and recreational land. Existing provision should not be lost unless under certain circumstances. The proposed development will result in a minimal loss of recreational land on the southern boundary however additional land which is currently the existing informal path which runs through the centre of the site and restricts the use of the pitches, will be unlocked and provided for their intended recreational use. Overall, the provision is considered to be retained in compliance with Policy G5.
- 10.5. The proposed path will provide a safe, high-quality surface for both pedestrians and cyclists and ensure greater accessibility for disability users from Meadow Lane to Cavell Road. The principle of enhancing connectivity for pedestrians and cyclists as sustainable modes of transport is therefore supported in accordance with policy M1 and the Local Plan as a whole, subject to detailed material considerations as outlined below.

b. Design

- 10.6. Policy DH1 of the Oxford Local Plan 2036 requires development to be of high quality design that creates or enhances local distinctiveness. Proposals must meet the key design objectives and principles for delivering high quality development as set out in Appendix 6.1 of the Plan.
- 10.7. The proposed path would be 3m wide and would connect Meadow Lane and Cavell Road. The proposed path would be a flexi pave surface course in a Stone Age bronze colour. The proposed path would be of a suitable design and would be in keeping with the character and appearance of the recreation ground.
- 10.8. The proposal also includes a new entrance gateway to the north west of the site. It is proposed to replace the existing entrance gate with a new kissing gate with associated fencing either side of the new entrance. The kissing gate would be 1.27m tall and would be of a timber construction. The proposed gate and associated fencing are considered to be of an appropriate design and construction which would not detract from the character and appearance of the recreation ground or surrounding area.

- 10.9. The proposed path would be edged with luminescent discs. These discs will be of a 'glow-in-the-dark' material which are powered by the sun and any artificial light. No details or specifications have been provided for the luminescent discs, therefore officers have conditioned that further details, to include the amount, size, material and colour of these discs is provided prior to above ground works. However the use of luminescent discs is considered acceptable in principle.
- 10.10. To the south west of the site (where the path would adjoin Cavell Road) the existing fence is to be removed and a removable new, sign-caring bollard would be installed. This bollard would measure 0.8m tall and would be 125mm x 125mm timber post. The post would be removable to allow for emergency access into the site.
- 10.11. Signage would also be provided throughout the site. The signage includes a 'unsegregated path for cyclists and pedestrians' sign and an 'end of route' sign to the south eastern boundary, and a 'do not use path when flooded' sign along the path. These signs would all be of an appropriate design and scale and would serve a purpose to inform users of the site. The proposed signage is considered to be acceptable in this regard.
- 10.12. For the reasons set out above, the proposals as amended are considered to be in accordance with policy DH1 of the Oxford Local Plan 2036.

c. Impact on neighbouring amenity

- 10.13. Policy RE7 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that ensures that standards of amenity are protected. This includes the amenity of communities, occupiers and neighbours is protected in addition to not having unacceptable unaddressed transport impacts and provides mitigation measures where necessary.
- 10.14. Given the nature of the proposed development being a path only with associated landscaping and works, it is not considered that there would be any adverse impacts with regard to loss of light, outlook, loss of privacy, nor would the development result in any overbearing impacts.
- 10.15. The proposed luminescent discs will be of a 'glow-in-the-dark' material which are powered by the sun and any artificial light such as those on a bicycle using the path at night time. Given the nature of the discs being reflective and solar powered only, they would be intermittent and less intrusive than more formal, mains powered lighting. On this basis it is not considered that the proposal would have any detrimental impacts on neighbouring properties.
- 10.16. It is noted that the proposed foot and cycle path would sit against the southern boundary of the site whereby it would sit adjacent to the boundary of No. 401 Meadow Lane. Whilst the proposal would potentially bring more activity and pedestrian/cycle movement closer to the shared boundary with the residential properties along Meadow Lane, Officers note that football pitches already lie immediately adjacent to the shared boundary and that users of the recreation ground are not restricted from this boundary in any way. Therefore officers are of the opinion that the proposed path would not give rise to significant levels of

noise and disturbance over and above the existing use of the field whereby the field is used for various sporting and recreational activities and which are in a similar location to the proposed footpath.

10.17. The proposal is therefore acceptable in terms of neighbours' amenity and Policy RE7 and H14 of the Oxford Local Plan 2036.

d. Highways and Pedestrian Safety

10.18. Policy M1 of the Local Plan aims to promote cycling in the city and ensure an accessible environment for cyclists, with the Council expecting development to provide for connected, high quality, convenient, and safe (segregated where possible) cycle routes that are permeable. The principle of enhancing connectivity for pedestrians and cyclists as sustainable modes of transport is supported in accordance with policy M1 and the Local Plan as a whole.

10.19. Policy RE7 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that does not have unacceptable transport impacts.

10.20. Officers note that a number of concerns have been raised with regard to the impact of the proposed development on users of the proposed path and of Meadow Lane in terms of highways safety.

10.21. Oxfordshire County Council Highways Authority originally raised an objection to the proposed scheme as no speed reduction methods were proposed. It was considered that the proposals posed an unacceptable risk to the safety of pedestrians/cyclists who are looking to access the pathway from the Meadow Lane entrance/exit.

10.22. To overcome this objection, amended plans were received showing the installation of 3no staggered bollards at the end of the path where it meets Meadow Lane. The purpose of the staggered bollards is to slow cyclists down as they exit on to Meadow Lane to avoid any potential conflict with other users of the path and Meadow Lane.

10.23. Oxfordshire County Council Highways Authority have been re-consulted on the amended plans for this application and are of the opinion that the introduction of the proposed bollards as well as appropriate signage at the Cavell Road access have addressed their previous highway and pedestrian safety concerns. It is considered that the speed reduction methods in the form of staggered timber bollards at the Meadow Lane access would ensure that the proposal is unlikely to have a detrimental impact on the local highway network in traffic and safety terms.

10.24. Furthermore, the use of luminescent discs along the shared path will ensure that suitable visibility is provided.

10.25. The width of the proposed footway/cycleway meets the recommended width stated in LTN 1/20 and the Oxfordshire cycle design standards and is considered to be acceptable.

10.26. In light of the above assessment, the proposed development is unlikely to have a detrimental impact on the local highway network in traffic and safety terms and would be in accordance with Local Plan policies M1 and RE7 of the Oxford Local Plan 2036.

e. Trees

10.27. Policy G7 of the Oxford Local Plan 2036 states that planning permission will not be granted for development that results in the net loss of green infrastructure features such as hedgerows, trees or woodland where this would have a significant adverse impact or public amenity or ecological interest, and it must be demonstrated that their retention is not feasible and their loss will be mitigated.

10.28. The policy goes on to state that planning permission will not be granted for development resulting in the loss of other trees, except in the following circumstances, that it can be demonstrated that the retention of the trees is not feasible; and where tree retention is not feasible, any loss of tree canopy cover should be mitigated by the planting of new trees or introduction of additional canopy cover, and where loss of trees cannot be mitigated by tree planting on site then it should be demonstrated that alternative proposals for new green infrastructure will mitigate the loss of trees, such as green roofs or walls.

10.29. Policy G8 of the Oxford Local Plan 2036 states that development proposals affecting existing Green Infrastructure features, including hedgerows and trees, should demonstrate how these have been incorporated within the design of the new development where appropriate.

10.30. Donnington Recreation Ground is bound by a number of trees. The most significant tree features are located along the western boundary both within the park and within the off-site group which sits adjacent to an established public footpath i.e. Meadow Lane. These consist of a very large willow, a planted row of lime, several larger ash, and a dense group of willow, ash and understory species.

10.31. A number of objections have been received with regard to the loss of trees and the ambiguity over the number of trees to be removed.

10.32. Since these comments have been received, a revised Arboricultural Implication Assessment has been submitted which clarifies that the proposal would involve the loss of twelve trees and one group of trees including no category A trees, two category B trees, and eleven category C trees.

10.33. Officers have consulted with the Council's Tree Officer who has raised no objection to the proposed scheme subject to the proposed mitigation as detailed below.

10.34. It has been demonstrated that the proposed access to the footpath/cycle path cannot be achieved without losing some trees. Whilst officers note the comments raised with regard to the detrimental visual impact the proposed removal of the trees along the boundary would have on Meadow Lane, it is considered that the impact of the removal of these trees in terms of veteran or trees of particular

quality is nil and it is considered that the impact to visual amenity will be negligible due to the presence of other trees to be retained along the western boundary, and their ability to infill the canopy gap as they grow.

- 10.35. It therefore, becomes an issue of whether the canopy area lost is significant in quantum and if it can be mitigated by replacement tree planting. To assess the impact, officers have looked at the build footprint of the path, where it intersects with and passes through the tree belt on the southwestern corner of the park. There will be 4 larger trees removed and a number of additional smaller stems to facilitate the link and footpath. However, it is more useful to look at the impact in terms of canopy area lost rather than stem numbers,; officers have calculated this from the application drawings to be an approximate maximum of 275m².
- 10.36. The application indicates on the landscape proposals that there will be seven new trees to be planted on site, these are to be planted in open areas and will therefore have space in which to grow to their full size potential. Whilst details of the exact species of replacement trees has not been provided and as such officers cannot quantify the canopy cover that would be achieved in the 25 years period, on the basis of the number of trees and the location of the tree planting, officers are satisfied that regardless of species, there will be a net gain in canopy cover within the site. As a result of the on-site planting of 7 new trees, the proposal is considered to yield a net gain in canopy cover and would enhance the appearance of the park by the placement of trees in locations where there are currently large gaps in the tree cover. The application details of the species of tree replacements can be secured through a landscape plan condition, which will include large growing trees.
- 10.37. The proposed footpath would be constructed within the Root Protection Area (RPA) of eleven trees which run along the southern edge of site. In order to mitigate any harm and damage to these trees, appropriate mitigation methods such as the use of a 3D cellular confinement system, above the existing ground level, within the RPAs with a porous surface to allow air and water to reach the root systems of the affected trees, and temporary ground protection to be installed prior to commencement have been recommended as part of the Arboricultural Method Statement. Therefore, subject to a condition requiring the proposed development to be carried out in accordance with the mitigation measures as outlined in the Arboricultural Method Statement, officers are of the opinion that the proposed development would be acceptable in this regard.
- 10.38. In addition to on-site provision, the proposal also seeks to provide landscaping improvements including the provision of hedgerows and up to thirty three trees at the Greyfriars School in order to mitigate the ecological impacts of the proposal as detailed in the section below. The proposed tree planting off-site is welcome. However from an arboricultural point of view, it is not required in order to justify or mitigate the impacts from the loss of trees within the application site, which will be minor in immediate impact, and adequately mitigated through proposed landscape enhancements, which would yield a net gain in tree canopy, and to landscape quality in the medium to long term.
- 10.39. In this instance, officers are satisfied that the removal of the trees would be sufficiently mitigated by the planting of new trees and the introduction of

additional tree canopy cover on-site within Donnington Recreation Ground. The additional tree planting required for ecology purposes that would be provided off-site at the Greyfriars School would be an added benefit. Therefore, subject to the suggested conditions and the s106 Obligation, the proposed development is considered to be acceptable in accordance with Policies G7 and G8 of the Oxford Local Plan 2036.

f. Ecology and Biodiversity

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

Ecological assessment

10.41. The proposed development entails the construction of a path through the Donnington Recreation Ground. This would result in the loss of grassland along the southern boundary of the application site, and approximately 20m from a tree line on the western boundary where it is proposed the path will connect with Meadow Lane.

10.42. The grassland sward is comprised of a narrow range of common species and wildflowers are generally very sparse in the sward. It is intensively managed, as would be expected given the amenity and recreational use of the wider field. The assessment of the grassland being lost has been a point of contention however, it is considered that the grassland has limited intrinsic ecological value.

10.43. The updated Arboricultural Impact Assessment indicates the impacts on the tree line would entail the loss of 12 individual trees and an additional group of trees. The Tree Officer at Oxford City Council as set out above has confirmed there would be no loss of veteran trees or trees of any particular quality. They have also stated that the proposed compensatory planting includes seven trees in open areas onsite that are expected to quickly exceed the canopy area of those lost.

10.44. There is a great deal of local concern with regard to the impact that the loss of trees would have on local ecology.

10.45. The application is accompanied by an Ecological Assessment Report. This report identifies potential impacts on breeding birds and reptiles, which it considers can be avoided through sensitive working practices. These practices should be detailed in a Construction Environmental Management Plan (CEMP) for biodiversity, which can be required and secured via planning condition. Officers are satisfied that a robust assessment has been undertaken and that the potential presence of protected habitats and species has been given due regard. Subject to condition requiring sensitive working practices to be carried out, officers are satisfied that the proposal would not have an impact on protected habitats or species.

10.46. Subject to condition, officers consider that the impacts on the treeline would not be significant ecologically, either as a result of total habitat loss or impacts on function, and therefore that loss is acceptable in national and local planning policy terms.

Biodiversity Net Gain

10.47. Paragraph 174 of the National Planning Policy Framework (NPPF) requires planning decisions to minimise impacts on and provide net gains for biodiversity.

10.48. Policy G2 of the Oxford Local Plan 2036 states that development that results in a net loss of sites and species of ecological value will not be permitted. Compensation and mitigation measures must offset the loss and achieve an overall net gain for biodiversity.

10.49. A number of objections have been received in relation to the biodiversity net gain and the accompanying biodiversity metric.

10.50. For matters of clarification, Policy G2 states that for all major developments proposed on greenfield sites or brownfield sites that have become vegetated, this should be measured through use of a recognised biodiversity calculator. To demonstrate an overall net gain for biodiversity, the biodiversity calculator should demonstrate an improvement of 5% or more from the existing situation.

10.51. As the site is also not a major development, the proposed development is also not required to demonstrate an improvement of 5% or more from the existing situation. Whilst the NPPF (2023) states that all development should provide net gains for biodiversity, there is no specific requirements as to how these impacts and how the biodiversity net gain should be measured.

10.52. A number of concerns have been raised in objection to the scheme as the proposal would not provide a 10% biodiversity net gain. The Environment Act 2021 will require most development to require a mandatory 10% biodiversity net gain. This legislation and the relevant regulations have not come into force yet and are not proposed to come into force until January 2024 onwards, although for small sites the requirement will apply from April 2024. Therefore, this requirement is not relevant to this planning application, and it would be unreasonable for officers to require the proposed development to demonstrate an improvement of 10% or more from the existing situation.

10.53. In support of this application, the application is accompanied by a Biodiversity Metric 3.1 as the means of demonstrating that the project would deliver an increase in biodiversity and therefore comply with the NPPF. The application must therefore satisfactorily demonstrate a net gain in this metric. Given the legislative and policy context outlined above, a gain of any size would be acceptable in planning policy terms as there is currently no requirement for a minimum level.

10.54. In keeping with the Biodiversity Metric 3.1 user guide, net gain should be achieved in all relevant parts of the metric, which is split into habitat, linear, and river sections. There is a brook immediately adjacent to the application site

boundary which would ordinarily warrant inclusion in the river section of the metric. However, the footprint of the proposed path is approximately 100m from the brook, with no potential to impact the brook, and as a result, officers consider that requiring the applicant to complete the river section of the metric would be disproportionate to the nature of the proposal. On that basis, Oxford City Council should require a net gain from the habitat and hedgerow sections of the metric only.

- 10.55. The biodiversity metric has been amended on several occasions over the course of the application in order to address officers concerns. To summarise, the concerns raised were in relation to the survey data not being disclosed which was later deemed inaccurate and a lack of data relating to the off-site enhancements required for the application to meet the net gain requirements. This prevented a full assessment of the planning application. In addition to this, the applicant was seeking to replace habitats being lost with habitats of a lower distinctiveness, thereby failing the 'trading rules' underpinning the metric and the proposed enhancements could not practically be achieved and the post-development grassland onsite was overvalued as a result, artificially inflating the overall net gain position.
- 10.56. Following a revision to the red line boundary (within the Metric) and additional survey work carried out on site by the project's ecologist, the latest biodiversity metric seeks to address the above concerns.
- 10.57. The amended biodiversity metric indicates the proposed development would result in a net gain of 0.38 habitat units onsite (+9.07%) but a net loss of 0.08 hedgerow units (-3.72%). The application site has a low baseline value as a result of the existing grassland being classified as 'modified grassland' in poor condition.
- 10.58. The condition assessment rests on there being fewer than six species per square meter in the grassland sward; any higher would mean the grassland was in good condition, and the proposed development would result in a net loss in habitat units onsite. At the Council's request, the project ecologist undertook a detailed botanical survey of the Recreation Ground in August 2023, utilising a quadrat and calculating there was an average of 4.87 species per square metre in the grassland.
- 10.59. However, this figure relates to the wider Recreation Ground rather than the grassland within application site. Nevertheless, of the 15 squares assessed, approximately eight are within the red line of the application site, and the average of these squares still falls below the six species threshold. One issue with the methodology is that only a handful of quadrats (two or three) are from the proposed location of the footpath and therefore capture the quality of the habitat to be lost. However, officers are satisfied that while there may be small local differences along the route, the impacts of the scheme are satisfactorily captured in the submitted metric.
- 10.60. The applicant is proposing off-site enhancements at Greyfriars School, including enhancing 0.25ha of grassland, a small extent of tree planting, the enhancement of two existing hedges, and approximately 300m of new hedgerow

planting. As represented in the metric, these would lift the overall score of the development proposals (incorporating onsite and offsite) to a net gain of 0.90 habitat units (+21.43%) and 1.61 hedgerow units (+69.76%). This will be secured by the s106 . As with the onsite habitats set out in preceding paragraphs, there are some criticisms about how some of the data has been collected and presented for off site habitats as well. However, given the onsite calculations, officers are of the opinion that an increase would be achieved in hedgerow units.

10.61. On this basis, officers are satisfied that the proposed development will achieve a net gain in biodiversity and therefore would comply with Paragraph 174 of the National Planning Policy Framework and Policy G2 of the Oxford Local Plan 2036.

10.62. In light of the above assessment, the proposed development is not considered to have a detrimental impact on ecology and the proposed development would achieve a net gain in biodiversity. The proposal is therefore considered to comply with Paragraph 174 and 180 of the National Planning Policy Framework and Policies G2 and G7 of the Oxford Local Plan 2036.

10.63. Furthermore the Local Planning Authority, in exercising any of its functions, has a legal duty to have regard to the requirements of the Conservation of Habitats and Species Regulations 2017, which identifies four main offences for development affecting European Protected Species (EPS):

1. *Deliberate capture, injuring or killing of an EPS*
2. *Deliberate disturbance of an EPS, including in particular any disturbance which is likely*
 - a) *To impair their ability –*
 - i) *To survive, to breed, or reproduce, or to rear or nurture their young; or*
 - ii) *In the case of animals of a hibernating or migratory species, to hibernate or migrate, or;*
 - b) *To affect significantly the local distribution or abundance of the species to which they belong*
3. *Deliberate taking or destroying the eggs of an EPS*
4. *Damage or destruction of a breeding site or resting place of an EPS*

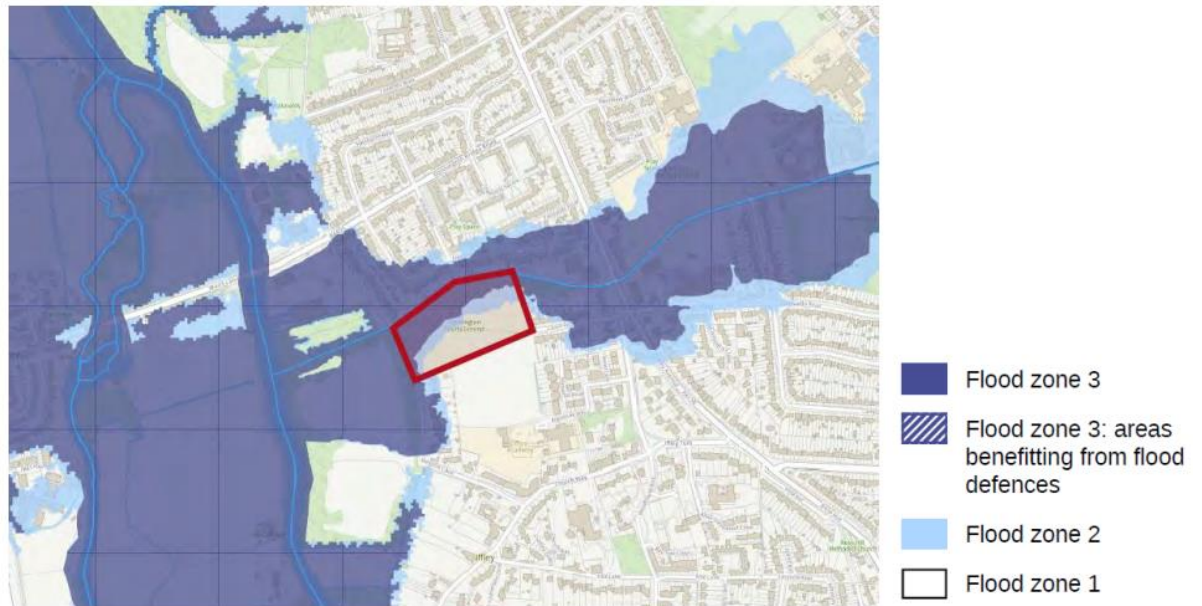
10.64. Officers are satisfied that European Protected Species are unlikely to be harmed as a result of the proposals. Given all of the above and subject to the necessary conditions detailed, the proposals are considered to be in line with Paragraph 174 of the NPPF.

g. Flooding and Drainage

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

effect on flood risk on and off site. Development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.

10.66. The Environment Agency's (EA's) publicly available flood zone maps demonstrate that the site is located within Flood Zones 1 to 3.



Extract from Environment Agency's Flood Maps for Planning Service.

10.67. The higher parts of the site, along the southern and eastern corner of the site, is in Flood Zone 1, and hence is at low risk of fluvial flooding (an annual probability of flooding less than 1 in 1,000). Along the northern boundary which is bound by Boundary Brook the site is in Flood Zone 3 and along the western boundary, adjacent to Meadow Lane, this is also within Flood Zone 2 and 3, showing these areas are at medium to high risk of fluvial flooding (an annual probability of flooding greater than 1 in 100 for the Flood Zone 3 areas).

10.68. With regard to the location of the proposed foot and cycle path, flood mapping published by the Environment Agency indicates that a small portion of the western end of the proposed cycleway improvement is located in Flood Zone 2/3 – at medium to higher risk of flooding from fluvial sources.

10.69. As per national and local planning policy requirements, a Flood Risk Assessment (FRA) has been submitted as part of this application. The submitted FRA demonstrates that the proposed path would not raise levels in the floodplain.

10.70. The proposed path would be constructed using a permeable construction, with a Flexipave surface course over Type 3 sub-base. Given the use of permeable and self-draining materials, the proposed path is not considered to result in an increase in runoff/surface water flood risk.

10.71. A Flood Risk Management Plan has also been submitted which extends on the Flood Risk Assessment prepared for the scheme with particular regard to the management of residual risk to end-users associated with potential flood waters. This technical note states that in order to help manage and reduce residual risk to users of the new cycleway, a permanent sign at the western end of the alignment, ahead of the connection to Meadow Lane would be installed. The purpose of the sign would be to warn cycle users not to use Meadow Lane in the event of a flood.

10.72. Therefore subject to a condition requiring the proposed development to be built in accordance with the FRA and in accordance with the flood risk management plan, officers are of the opinion that the proposed development would be acceptable in this regard. It is also considered that the management plan should be reviewed every five years or in the event that the Environment Agency modelled flood extent are updated and affect the site differently. This would be secured via an appropriate condition.

10.73. Subject to conditions, it is therefore considered that the development would comply with Policies RE3 and RE4 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 proposed path and associated works would not have any adverse impacts with regard to visual or residential amenity. It is considered that any harm that would arise from the removal of the trees to facilitate the development has been mitigated through additional tree planting on site. The proposed development is not considered to have a detrimental impact on ecology and would achieve a net gain in biodiversity in accordance with national and local planning policies.

11.4. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Planning Services) of an obligation under section 106 of the Town and Country Planning Act 1990.

12. CONDITIONS

Time Limit

1. The development to which this permission relates must be begun no 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. Unless otherwise required by other Conditions to this permission

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

Materials as specified

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

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

Footpath Works

4. The associated footpath works including the installation of the timber kissing gate, removable bollard, staggered timber bollards and the associated signage as shown on drawings 44896/5527/006 REV E (General Arrangement Plan) and 44896/5527/SD001 REV C (Construction Details), shall be provided on site prior to first use of the development hereby approved. The development shall be carried out in accordance with the approved details and retained in perpetuity.

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

Luminescent Discs

5. Prior to the installation of the 'luminescent discs' shown on drawing 44896/5527/006 REV E (General Arrangement Plan), detailed specification of the proposed 'luminescent discs' including the number, size, location and colour/finish shall be submitted to and be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained in perpetuity.

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

SuDS

6. All impermeable areas of the proposed development, including the pathway shall be drained using Sustainable Drainage measures (SuDS). This may include the use of porous pavements and infiltration, or attenuation storage to decrease the run off rates and volumes to public surface water sewers and thus reduce flooding. Soakage tests shall be carried out in accordance with BRE Digest 365 or similar approved method to prove the feasibility/effectiveness of soakaways or filter trenches. Where infiltration is not feasible, surface water shall be attenuated on site and discharged at a controlled discharge rate no greater than prior to development using appropriate SuDS techniques and in consultation with the sewerage undertaker where required. If the use of SuDS are not reasonably practical, the design of the surface water drainage system shall be carried out in accordance with Approved Document H of the Building Regulations. The drainage system shall be designed and maintained to remain functional, safe, and accessible for the lifetime of the development.

Reason: To avoid increasing surface water run-off and volumes to prevent an increase in flood risk in accordance with policy RE4 of the Oxford Local Plan 2036.

Flood Risk Assessment

7. The development hereby approved shall be built in accordance with the Flood Risk Assessment prepared by Stantec dated 6th October 2022 and the Flood Risk Management Plan prepared by Stantec dated 23rd February 2023 and retained thereafter in accordance with the Flood Risk Management Plan or any updated Plan approved by the Council following a review in accordance with this condition. The Flood Risk Management Plan (FRMP) shall be reviewed in the event of a flood affecting the site, or should the flood risk change, and any revisions shall be submitted to and approved in writing by the Local Planning Authority and any works required by the approved reviewed FRMP carried out within 3 months of the review date and adhered to thereafter.

Reason: To avoid increasing surface water run-off and volumes to prevent an increase in flood risk or changes in ground water and surface water flow in accordance with policies RE4 and G2 of the Oxford Local Plan 2036.

Construction Environmental Management Plan (Biodiversity)

8. No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of “biodiversity protection zones” in respect of protected and notable species and habitats;
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on biodiversity during construction (may be provided as a set of method statements) and biosecurity protocols;
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) Contingency/emergence measures for accidents and unexpected events, along with remedial measures;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of a qualified ecological clerk of works (ECoW) or similarly competent person if required, and times and activities during construction when they need to be present to oversee works; and
- h) Use of protective fences, exclusion barriers and warning signs;

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

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

Landscape Ecological Management Plan (LEMP)

- 9. No development shall take place (including ground works and vegetation clearance) until a landscape and ecological management plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. 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.
 - g) Details of the body or organisation 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. The development shall be carried out, maintained and retained in accordance with the approved LEMP

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

Landscape Plan Required

10. Notwithstanding the submitted plans the development shall not be brought into use until a landscape plan has been submitted to and approved in writing by the Local Planning Authority . 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. The development shall be carried out in accordance with the approved Landscape Plan.

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

Landscape Proposals: Implementation

11. The landscaping proposals as approved by the Local Planning Authority in the approved Landscape Plan shall be carried out no later than the first planting season after 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.

Landscape 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 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.

Arboricultural Method Statement

13. The development shall be carried out in strict accordance with the approved methods of working and tree protection measures contained within the planning application details (including drawing number 230331-1.2-OCSDPF-TPP-SH - Tree Protection Plan, 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.

INFORMATIVES :-

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

13. APPENDICES

- **Appendix 1 – Site location plan**

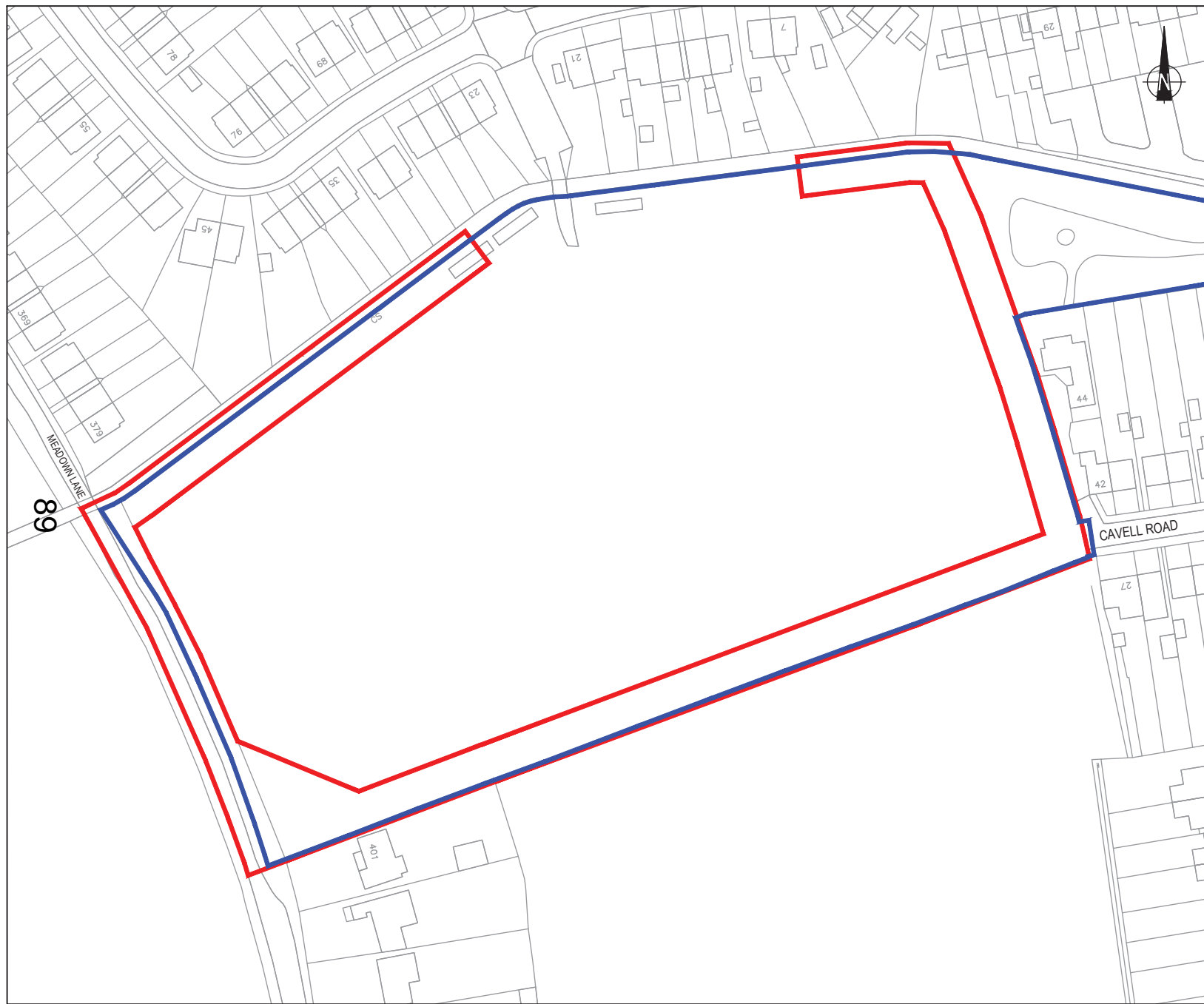
14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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NOTES:

1. DO NOT SCALE FROM THIS DRAWING
2. OS MAPPING RECEIVED FROM OXFORD CITY COUNCIL (DIRECT SERVICES)

KEY:

- SITE BOUNDARY
- APPLICANT OWNERSHIP BOUNDARY

H	APPLICANTS OWNERSHIP BOUNDARY ADDED	08.09.23	LP	MBC	SH
G	UPDATED TO USE STANDARD SCALE	04.11.22	VT	MU	CW
F	REVISED BOUNDARY TO INCLUDE LANDSCAPE	27.09.22	VT	MU	BT
E	REVISED RED LINE BOUNDARY	01.08.22	VT	MU	BT
D	BOUNDARY FOR PROPOSED GATE ADDED	21.06.22	VT	MU	BT
C	REVISED ALIGNMENT	16.03.22	VT	CA	SH
B	REVISED RED LINE BOUNDARY	08.11.21	JB	EF	
A	REVISED RED LINE BOUNDARY	03.03.21	AL	EF	
Mark	Revision	Date	Drawn	Chkd	Appd



SCALING NOTE: Do not scale this drawing - any errors or omissions shall be reported to Stantec without delay.
 UTILITIES NOTE: The position of any existing public or private sewers, utility services, plant or apparatus shown on this drawing is believed to be correct, but no warranty to this is expressed or implied. Other such plant or apparatus may also be present but not shown. The Contractor is therefore advised to undertake their own investigation where the presence of any existing sewers, services, plant or apparatus may affect their operations.

Drawing Issue Status

FOR INFORMATION

**OXFORD CITY CYCLE - GROWTH FUND
 DONNINGTON PLAYING FIELDS**

SITE BOUNDARY

			
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Date of 1st Issue 11.02.2021	Designed JB	Drawn BH	
A3 Scale 1:1000	Checked BT	Approved PB	
Drawing Number 44896/5527/001		Revision H	
		OXFORD Tel: 01865 410 000	



SCALE 1:1000

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Minutes of a meeting of the Planning - Oxford City Planning Committee on Tuesday 19 September 2023



Committee members present:

Councillor Clarkson (Chair)	Councillor Hollingsworth (Vice-Chair)
Councillor Altaf-Khan	Councillor Kerr
Councillor Mundy	Councillor Railton
Councillor Rehman	Councillor Upton
Councillor Gant (for Councillor Fouweather)	

Officers present for all or part of the meeting:

Natalie Dobraszczyk, Development Management Team Leader
Sally Fleming, Planning Lawyer
Mike Kemp, Principal Planning Officer
Emma Lund, Committee and Member Services Officer
Andrew Murdoch, Development Management Service Manager

Apologies:

Councillors Chapman, Fouweather and Malik sent apologies.
The substitute for Councillor Fouweather is shown above.

30. 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 on them.

31. 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

The Committee considered an application (23/00707/RES) for reserved matters approval of scale, layout, landscaping and appearance for the erection of commercial building, erection freestanding service pavilion for storage of associated waste and gas bottle storage and provision of landscaping (Plot A) at Oxford North Northern Gateway

Land Adjacent A44 A40 A34 and Wolvercote Roundabout, A40 Section from Cherwell District Council Boundary to Wolvercote Roundabout.

The Planning Officer gave a presentation and highlighted the following:

- An updated version of the National Planning Policy Framework (NPPF) had been published on 5 September, which was after the officer's report had been finalised. The Planning Officer confirmed that there had been no change to the paragraph numbers of the NPPF cited in the report, nor any alteration to the assessment contained in the report or the officer's recommendation arising from the update to the NPPF.
- Further comments had been received from Oxfordshire County Council on 18 September in relation to drainage. The County Council was still requesting clarification on how the detached pavilion buildings would follow SUDS guidelines; matters relating to the capacity of the existing drainage ditch to accommodate drainage flow and consent from the relevant body; and details relating to how the brown roofs of each of the buildings would drain. Officers were therefore seeking delegated authority to resolve the County Council's remaining concerns.
- No further public comments had been received following the consultation expiry date on 18 September.
- Correction was required to paragraph 10.58 of the report which referred to the maximum parking standards being one space per 62sqm of employment floor space. This should read one space per 62.5sqm of employment floor space. The same correction was required to condition 7 (relating to the car parking strategy) which also referred to square meterage of employment floorspace.
- The application related to one of three employment buildings which were proposed under the next phase of development (phase 2) for Oxford North. Phase 2 would also include proposals for a new park and public square and a multi-storey car park: reserved matters applications for these proposals would be brought before the Committee at a later date.
- The siting of the building aligned with the masterplan which had been approved under the hybrid application 18/02065/OUTFUL and which showed a building of a similar scale within the location. The building would be used for life sciences and research and development use, consisting of a split of laboratory and office space. The hybrid masterplan had been accompanied by a land uses parameter plan, which specifically allowed for this type of use on this part of the Oxford North Site.
- The proposal would provide 11,065sqm of floor space in total. Two detached buildings were proposed adjacent to the main building which would provide waste storage, storage for gas bottles and a cycle store.
- The proposed use was consistent with the overall vision for Oxford North, which was focused on innovation and science and technology uses.
- The site layout included soft landscaping, which would include a contribution to biodiversity net gain. Biodiversity net gain was being delivered cumulatively across

the Oxford North project, with the 5% net gain target to be achieved throughout the duration of the project.

- The Sustainability Strategy for the building met the requirement to deliver a 40% reduction in carbon emissions as assessed against the new Part L building regulations. The building would be capable of meeting the BREEAM excellent rating requirements. It would therefore be compliant with Policy RE1 of the Oxford Local Plan.
- Officers considered that the building was well designed and was contextually justified and compliant with Policy DH1 of the Oxford Local Plan.
- A small section of the building (principally an area of PV panels and plant equipment) would sit above the height parameter plan which had accompanied the hybrid planning permission. This represented a small section of the building, and the visual impact had been assessed against the range of key views which had originally been used to assess the hybrid proposals. Officers considered that the additional height above the height parameter plan would not result in any additional visual harm when assessed against the scope of the original proposals.
- In total 123 cycle parking spaces were proposed. This would exceed the minimum requirement set out in Local Plan Policy M3, which was one space per 90sqm. However, it was below the one space per 50sqm minimum standard proposed in the Northern Gateway Area Action Plan Policy NG4. As set out in the report, officers considered that there were material reasons to depart from the very high quantity of cycle parking required under policy NG4: the proposed provision would be capable of meeting the existing and future target modal shares for cyclists set out within the applicant's travel plan, whilst also accounting for the County Council's now adopted Local Transport and Connectivity Plan. The provision of a substantial number of further cycle parking spaces may have an adverse design impact. Officers considered that there was a clear urban design rationale for considering a lower number of spaces where there was not an objective need to meet the NG4 policy standards, and the County Council had also not objected to the cycle parking provision, based on the ability to meet future demand for cycle parking provision.
- The proposal did not include the provision of car parking. It was instead proposed that car parking would be provided within a multi-storey car park which would provide car parking capacity for up to 70,000sqm of employment space, applying the target ratio of one space per 62.5sqm of employment space which was the maximum target ratio for parking under the hybrid permission. An application for the multi-storey car park would be presented to the Committee at a later date: a car parking strategy was therefore recommended which would outline the location, timing of delivery and management measures relating to car parking for Plot A, as well as plots B and C.

Victoria Collett (the applicant) spoke in favour of the application.

Councillor Altaf-Khan, who arrived at the meeting after the officer's presentation had concluded, did not participate in determining the application.

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

- Some Committee members expressed reservations about the level of cycle parking provision and questioned the reasons for accepting the lower amount of cycle parking required by Local Plan Policy M3 rather than enforcing the requirements of Policy NG4. Officers responded that the Northern Gateway Area Action Plan had been adopted prior to the current Local Plan and therefore pre-dated it. The rationale for the departure from NG4 was set out in the report. It was also noted that the application before the Committee related only to part of the site and that there was potential to increase the amount of cycle parking across the development as a whole in the future, in the event of an increase in the mode share of cyclists or to adapt to changing circumstances (increased use of larger bikes, etc). The applicant and agent, who were present, were asked to note the Committee's concerns about cycle parking standards. It was also noted that the use of the building for life sciences would result in a lower average number of staff working within the building compared with an office use.

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, subject to the conditions set out in the report and the resolution of the County Council's remaining concerns or objections relating to drainage which was delegated to the Head of Planning Services.

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; and
 - respond to any comments received by Oxfordshire County Council (Lead Local Flood Authority) to resolve any concerns or objections and to finalise any recommended conditions relating to site drainage.

32. 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

The Committee considered an application (23/00708/RES) for reserved matters approval of scale, layout, landscaping, and appearance for the erection of commercial building, erection freestanding service pavilion for storage of associated waste and gas bottle storage and provision of landscaping (Plot B) at Oxford North Northern Gateway

Land Adjacent A44 A40 A34 and Wolvercote Roundabout, A40 Section from Cherwell District Council Boundary to Wolvercote Roundabout.

The Planning Officer gave a presentation and highlighted the following:

- An updated version of the National Planning Policy Framework (NPPF) had been published on 5 September, which was after the officer's report had been finalised. The Planning Officer confirmed that there had been no alteration to the assessment contained in the report or the officer's recommendation arising from the update to the NPPF.
- Further comments had been received from Oxfordshire County Council on 18 September in relation to drainage. The County Council was still requesting clarification on how the detached pavilion buildings would follow SUDS guidelines; matters relating to the capacity of the existing drainage ditch to accommodate drainage flow and consent from the relevant body; and details relating to how the brown roofs of each of the buildings would drain. Officers were therefore seeking delegated authority to resolve the County Council's remaining concerns.
- No further public comments had been received following the consultation expiry date on 18 September.
- Correction was required to paragraph 10.53 of the report which referred to the maximum parking standards being one space per 62sqm of employment floor space. This should read one space per 62.5sqm of employment floor space.
- The proposal would provide 16,561sqm of flexible laboratory and office space, cycle storage, refuse stores and specialist waste and gas bottle stores, as well as new soft landscaping (including tree planting) to the west of the building and level access for cyclist and pedestrians.
- The principle of providing life sciences space fully aligned with the Land Use Parameter Plan for the Oxford North site and the overall vision for delivery of the site in terms of overall uses which would enhance the knowledge economy.
- 188 cycle parking spaces would be provided. A number of these would be in a detached pavilion to the west of the main building, with further spaces (single tier Sheffield stands) surrounding the building. Waste storage and gas bottle storage would also be provided within a detached pavilion building to the west. As with Building A, cycle parking was based on the Oxford Local Plan standard but was below the requirement set out under Policy NG4 of the Northern Gateway Area Action Plan. As set out in the report, officers considered that the departure from Policy NG4 was justified considering future demand for cycle parking consistent with the applicant's travel plan.
- No car parking provision was directly proposed: a car parking strategy condition would be required in order to deal with future car parking provision.
- The proposal included areas of green roofs which would sit above flat roofs. This would contribute to the biodiversity net gain strategy and drainage strategy for the building. The third floor of the building also included an outdoor terrace area above the front entrance for use by the occupiers as communal space.

- Officers considered that the building design was of a high standard and appropriate for the site context in terms of its scale and appearance. The Sustainability Strategy fully met Policy RE1 requirements and exceeded the 40% reduction target for carbon emissions as assessed against Part L building regulations and was capable of meeting the BREEAM excellent rating requirements.
- The majority of the building would sit fully within the height parameters approved under the hybrid permission. However, as set out in the report there were smaller sections of the building which did deviate from the heights allowed for within the Height Parameter Plan. When considered in the context of the building and the scope of the overall application officers considered that the additional scale would not have an adverse visual impact when considered within the key views that were assessed within the applicant's provided Landscape and Visual Impact Assessment (LVIA).

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

- A committee member commented that some of the cycle parking within the pavilion would be provided by double height stands, which could be difficult for those with non-standard bikes or who were not fully able-bodied. The agent responded that there would also be Sheffield stands and spaces for larger bikes provided within the secure enclosures.
- Some committee members drew attention to the sharp zig-zag of the access path. It was noted that the aim was to achieve a level gradient, but some committee members considered that it may result in users cutting across landscaping to create a shorter route, or risk cyclists taking a sharp bend.

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, subject to the conditions set out in the report and the resolution of the County Council's remaining concerns or objections relating to drainage which was delegated to the Head of Planning Services.

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 reserved matters approval; and
 - respond to any comments received by Oxfordshire County Council (Lead Local Flood Authority) to resolve any concerns or objections and to finalise any recommended conditions relating to site drainage.

33. 23/01412/RES: Oxford North Northern Gateway Land Adjacent A44, A40, A34 and Wolvercote Roundabout A40 Section from Cherwell District Council Boundary to Wolvercote Roundabout

The Committee considered an application (23/01412/RES) for reserved matters approval of scale, layout, landscaping and appearance for the erection of commercial building, erection freestanding service pavilion for storage of associated waste and gas bottle storage and provision of landscaping (Plot C) at Oxford North Northern Gateway Land Adjacent A44 A40 A34 and Wolvercote Roundabout, A40 Section from Cherwell District Council Boundary to Wolvercote Roundabout.

The Planning Officer gave a presentation and highlighted the following:

- An updated version of the National Planning Policy Framework (NPPF) had been published on 5 September, which was after the officer's report had been finalised. The Planning Officer confirmed that there had been no alteration to the assessment contained in the report or the officer's recommendation arising from the update to the NPPF.
- Further comments had been received from Oxfordshire County Council on 18 September in relation to drainage. The County Council was still requesting clarification on how the detached pavilion buildings would follow SUDS guidelines; matters relating to the capacity of the existing drainage ditch to accommodate drainage flow and consent from the relevant body; and details relating to how the brown roofs of each of the buildings would drain. Officers were therefore seeking delegated authority to resolve the County Council's remaining concerns.
- No further public comments had been received following the consultation expiry date on 18 September.
- Correction was required to paragraph 10.54 of the report which referred to the maximum parking standards being one space per 62sqm of employment floor space. This should read one space per 62.5sqm of employment floor space.
- The proposal related to the delivery of a research and development building housing 15,290sqm of laboratory and office space. It included the provision of hard and soft landscaping surrounding the building as well as a new pedestrian link to the north. A detached store building was proposed for waste and gas bottle storage, located between the site of the building and the proposed multi-storey car park.
- As with buildings A and B, no car parking was directly proposed within the application. A car parking strategy would be required to deal with future car parking provision for the plot. A strategy to re-provide the temporary car and cycle parking serving the Red Hall and the Phase 1a buildings, which would be lost through the development, would be conditioned.
- 168 cycle parking spaces would be provided at ground level, mainly within the envelope of the building itself but also within further detached spaces provided within Sheffield stands surrounding the building. The cycle parking provision was based on the Oxford Local Plan standards, but as with Plots A and B was below the Policy NG4 Northern Area Gateway standards. This departure was considered to

be justified for the reasons set out in the report, based on existing and future demand for cycle parking consistent with the applicant's travel plan.

- The building would be five storeys in height, clad in a dark green metal material. The plant area at the top of the building would be surrounded by metal mesh cladding, which would serve to make the upper sections appear less heavy.
- The building would meet the 40% reduction in carbon emissions set against the Part L building regulations requirement and was capable of meeting BREEAM excellent requirements. The Energy Strategy would comply fully with Policy RE1 requirements. The building design included balcony spaces for use by future occupiers as outside space for social, communal or work purposes.
- The majority of the building would sit within the height parameters approved under the hybrid permission. However, as set out in the report there were smaller sections of the building which would deviate from the heights allowed for in the Heights Parameter Plan. The site was in a location where there was provision for greater height. Although the building appeared relatively large in scale it was predominantly compliant with the height parameters approved under the outline application and would be set in the context of similarly large buildings including the Red Hall and the Phase 1a buildings. The impact on the development had been assessed thoroughly within the applicant's provided Landscape and Visual Impact Assessment (LVIA), and within the scope of the development allowed for under the hybrid application.

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

- A new route would be provided to the north of the building which would connect to the new car park, with pavements either side of the access road. The County Council had therefore considered that there was safe access from the car park into the building.
- A requirement to submit a sample of the exterior material to be used before commencement of above ground works had been conditioned. A committee member recommended that evidence of the material's ability to withstand weathering should also be submitted.
- A committee member did not agree with the officer's assessment that the deviation from the height parameter plan would be small.

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, subject to the conditions set out in the report and the resolution of the County Council's remaining concerns or objections relating to drainage which was delegated to the Head of Planning Services.

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

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 reserved matters approval.
- respond to any comments received by Oxfordshire County Council (Lead Local Flood Authority) to resolve any concerns or objections and to finalise any recommended conditions relating to site drainage.

34. Minutes

The Committee resolved to approve the minutes of the meeting held on 15 August 2023 as a true and accurate record.

35. Forthcoming applications

The Committee noted the list of forthcoming applications.

36. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 8.20 pm

Chair

Date: Tuesday 17 October 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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