

# Agenda

## Planning - Oxford City Planning Committee

This meeting will be held on:

Date: **Tuesday 21 November 2023**

Time: **6.00 pm**

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

**For further information** please contact:

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

☎ 01865 252367

✉ DemocraticServices@oxford.gov.uk

**Members of the public can attend to observe this meeting and:**

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

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 Anna Railton	Hinksey Park;
Councillor Ajaz Rehman	Lye Valley;
Councillor Louise Upton	Walton Manor;
Vacancy	

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  box.

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

### 1 Apologies for absence and substitutions

Councillor Jemima Hunt will replace Councillor Edward Mundy for this meeting only.

### 2 Declarations of interest

### 3 23/00693/FUL: Site of 6-25 Pusey Lane and 19-21 St John Street, Oxford

13 – 62

**Site Address:** Site Of 6-25 Pusey Lane and 19-21 St John Street

**Proposal:** Demolition of Nos. 6-25 Pusey Lane. Erection of 2-3 storey terraced building to provide new student accommodation. Demolition of rear outrigger extensions to nos. 20 & 21 St John Street. Erection of single storey common room building to the rear of nos. 20 & 21 St John Street. Re-landscaping of the existing amenity areas to the rear of nos. 7-11 and 19-21 St John Street, including demolition/alteration of rear plot boundary walls

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**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 subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:
  - the satisfactory completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 or Unilateral Undertaking 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
2. **delegate authority** to the Head of Planning and Regulatory Services to:
  - finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning and Regulatory Services considers reasonably necessary; and
  - finalise the recommended legal agreement or Unilateral Undertaking under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning and Regulatory Services considers reasonably necessary; and
  - on receipt of the completed section 106 legal agreement or Unilateral Undertaking and issue the planning permission.

**4 23/00694/LBC: site of 6-25 Pusey Lane and 19-21 St John Street, Oxford**

63 – 76

**Site Address:** Site Of 6-25 Pusey Lane and 19-21 St John Street

**Proposal:** Demolition of rear outrigger extensions to nos. 20 & 21 St John Street. Erection of single storey common room building to the rear of nos. 20 & 21 St John Street.  
Demolition/alteration of rear plot boundary

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walls. (Amended Description)

**Reason at Committee:** The proposal is a concurrent application with a major planning application

**Recommendation:**

The Oxford City Planning Committee is recommended to:

1. **approve the application** for the reasons given in the report subject to the required listed building conditions set out in section 12 of this report and grant listed building consent; and
2. **delegate authority** to the Head of Planning and Regulatory Services to:
  - finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning and Regulatory Services considers reasonably necessary.

**5 23/01592/RES: Land Bounded by A34 and A44 And A40, Parcel 1, Woodstock Road, Oxford OX2 8JP**

77 – 126

**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 multi-storey split decked car park including immediate landscaping. 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 this report and grant reserved matters approval.
2. **delegate authority** to the Head of Planning and Regulatory Services to:
  - finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning and Regulatory Services considers reasonably necessary.

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**6 23/02092/FUL: Littlemore House, Oxford Innovation Park, 33 Armstrong Road, Oxford OX4 4FY**

127 – 218

**Site Address:** Littlemore House, 33 Armstrong Road, Oxford

**Proposal:** Partial demolition of and alterations to Littlemore House. Erection of 1no. research and development building (Use Class E) at Littlemore House with ancillary accommodation, clinic, educational floorspace and restaurant, new access arrangements, parking, landscaping, engineering and ground modelling works

**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 subject to the required planning conditions set out in section 12 of this report and grant planning permission; subject to:
  - the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and
2. **delegate authority** to the Head of Planning and Regulatory Services to:
  - finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning and Regulatory Services considers reasonably necessary;
  - finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning and Regulatory Services considers reasonably necessary; and
  - complete the section 106 legal agreement referred to above

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and issue the planning permission.

**7 23/02006/FUL: 43 Dodgson Road, Oxford OX4 3QS**

219 – 230

**Site Address:** 43 Dodgson Road, Oxford OX4 3QS  
**Proposal:** Change of use from dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4). Provision of bin and bike stores (amended plans)  
**Reason at Committee:** The applicant is an Oxford City Councillor

**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 this report and grant planning permission; and
2. **delegate authority** to the Head of Planning and Regulatory Services to:
  - finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning and Regulatory Services considers reasonably necessary.

**8 Minutes**

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**Recommendation:** to approve the minutes of the meeting held on 17 October 2023 as a true and accurate record.

**9 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.

22/02555/FUL: Plot 27, Oxford Science Park, Robert Robinson Avenue, Oxford OX4 4GA	Major
22/03076/FUL: 135-137 Botley Road, Oxford	Major
22/02954/OUT: Land at Oxpens Road, Oxford OX1	Major

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1TB	
22/02955/FUL: Land at Oxpens Road, Oxford OX1 1TB	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
23/01482/FUL: 13-15 Oxenford House, Magdalen Street, Oxford OX1 3AE	Major
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
23/02411/FUL: Land North of Charlbury Road, Oxford, Oxfordshire	Major
22/00409/FUL: Green Templeton College, Woodstock Road, OX2 6HG	Major

## 10 Dates of future meetings

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

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.**

Oxford City Planning Committee

November 2023

**Application number:** 23/00693/FUL

**Decision due by** 24th July 2023

**Extension of time** 22.12.2023

**Proposal** Demolition of Nos. 6-25 Pusey Lane. Erection of 2-3 storey terraced building to provide new student accommodation. Demolition of rear outrigger extensions to nos. 20 & 21 St John Street. Erection of single storey common room building to the rear of nos. 20 & 21 St John Street. Re-landscaping of the existing amenity areas to the rear of nos. 7-11 and 19-21 St John Street, including demolition/alteration of rear plot boundary walls.

**Site address** Site Of 6-25 Pusey Lane and 19-21 St John Street – see **Appendix 1** for site plan

**Ward** Carfax And Jericho Ward

**Case officer** Felicity Byrne

**Agent:** Mr Huw Mellor      **Applicant:** St John's College

**Reason at Committee** Major development

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## 1. RECOMMENDATION

1.1. The Oxford City Planning Committee is recommended to:

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

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

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

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning and Regulatory Services considers reasonably necessary; and
- finalise the recommended legal agreement or Unilateral Undertaking under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this

report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning and Regulatory Services considers reasonably necessary; and

- on receipt of the completed section 106 legal agreement or Unilateral Undertaking and issue the planning permission.

## **2. EXECUTIVE SUMMARY**

- 2.1. This report considers the redevelopment of an existing student accommodation site, making best and most efficient of the land to provide increased post graduate accommodation for St John's College. It would be of a high quality design and have an appropriate massing, height and relationship to existing buildings and the street scene. It would be of high quality sustainable design and construction providing sustainable drainage, rain gardens, tree planting, green roofs and photo voltaic and air source heat pump technologies, re-using existing materials and foundations where possible.
- 2.2. The development would cause a degree of less-than-substantial harm to the setting of the listed St John's Street buildings. This harm is outweighed by the public benefits derived from the development in this case. There would be no harm to the character and appearance of the Central Conservation Area in which it sits and no harm to the setting of nearby Ashmoleon, Sackler Building and Pusey House listed buildings. In coming to this view great weight has been given to the preservation of the significance of these designated heritage assets and the higher duty placed on decision makers under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.3. There would be no significant adverse impact on neighbouring residential amenities as a result of overlooking, loss of privacy, overbearing, visual intrusion, noise, loss of sunlight, daylight or overshadowing. Subject to relevant conditions, the development would not have an adverse impact in relation to trees and landscaping, biodiversity, land quality, air quality, archaeology, drainage and transport.
- 2.4. In conclusion, subject to conditions set out at Section 12 of this report, and the prior completion of a legal agreement or Unilateral Undertaking, the development would accord with the relevant policies of the Oxford Local Plan 2036, the Headington Neighbourhood Plan, the policy framework set out in the NPPF and it would comply with the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Conservation of Habitats and Species Regulations 2017 (as amended).

## **3. LEGAL AGREEMENT**

- 3.1. This application is subject to a legal agreement or Unilateral Undertaking requiring the Applicant to enter into a s278 agreement with the County Council to make changes to the highway (Pusey Lane).

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

4.1. The proposal is liable for CIL amounting to £210,614.00.

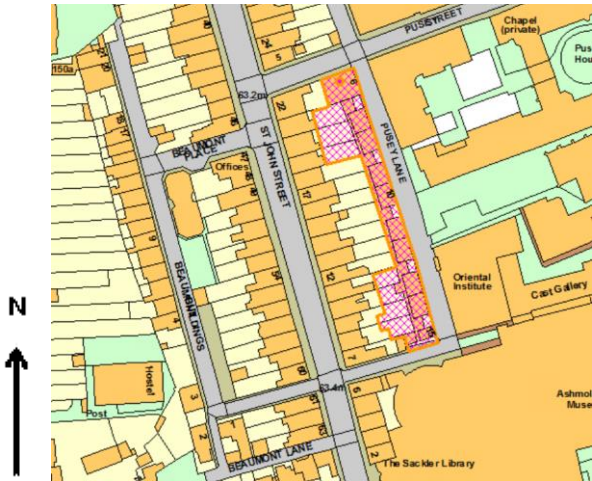
**5. SITE AND SURROUNDINGS**

5.1. The application site relates to Nos.6-25 Pusey Lane and Nos.19-21 St Johns Street and the rear garden only of Nos.7-11 St John’s Street. Nos.6-25 Pusey Lane comprises four blocks of two storey post-graduate student accommodation comprising of nine 1bed studio flats for St John’s College. Built in the early 1970’s, it is in a modern architectural style contemporary to that era with flat mono-pitched roofs and rendered walls. The accommodation consists of first floor flats above garages. The flats are linked and accessed by external circular concrete staircases that connect into a communal circulatory corridor at ground floor, and which is gated to Pusey Lane, Pusey Street and Pusey Mews. Bin storage is provided underneath the staircases. The garages are now too small to comfortably accommodate modern cars.

5.2. Nos.7-11 and Nos.19-21 St John’s Street are listed grade II Georgian terrace buildings owned by the College providing student accommodation with shared communal rear gardens. Nos.12-18 St John’s Street (inclusive) are privately owned residential properties with gardens backing onto the application site. Nos. 16 and 17 are houses in multiple occupation (HMOs) owned and managed by Blackfriars Hall. These properties have a right of access into and across the application site to the bin stores and to present their bins for collection on street. The whole terrace is Grade II listed.

5.3. The site is located in the Nineteenth Century Residential Quarter character area of the Central Conservation Area. This character area largely draws its significance from the mixture of calm and attractive residential streets and their modest mews, combined with the University presence, which gives this area its distinctive character. The site also lies adjacent to a number of listed buildings and structures including other properties on St John’s Street, which are also Grade II listed and two Grade II listed boundary walls on the opposite side of Pusey Lane. Nearby are the Grade I listed Ashmolean Museum and the Grade II\* listed Pusey House on the corner of St Giles and Pusey Street.

5.4. See block plan below:



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**6. PROPOSED DEVELOPMENT**

6.1. It is proposed to demolish the buildings on Pusey Lane and replace them with a new linear terrace providing new purpose-built graduate accommodation for 33 students. The terrace comprises five two storey houses with rooms in the pitched roof that sit at the outer ends of the terrace, and eight fully accessible one bed apartments in the centre of the terrace with a flat roof. To the rear within Nos.19-21 the existing outriggers of Nos.20 and 21 would be demolished and replaced with a new single storey rear extension to provide a communal student space. The existing shared gardens of Nos.7-11 and 19-21 St John’s St would be landscaped and also include a new outbuilding within the Nos.7-11 garden for ancillary facilities. Cycle parking would be provided within these garden spaces. See Figure 1 below showing the proposed block plan.



*Figure 1: Proposed Site Block Plan*

6.2. It is proposed to remove existing cobble stones along Pusey Lane and replace with similar materials (size and colour) to enable level access to the site and along the street for pedestrians and cyclists.

6.3. During the application process amendments to the design have been made to the Pusey Lane building including a reduction in the ridge height of approximately 0.5m and change to the height and massing of the rear element backing on to No.22 to mitigate concerns regarding an overbearing effect and impact on light, the removal of a 1<sup>st</sup> floor bedroom window facing directly towards No.18 St Johns’ street, and refined detailing of the screening to mitigate potential overlooking from other 1<sup>st</sup> floor windows.

**7. RELEVANT PLANNING HISTORY**

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



6-25 Pusey Lane:

71/23765/A\_H - Land at Pusey Lane - Erection of nine two person flats over 21 lock-up garages (Phase 1 development). Approved 9th February 1971.

71/23765/AA\_H - Land at Pusey Lane - Erection of 9, 2 person flats over 21 lock-up garages (Phase 1 development) revised. Approved 8th June 1971.

00/01424/NFH - Erection of 2.4m railings and fences between 7-15 Pusey Lane. Approved 17th January 2001.

Nos. 7-11 St John's Street:

13/00314/FUL - .Reconfiguration of existing rear extensions to alter roof profile from flat roof to sloping roof. Insertion of doors and windows in rear elevations. External landscaping. Erection of first floor rear extension (Additional information) (Amended description). Approved 21st May 2013.

13/00315/LBC - Internal and external alterations to reconfigure the existing student rooms. Alteration of the roof profile of existing rear additions from flat roof to sloping roof. Internal alteration involving removal of partitions and insertion of new partitions - upgrading windows, doors, fire and electrical and heating services. (Additional Information). Approved 21st May 2013.

Nos 19-21 St John's Street:

62/11773/A\_H - Private garage and cycle store. Approved 27th February 1962.

75/00678/A\_H - Change of use from dwelling house to college hostel. Withdrawn 20th December 1975.

87/01256/U - 19-20/21 St John Street - Application for Established Use Certificate for use as student hostel/student accommodation. Refused 11th December 1987.

88/00079/L - 19/20/21 St John Street - Listed building consent for demolition of rear extensions and 2 garden walls between Nos. 21-20 and 20-19. Alterations, rear additions ancillary accommodation, with pedestrian access from Pusey Lane. Approved 15th August 1988.

88/00080/NFH - 19/20/21 St John Street - Alterations, rear additions and light wells to provide 24 graduate student bedsits and ancillary accommodation with pedestrian access from Pusey Lane. Approved 15th August 1988.

23/00594/FUL - Internal alterations to existing student accommodation to include; installation of new en-suites and creation of 2no. additional student rooms. Formation of new felt roof over rear basement lightwell of 20 St John Street to form plant room. Alterations to fenestration to 19 St John Street. Approved 15<sup>th</sup> September 2023.

23/00595/LBC - Alterations to include upgrading of existing fabric, insertion of secondary glazing to reduce heat loss; upgrading and alteration of existing mechanical and electrical services to enable alternative heat sources; alteration of

plan form with insertion of partition walls and subdivision of rooms to include addition of en-suite bathrooms and the addition of two more study bedrooms; infilling of rear, basement lightwell to create laundry room. Approved 24<sup>th</sup> October 2023

23/00694/LBC - Demolition of rear outrigger extensions to nos. 20 & 21 St John Street. Erection of single storey common room building to the rear of nos. 20 & 21 St John Street. Demolition/alteration of rear plot boundary walls. (Amended Description). Pending consideration.

## 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	119-136	DH1 - High quality design and placemaking H14 - Privacy, daylight and sunlight H15 - Internal space standards H16 - Outdoor amenity space standards		
Conservation/ Heritage	189-208	DH3 - Designated heritage assets DH4 - Archaeological remains		
Housing	60-77	H2 - Delivering affordable homes H5 - Development involving loss of dwellings H8 - Provision of new student accommodation		
Commercial	81-91			

<b>Natural environment</b>	91-101, 174-182	G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	Biodiversity TAN Green Spaces TAN	
<b>Social and community</b>	92-103			
<b>Transport</b>	104-113	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development M3 - Motor vehicle parking M4 - Provision of electric charging points M5 - Bicycle Parking	Car and Bicycle Parking TAN	
<b>Environmental</b>	152, 169-183-184	RE1 - Sustainable design and construction RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE6 - Air Quality RE8 - Noise and vibration RE9 - Land Quality	Sustainable Design and Construction TAN	
<b>Miscellaneous</b>	7-12	S1 - Sustainable development S2 - Developer contributions RE2 - Efficient use of Land RE5 - Health, wellbeing, and Health Impact Assessment RE7 - Managing the		

		impact of development V8 - Utilities		
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## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 23rd May 2023 and an advertisement was published in The Oxford Times newspaper on 18th May 2023. A further round of consultation was undertaken and Site notices were displayed around the application site on 17<sup>th</sup> October 2023 and an advertisement was published in The Oxford Times newspaper on 12<sup>th</sup> October 2023.

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

#### Oxfordshire County Council (Highways)

9.2. No objection subject to an obligation to enter into a S278 agreement to secure mitigation/improvement works, including alterations to highway surface at Pusey Lane/Pusey Place, conditions on Travel Information Packs, Parking permits, cycle parking, Construction Traffic Management Plan (CTMP) and informative on dropped kerbs.

9.3. The indicative footway along Pusey Lane is to be widened by 2.0m as requested in the County Council's pre-app response and is accepted. It would be expected that the re-instatement of the existing basalt setts will extend to include the whole width of the carriage way at Pusey Lane and would need to be secured in the form of a 278 agreement. Other comments raised at pre-app have been addressed by the applicant and are welcomed.

9.4. The proposal includes the removal of the garages currently at Pusey Lane, with no off-street parking spaces being provided at the site. The site is to be car-free; this is accepted as the site is located within a Controlled Parking Zone and is within 400m distance of a frequent bus-stop and 800m distance of a local supermarket. The site therefore meets the requirements listed for a car-free development in policy M3. Prior to occupation the Traffic Regulation Order (TRO) will need to be amended, with the proposed student accommodation excluded from the parking permit scheme. This will need to be secured by condition.

9.5. The proposals include the provision of 60 cycle parking spaces. The number of proposed cycle parking spaces meets the minimum bicycle parking standards as listed in policy M5 of the Oxford local plan. The majority of the proposed cycle parking at the site is currently provided in the form of two, two-tiered covered bike racks. Two-tiered cycle parking should be kept to a minimum, as they are recognised as being difficult to use and are often underutilised. Whilst it is recognised that space at the site is limited, the cycle parking stores at the site will need to be amended to provide more covered Sheffield stands, which will encourage the use of the cycle stores at the site.

9.6. The proposals do not include any changes to the refuse collection at the site, with refuse vehicles manoeuvring at the north section of Pusey Lane and entering the south section (6-25 Pusey Lane) in a forward gear. The swept path analysis

submitted as part of the application demonstrates that the manoeuvre is still achievable, and that two-way traffic can still be safely achieved when required.

- 9.7. The delivery & servicing arrangements will not change at the site, with vehicles loading/unloading at the existing point at the kerbside of St John Street. The number of HGVs & refuse vehicles will be minimal and are expected to occur outside of the network peak times. The delivery & servicing arrangements for the proposed student accommodation is accepted and is unlikely to have any significant detrimental impacts on highway safety.
- 9.8. The proposed removal of the garages at Pusey Lane will lead to the site being car-free, which will have a beneficial impact on the local highway network in safety and traffic terms. It is considered that no severe detrimental impacts will occur as a result of the proposals.
- 9.9. As the student accommodation is to be for postgraduates, the proposals will not experience the same pick up/drop off demands as an undergraduate accommodation, with no concentration of arrivals/departure at the start and end of term times. Although the proposals will result in a small increase in the number of units, the pick up /drop offs associated with the proposals are unlikely to have a significant detrimental impact on highway safety.
- 9.10. The Construction Traffic Management Plan submitted as part of the application in its current form does not meet Oxfordshire County Council's standards [including but not limited to no deliveries taking place during peak network and school hours] and will need to be amended if planning permission is granted, secured by condition.
- 9.11. For a student development of thirty-three residences, a Residential Travel Information Pack is required. This should be produced prior to first occupation and then distributed to all students at the point of occupation to ensure all students are aware of the travel choices available to them from the outset. This can be secured by condition.

Oxfordshire County Council (Lead Local Flood Authority)

- 9.12. No objection subject to conditions requiring implementation in accordance with the submitted Drainage Strategy, submission of a surface water drainage scheme (SuDS), and record of the implemented SuDS.

Thames Water Utilities Limited

- 9.13. No objection. Waste comments: The proposed development is located within 15 metres of a strategic sewer and therefore Thames Water requests a condition requiring details of piling within a Piling Method Statement. Thames Water expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the

Water Industry Act 1991 and an informative to that effect should be applied should the Local Planning Authority be minded to approve the planning application.

9.14. Thames Water would advise that with regard to the waste water network and sewage treatment works infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

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

9.16. Water comments: On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. An informative regarding minimum pressure and flow rates should be applied.

#### Historic England

9.17. Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers.

#### **Public representations**

9.18. Comments were received from the following addresses and interest groups:

- St John's Street Resident's Association
- Nos. 5,12, 13, 14,15, 16, 17, 18, 22, 24, 43, 44,55 St John's Street
- Blackfriars Priory
- Blackfriars Hall
- 9 Beaumont Buildings

9.19. In summary, the main points raised during the first round consultation were:

- Overlooking from rear to St John's Street properties (Nos. 12-18 and Nos.22 and 24) and No.5 Pusey Lane
- Excessive height, scale and massing – large end out of keeping and tower above other buildings
- Overdevelopment of site and too many students
- Unsatisfactory sized common room

- Increase in overbearing appearance and in contravention of the 25/45 guidance
- Loss of light to rooms and gardens
- Out of keeping with the Conservation area and jarring juxtaposition with surrounding buildings
- Increase noise and anti-social behaviour from use of shared gardens
- Further student enclave, contrary to character of CA and adverse impact on listed buildings
- Insufficient bin storage
- Metal screen and gates at ground floor along shared corridor would increase ability to look through and loss of privacy and metal is noisy. Potential health and safety issues, no information on fob access and may encourage anti-social/ criminal behaviour.
- The whole of Pusey Lane should be re-surfaced not just half as proposed
- Access to properties during construction
- The lighting store building should be retained. It should be considered as a curtilage listed to No.22 St John's Street.
- Loss of light to windows in No.22 St Johns Street
- Access would be restricted to Blackfriars during construction
- Inferior quality scheme compared to other St Johns College developments
- Pusey Street and St John's Street application should be considered together
- No information on long term management plan and how students are managed to minimise noise and disturbance
- Detailed construction traffic management plan needed – no access from St Johns Street and Pusey Street should not be allowed
- Loss of boundary walls detrimental to CA
- Amenity shared student space insufficient
- Cycle parking provision insufficient and inconvenient – cycle racks should not be placed along wall to No.22. would result in bikes being left outside the site
- Landscaping to Street frontage welcome – optimistic and shade loving plants needed
- Noise impact from air source heat pumps and plant – more information needed
- Fire access and security strategies needed
- Loss of outriggers detrimental to character and appearance of listed buildings, result in amplification of noise to neighbours
- Inadequate demonstration that foul and waste-water drainage can cope with increase in bed-units

- No information on what other St John's sites were looked at. Self-serving for financial gain
- No public benefits demonstrated that outweigh heritage harm.
- Lack of public consultation
- Potential moth infestation from sheep wool insulation
- Rights of access for residents to the rear of their properties during and after construction
- Materials – blue glazed bricks are “horrible”, grey zinc would be better than bronze proposed
- Front balustrades should be flush with wall to prevent use
- Agreement should be obtained with each household regarding brick piers and panels prior to work beginning
- A rectangular glass box with a “green roof” extension is wholly out of place across the back of two listed buildings – Glass provides insufficient sound insulation and causes light pollution.

9.20. Comments made during second round consultation in addition to or different from those above were:

- Some student rooms have inadequate sunlight and daylight
- Increased daylight and sunlight to No.22 as a result of amendments is welcomed
- Object to removal of Mulberry and Yew trees. Mulberry is older (40years) and taller (8.5m) than stated.
- Increase in student population from 40 to 90 (including partners)
- Bulk and setting of No.22 much improved as a result of amendments

### **Officer response**

9.21. The potential for moth infestation from the intended use of sheep wool insulation within the development is not a planning consideration. Any agreement regarding the use of boundary walls as part of the development, demolition and replacement of walls or other boundary treatments and access over land during construction is a civil matter and outside the remit of planning. Routing of construction vehicles is determined and agreed by the County Council as Highway Authority.

9.22. Residents have misapplied the 45 degree/ 25 degree line guidance set out in Appendix 3. This applied to rear windows in existing buildings that directly adjoin (beside) a new development or extension or to existing side windows that would be adjacent to proposed buildings. It is not applied to rear windows in relation to developments that back onto it (i.e. back to back).



9.23. Officers consider that the application does include sufficient information to be able to understand the significance of the heritage assets that will be impacted by the proposals and that they are able to therefore make a decision about the impact of the proposals. Where additional information is required to ensure that the works as carried out will meet the planning policy objectives officers have recommended appropriate conditions to ensure that this will be provided and approved before any relevant work is carried out. All other material considerations are considered within this report.

## **10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- a) Principle of Development:
- b) Affordable Housing
- c) Design and Heritage
- d) Amenity
- e) Landscape and Trees
- f) Transport
- g) Noise
- h) Flood Risk and Drainage
- i) Biodiversity
- j) Land quality
- k) Air Quality
- l) Archaeology
- m) Sustainable Design and Construction

### **a. Principle of Development**

10.2. At the heart of the National Planning Policy Framework (NPPF) remains a presumption in favour of sustainable development, which should be approved without delay unless material considerations dictate otherwise. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Any proposal is required to have regard to the contents of the NPPF along with the policies of the current up-to-date development plan, which include the adopted Oxford Local Plan 2036 (OLP) and the Summertown and St Margaret's Neighbourhood Plan (SMNP).

10.3. Policy S1 of the OLP states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF, working with applicants so that sustainable development can be approved that secures economic, social and environmental improvements. Planning applications that accord with Oxford's Local Plan (and, where relevant, with neighbourhood plans) will be approved

without delay, unless material considerations indicate otherwise. Development should make efficient use of land making best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford in accordance with RE2 of the OLP.

- 10.4. Policy SR2 sets out that where appropriate the Council will seek to secure physical, social and green infrastructure measures to support new development by means of planning obligations, conditions, funding through the Council's Community Infrastructure Levy (CIL) or other mechanisms.
- 10.5. The large number of students resident in Oxford has an impact on the availability of general market housing. Provision of purpose built student accommodation in suitable locations can help to reduce the demand from students on the general housing stock. Policy H8 of the OLP sets out the criteria for locating student accommodation and permission will only be granted for student accommodation which is on or adjacent to an existing university or college campus or academic site, hospital or research site, city or district centres, or an allocated site. The policy also sets out other criteria for new student accommodation development including restricted occupation to full-time students enrolled in courses of one academic year or more; agreed term time and out of term time management regimes; out of term time use by non-students; indoor communal amenity space for larger schemes; operational and disabled parking only. Any loss of student accommodation is resisted unless new student accommodation is re-provided.
- 10.6. The need for the provision of on-site graduate student accommodation for St John's College is understood. It currently relies on additional market rental accommodation to supplement their current stock. The Pusey Lane site currently has a total of nine 1bed flats above the garages. The St John's Street properties currently provide 24 rooms. The whole site provides a total of 33 rooms for graduate students.
- 10.7. The proposed accommodation on Pusey Lane would increase the number on Pusey Lane to 33 rooms, an increase of 24 rooms.
- 10.8. It should be noted that the refurbishment of the listed Nos.19-21 St Johns Street has been approved separately under listed building consent 22/00594/LBC. This increased the number of rooms by two. A combined total of 59 rooms for St John's College graduate students would be provided, a net increase of 26 rooms.
- 10.9. This is an existing St John's College site and therefore the proposed development to provide additional rooms and communal room is acceptable in principle in accordance with H8 of the OLP. The proposal would make best and most efficient use of land owned by St John's College for existing graduate students at the College, thereby releasing family housing stock back on to the market and would contribute towards the University of Oxford target of 1,500 students who live outside purpose-built student accommodation in line with H9 of the OLP.
- 10.10. The National Planning Practice Guidance (NPPG) (Paragraph 021) requires that student accommodation should now be considered as contributing towards the supply of housing, based on the amount of accommodation it releases onto the

housing market. A gain of 24 rooms (Pusey Street element only) would be provided by the development and based on the ratio of one house released on the open market per 2.5 student rooms provided by a new development (based on the nationally used Housing Delivery Test standard) the equivalent of 10 houses would be released back onto the general housing market as a result of the student accommodation.

10.11. The development would provide both adequate indoor communal amenity space and outdoor space. Policy H8 requires that students must be on full time courses of a year or more and should not bring cars into Oxford. Conditions would be imposed to secure the use as student accommodation and occupation by those on full time courses together with out of term time use, a management plan and a mechanism for preventing students bringing cars to Oxford (normally a clause within any tenancy or similar agreement between College and student).

#### **b. Design and Heritage**

10.12. In relation to design the NPPF emphasises that high quality buildings are fundamental to achieving sustainable development and good design creates better places in which to live and work and helps make development acceptable to communities (para 126). New development should function well, be visually attractive, sympathetic to local character and history, establish or maintain a strong sense of place, optimise the potential of the site and create places that are safe, inclusive and accessible and which promote health and well-being (para 130).

10.13. In considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 199). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (para 200).

10.14. Development proposals that would lead to substantial harm or result in total loss of the significance of a designated heritage asset should be refused unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm (para 201).

10.15. Where development would lead to less than substantial harm to the significance of a designated heritage asset that harm should be weighed against any public benefits the proposed development may offer, including securing its optimum viable use (para 202).

10.16. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (section 66) and to pay special attention to the desirability of preserving or enhancing the character or appearance of any conservation area (section 72). In the Court of Appeal case of *Barnwell Manor Wind Energy Ltd v East Northants District Council*, English Heritage and National

Trust, 18th February 2014, Sullivan LJ made clear that to discharge this responsibility means that decision makers must give considerable importance and weight to the desirability of preserving the setting of listed buildings and conservation areas when carrying out the balancing exercise (of weighing harm against other planning considerations). A finding of harm gives rise to a strong presumption against planning permission being granted, however, it can be outweighed by material considerations substantial enough to do so.

- 10.17. Policies DH1 and DH3 of the OLP are consistent with the NPPF because they include the balancing exercise identified in paragraphs 201-202 of the NPPF. DH1 requires new development to be of high quality that creates or enhances local distinctiveness and that meets the key design objectives and principles set out in Appendix 6.1 of the OLP for delivering high quality development in a logical way that follows morphological layers and is inspired and informed by the unique opportunities and constraints of the site and its setting.
- 10.18. DH3 states that planning permission or listed building consent will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset and locality. For all planning decisions for planning permission or listed building consent affecting the significance of designated heritage assets, 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. Development that would or may affect the significance of heritage asset either directly or by being within its setting must be accompanied by a Heritage Assessment. Substantial harm to or loss of Grade II listed buildings, or Grade II registered parks or gardens, should be exceptional. Substantial harm to or loss of assets of the highest significance, notably scheduled monuments, Grade I and II\* listed buildings, Grade I and II\* registered parks and gardens, should be wholly exceptional. In the case of development that will lead to substantial harm to or loss of the significance of a designated heritage asset, planning permission or listed building consent will only be granted if it meets the tests set out in the policy. Where a development proposal will lead to less than substantial harm to a designated heritage asset, this harm must be weighed against the public benefits of the proposal whilst giving great weight to the conservation of the designated heritage asset.
- 10.19. Policy RE5 states that the Council seeks to promote strong, vibrant and healthy communities and reduce health inequalities. Proposals that help to deliver these aims through the development of environments which encourage healthier day-to-day behaviours and are supported by local services and community networks to sustain health, social and cultural wellbeing will be supported. Developments must incorporate measures that will contribute to healthier communities and reduce health inequalities and for major developments details of implementation and monitoring should be provided.
- 10.20. Policy RE2 seeks to ensure development proposals make efficient use of land making best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford. Development should be of an appropriate density for the use, scale (including

heights and massing), built form and layout, and should explore opportunities for maximising density.

- 10.21. Standards of amenity (the attractiveness of a place) are major factors in the health and quality of life of all those who live, work and visit Oxford. Policy RE7 is an all-encompassing policy covering different aspects to ensure a standard of amenity. Development should protect amenity, not result in unacceptable transport impacts affecting communities, occupiers and neighbours, and provide mitigation measures where necessary. Policy H8 states that for developments of 20 or more student bedrooms, the design must include indoor communal amenity space for students to gather and socialize.

#### The site and heritage significance

- 10.22. The site falls within the 'Nineteenth Century Residential Quarter' character area of the Central Conservation Area (CCA); the special character and appearance that defines this character area is evident in the immediate environs of the application site. The straight, planned street pattern, the overriding residential character and appearance of the buildings and the private and semi-private spaces surrounding them still prevails despite an increasing institutional use and the architecture of the Georgian Terraces on St John's Street. These interesting characteristics contribute to the overall significance of the conservation area. The present character and appearance of Pusey Lane is interesting in that historically, house or building plots adjoining the lane did not include mews, subservient buildings fronting onto and accessed directly from a lane running along the bottom of back gardens or yards. This feature is something far more typical of the Walton & Smith's Close character area of the Jericho Conservation Area. However, the buildings that presently occupy the application site clearly appear as a mews to 7-23 St John's Street. In fact, the building, it appears as a single building range, was originally - built as graduate student accommodation, accessed directly from Pusey Lane giving the lane, south of Alfred Street a particularly active and busy character.
- 10.23. The site also lies in proximity to a number of listed buildings, including the terrace of houses that front onto St John's Street. The principal or street facing façades of these buildings make the greatest contribution to their significance which is primarily derived from their aesthetic, architectural value both as individual buildings but also, importantly as groups and as the larger group that is the whole street. The truncation of the rear gardens of Nos. 7-23 to enable the construction of the building range that currently occupies the site has impacted on the setting of these listed buildings. Opposite the site, on the east side of Pusey Lane is the enclosing boundary wall of Blackfriars a Dominican Friary whose principal, grade II listed buildings date from 1929 and incorporate C17 buildings that survive at the front of the site. To the southern end of the lane lie the large buildings of the Ashmolean Museum which are grade I listed and date from the mid C19 linked to the distinctive, round form of the early C21 Sackler Library building designed by Robert Adam in an overtly classical language.
- 10.24. To the rear of No 22 St John Street and facing onto Pusey Lane is a brick, single storey, single-volume building with a pitched roof covered in corrugated metal sheet and incorporating a glazed lantern light, known as The Lighting Store Building. The building was built in 1905 for the leaseholder of No 22 as a lecture

room to facilitate the instruction of women taking the teaching diploma. In 1946 that use ceased and any connection between No 22 St John Street and the building was severed. The building was leased to auctioneers and used primarily as a furniture store. The building has been variously described by Planning Inspector (for the St Cross College Appeal for the building opposite) and the City Architect as making either a negative or no contribution to the character or appearance of the Central Conservation Area. It is not curtilage listed to No.22 by virtue of the fact that it was severed from No.22 in 1946 and became a separate property and use since that time.

#### Layout, Design and appearance

- 10.25. As set out above the Pusey Lane part of the site comprises four linked 'mews' buildings with integral garages at ground floor and flats above (Nos.6-25 Pusey Lane) built in the 1970's that provide existing student accommodation. They are accessed and linked by external spiral staircases and covered walkways. On the corner of Pusey Lane and Pusey Street is the 19<sup>th</sup> Century Lighting Store Building.
- 10.26. The mews buildings fronting Pusey Lane measure approximately 15m long by 6.5m deep and 6.5m high to the ridge with an asymmetrical pitched roof. The eaves measure approximately 7.4m high facing Pusey Lane. To the rear, beneath the ridge are clerestory windows below which is a lower section of roof measuring approximately 5m high to the eaves and 5.5m to the underside of the clerestory windows. It is noted that there is a slight change in ground level of approximately 20-30cm to the rear. At ground floor the rear boundary/ elevation is made up of brick walls with wooden slats/louvres above that screen views into the gardens behind. Wooden gates to the St Johns Street properties provide access into the circulatory corridor that runs the length of the building and to the stairwells, where cycles and bins are kept and gated access onto Pusey Lane. The private St John's St properties (Nos.12-18) have access into this area to store their bins and put them out on Pusey Lane for collection.
- 10.27. On the corner of Pusey Place the mews building is approximately 17m long by 7.7m deep and beside it is a small garage approximately 5m long x 2.7m wide and 2.8m high, with a flat roof. A high boundary brick wall (approx.2m) sits between the garage and the rear of No.7 St John's Street. On Pusey Street the Lighting Store Building measures approx.7.5m to high to top ridge, dropping down to 6.2m main ridge and 4.7m to eaves. It is approximately 7.3m wide. The gable end wall forms the boundary with No.22 St Johns Street.
- 10.28. It is proposed to demolish all buildings within the site and erect new terraced student accommodation on the same footprint along the whole of Pusey Lane, Pusey Street and Pusey Place to provide shared flats and individual shared houses for graduate students.
- 10.29. The development has been the subject of detailed design review by the Oxford Design Review Panel (ODRP) at the pre-application stage. ODRP were in favour of improving and greening Pusey Lane. However, they suggested re-examining the adaption and reuse of the existing structures as part of a scheme based on an ambitious zero-carbon strategy. In addition, they considered further refinement was needed to improve the quality of the internal accommodation and open

spaces. Their key recommendations included re-evaluation of the demolition of the existing buildings and what could be re-used, a whole life carbon assessment undertaken, assessment of the impact of sunlight and daylight on neighbours, refinement of the massing, incorporation of windows in the western façade and introduction of further articulation, greening and biodiversity across the site maximised and a landscape maintenance and management strategy put in place. A copy of the ODRP report is included at Appendix 2 of this report.

10.30. Following Officers pre-application advice and that of ODRP, the architectural approach was revised, together with heights, massing and consideration of the potential impact on adjoining private residents. In addition the demolition of the existing buildings and re-use of the buildings was explored further and a whole life carbon assessment was also undertaken.

10.31. The proposed new linear building would be two storeys in height with rooms in the roof stepping down to two storeys with a flat roof in the central section, where it backs onto the private properties of Nos.12-18 St John's St, see Figure 2 below.



*Figure 2: Pusey Lane front elevation*

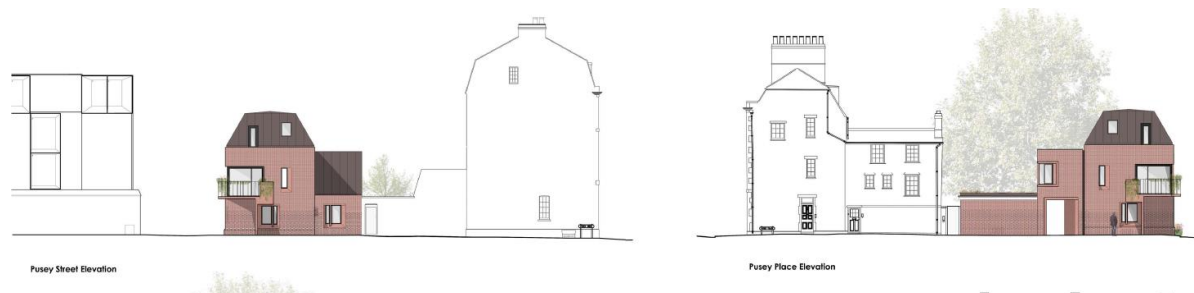
10.32. The new Pusey Lane terrace building measures approximately 93m long and 6.6m deep (including covered corridor at ground floor), 9m high to ridge of the two-storey sloping roof and 6.5m to the eaves/parapet level. Through the lower central section facing Nos.12-18 St John's St it measures approximately 6.5m high to the flat roof and 6m to top of the parapet. As it returns along Pusey Street it measures approximately 10m long by 8.7m deep and 6m high to ridge (as existing). Along Pusey Place it measures approximately 10m long and 7.3m deep and .and 6.2m high, with a flat roof.

10.33. Overall, the new building would be approximately 2.5m higher than the existing mews buildings at the outer ends with the central section height to parapet at the same height as existing (approx. 6.5m high). To the rear of the central section the top of the parapet would be the same height as to the underside of the existing clerestory windows, see Figure 3 below.



*Figure 3: Rear elevation facing St Johns Street*

10.34. On Pusey Street it is proposed to rebuild the existing gable end wall and a small section of the Lighting Store at the same height and roof pitch as existing, see Figure 4 below (left hand image). The gable wall provides the joint boundary with the private residence of No.22 St John's St and so would maintain the current relationship. It is also intended to re-paint it white (or similar). At the other end on Pusey Place the property to the rear of No.7 is owned by the college. The distance between properties would be maintained and thus the current relationship.



*Figure 4: Proposed side elevations along Pusey Street (left) and Pusey Place (right)*

10.35. The ground floor circulatory corridor would be retained so that the private St John's St properties would retain access to bin storage/ collection on Pusey Lane. In addition, students would be able to access the shared gardens of Nos.7-11 and Nos.19-21 St John's Street. The brick and wooden louvres boundary treatment at ground floor would also be retained (amended from previously suggested metal in response to comments made).

10.36. To the rear of Nos.19-21, the existing four storey outriggers at Nos.20-21, which were erected in the 1980's to provide shared bathrooms, would be demolished and replaced by a single storey extension to provide a communal space for all students within the combined student complex and meet the requirements of Policy H8 of the OLP. This would infill an existing lightwell to a lower ground level window. Permission to infill this lightwell has already been granted (23/00594/FUL refers). The extension would be constructed of brick and glass with external wood frame supporting a flat roof that overhangs to provide solar shading. It would measure approximately L 9.6m with roof 12m long, 2.2m deep and maximum height overall of 3.6m (eaves overhang 3m high). It would sit approximately 3.7m in from boundary with No.22 to the north and 5m from No.18 to the south.

10.37. Throughout the development all flat roofs would be green roofs with photovoltaics on the main building. To the front rainwater gardens would provide sustainable drainage solutions whilst also greening the street. Replacement bin and cycle parking would be provided, together with a new outbuilding housing laundry, water intake and bin storage facilities within the garden of Nos.7-11 measuring approximately 6m long by 2.8m wide and 3m high with a flat roof.

10.38. It is considered that the proposed development is contextual and appropriately relates to its surroundings, see Figure 5 below. The height, scale and massing of the building reflect a 'mews' residential development and sits comfortably within



the street scene. The breaking down of the massing of the development into separate buildings using architectural detailing including door placement, variation of window types and sizes and locations, guttering and landscaping is considered appropriate. The overall profile and form of the buildings roofs is considered acceptable and helps to reduce the massing and maintain a similar relationship to the private properties on St John's Street. The use of brick is considered appropriate in this location; the use of pattern and colour reflects that seen along Beaumont Buildings, which sits behind St John's Street on the other side, adding texture and interest and is also considered acceptable. To the rear through the central section there would be no windows as first floor, but instead brick details of where they might have been to offer relief and richness to the façade. The use of landscaping to soften the development and re-enforce the residential nature of the street scene whilst also providing biodiversity benefits and sustainable drainage (rain gardens) is a positive enhancement and supported.



*Figure 5: Proposed Building Perspectives*

10.39. The development has been designed to mitigate the impact of the development on surrounding private residential properties by maintaining the same height through the central section of the development as existing, removing any direct facing windows and using a screen over the remaining rear facing windows to further obscure and screen views out, details of which could be secured by condition. The existing lower section of the Lighting Store would be rebuilt to maintain the current relationship to No.22 also and re-painting could be secured by condition. The design has taken the opportunity to make best use of orientation and dual aspect lighting into the development; to the front window sizes and number of windows, together with balconies, vary depending on where the rooms are located and the views out. This provides interest and a highly contextual response. Light is also provided to first floor rooms via roof lights that are hidden behind the parapet. Adequate light would be provided to the student

accommodation. Any impact on light is as a result of orientation and existing tall buildings surrounding the site.

To the rear of 19-21 St John's street the new single storey rear extension has been designed as a contemporary light touch addition to the listed buildings. Whilst it is contemporary addition it is considered sympathetic in its design and appearance in relation to the existing listed buildings and therefore acceptable.

- 10.40. A Health Impact Assessment (HIA) has been submitted with the application and satisfactorily demonstrates, together with other relevant submitted documents, that the site has been positively designed throughout for health and well-being and would create a strong, vibrant and healthy community therein in accordance with RE5 of the OLP.

#### Harm to Heritage assets

- 10.41. The existing 1970's buildings are of their time and an indication of the history of the site and St John's Street. However, they have little architectural value within the street scene and do not make a positive contribution to the special appearance of this part of the CCA. There is no objection in principle to their removal therefore. Nevertheless, the existing buildings are of a scale, form and architectural expression that reinforces the "mews" character of the street.
- 10.42. In relation to the Lighting Store, Officers consider that whilst it has a very low level of historical importance derived in the main from its contribution to the history of the immediate area it has very little or no architectural importance and that its substantial demolition, subject to permitted redevelopment of the site would cause no harm to the significance of the conservation area or to the setting of the listed buildings, Nos.2-63 St John's Street.
- 10.43. The proposed development would have an increased size of buildings and a greater variety of architectural expression and there would still be a sense of subservience in relation to the principal buildings on St John's Street and those larger buildings on Pusey Street and opposite on Pusey Lane even. It is considered that the overall design of the development (height, scale, massing and materiality) would preserve the sense of "mews" and therefore that there would be no harm to character and appearance of the CCA and also no harm to the setting of nearby Ashmoleon, Sackler Building and Pusey House listed buildings. However, it is considered that there would be some harm through the increased heights and massing of the proposed development to the setting of the listed buildings on St John's Street and that harm would be considered to be "less-than-substantial" harm. As such this harm would fall to be balanced against any public benefits arising directly from the proposed development in accordance with the NPPF and Policy and DH3.
- 10.44. The carbon footprint and justification for the demolition has been submitted within the Design and Access Statement. Officers consider that on the basis of the information provided, the case for embodied carbon lost to demolition of the buildings and their replacement has been justified in this case.

- 10.45. Removal and replacement of the existing cobbles in Pusey Lane to provide accessible and level access is supported in principle subject to appropriate use of materials within the Conservation Area and consent from the County Council as Highway Authority. The College has confirmed that it will undertake to re surface the whole of Pusey Lane, which would be secured via a S278 agreement with the County Council and details of the materials and technical specification secured by condition.
- 10.46. The demolition of the two existing 4 storey outriggers to the rear of Nos.20-21 and new extension also requires separate listed building consent, considered under 23/00694/FUL. The removal of the unsympathetic outriggers and reinstatement of windows at upper levels would be a positive change to the character and appearance of these buildings. The new single storey extension in mainly glass, brick with a flat green roof, has been sympathetically designed. Planning permission has already been granted for the infill of the existing lightwell and re-purposing of the existing outrigger to No.19 for air source heat pumps (23/00954/FUL refers). In relation to the CCA and setting of the listed buildings it is considered that there would be no harm as a result of the demolitions and new extension.
- 10.47. Details of new hard and soft landscaping for the shared gardens behind Nos. 7-11 and 19-21 St John's Street with new connections through from the new development on Pusey Lane have been provided. It is proposed to remove to ground level or lower existing boundary walls (made into seating) that indicate the old plots of these St John's St properties. In all cases these existing walls are not contemporary with the properties and simply mark the boundaries, having been removed/ changed previously. The proposal would still mark out the historic boundaries whilst creating better quality spaces with enhanced appropriate planting. It is considered acceptable to remove/ lower the walls on the basis of the design proposed and the fact the walls have been substantially altered already. There would be a residual level of less than substantial harm to the setting of the listed buildings because the walls have a physical presence aligning with the plots and historically contained gardens, which are all part of the overall layout of St John's Street as originally planned.

#### Justification and Public Benefits

- 10.48. As set out in the NPPF where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Great weight is given to the conservation of the Conservation Area and the setting of the listed building. In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant planning permission, "special regard should be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses." In addition officers are required to take account of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, that requires in considering a planning application for land or buildings in a conservation area, that special attention is paid to the desirability of preserving or enhancing the character or appearance of the conservation area. Regard should also be had to section 16

of the NPPF which states that, with respect to buildings or other land in a Conservation Area and its setting, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

10.49. In accordance with the statutory tests, the NPPF and Policies DH1, DH2 and DH3 of the OLP, as less-than-substantial harm has been identified, the presumption against planning permission can only be outweighed by substantial material considerations, and therefore it falls to consider any public benefits that may outweigh that harm in this case. In carrying out this balancing exercise, great weight should be given to the conservation of these designated heritage assets. Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives and do not always have to be visible or accessible to the public in order to be genuine public benefits. The following public benefits have been identified:

- In redeveloping the site the proposal would make a positive contribution to Oxford's significant housing need by effectively releasing existing housing stock back into circulation for the general population. This would amount to the equivalent of 10 houses. This would constitute a public benefit and given the need for housing in Oxford this is afforded a moderate level of weight in this case;
- Provision of purpose-built student accommodation for St John's College and wider University of Oxford to capitalise on its reputation as a centre for excellence in a collegiate-based education to the benefit of the City, regional and UK economy. This is afforded a low level of weight in this case;
- Enhancement of the public realm through high quality design and increased and high quality landscape planting and is afforded a moderate level of weight in this case;
- Increased biodiversity through new planting and is afforded a moderate level of weight in this case; and
- Increased energy efficiency and resilience to climate change and is afforded a moderate level of weight in this case.
- Improvements to accessibility along that section of Pusey Lane through re-laying of cobbles (or similar) for all users as a result and is afforded a moderate level of weight in this case.
- Increased security of the public realm through increased overlooking and activity at ground floor level and is afforded a moderate level of weight in this case.

10.50. As discussed above, a low level of less than substantial harm would be caused to the heritage significance. There is considered to be a clear and convincing justification of need for the development in this location, which has been suitably mitigated through the design. Overall it is considered that the level of public benefits derived from the development would outweigh the level of less than substantial harm

caused. As such the proposal would accord with the NPPF and Policies DH1 DH3 and DH4 of the OLP36 and would accord with the statutory tests.

### Summary

10.51. In conclusion it is considered overall that the proposed development would appropriately respond to its context (siting, massing, appearance, and materiality) and together with new landscaping, tree planting it would preserve and enhance the character and appearance of this part of the conservation area in which it sits. Less-than-substantial harm would be caused as a result to the setting of the listed buildings on St John's Street. No harm would be caused to the setting of other neighbouring listed buildings. Any harm caused has been clearly and convincingly justified and the less-than-substantial harm would be outweighed by the public benefits derived from the development. Subject to conditions requiring details of materials and the privacy screen the development would accord with the NPPF and Policies DH1, DH3 and RE5 of the OLP36. In coming to this view great weight has been given to the preservation of the significance of the heritage assets and the higher duty placed on decision makers under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### **c. Impact on neighbouring amenity**

##### Privacy

10.52. Policy RE7, as set out above, seeks to ensure a standard of amenity and make sure that development protects amenity and would not result in unacceptable impact on neighbours.

10.53. As stated above, the plans have been amended so that to the rear first floor window facing No.18 St John's Street within the central section has been removed to prevent direct overlooking. There are no first floor windows now directly facing the private residences. In addition, metalwork screens would be placed over the first and ground floor rear facing windows to provide another level of visual screening and prevent overlooking. The design has been refined during the application process to increase the degree of obscurity provided, reducing the distance from the window glass to the frame of screen to 200mm and adding vertical fins to the edges and centre of the frame to ensure that no sideways views to properties not under the ownership of St. John's Street are possible. In addition the windows close to private properties would have a wider mesh screen and smaller area of clear window. On the basis of the revised information and details submitted, Officers consider that any potential overlooking would be avoided and thus loss of privacy would be sufficiently mitigated in this case. Details of the screens could be secured by condition.

10.54. The new single storey rear extension to Nos.19-21 St John's St, would not result in overlooking due to the distance to the boundaries of the neighbouring properties and high boundary walls.

10.55. In respect of overlooking for first floor windows to Nos 5 Pusey Street and No.24 St John's Street, there would be no significant increase in overlooking than currently exists from St Cross College building and Regents Park building on the other side of Pusey Lane and Pusey Street.

#### Overbearing and overshadowing

10.56. The new building would have a close relationship to No.22 St John's Street. As already stated, the gable wall of the Lighting Store forms the joint boundary wall between the two properties. No.22 has a small garden and windows at basement and ground floor that would potentially be affected.

10.57. During the course of the application the design of the development has been amended by reducing the size and height to address concerns of an overbearing impact on No.22. The development now would retain the gable wall and part of the lighting store, albeit rebuilt, to the same height and pitched roof and repainted white or similar light colour. As such the existing relationship and proximity to No 22 would be maintained. Behind, the two-storey element which fronts Pusey Lane has been reduced in height by approximately half a metre and the roof changed to a pitched sloping roof. As a result, the height bulk, and massing of the new building would be reduced when viewed from No.22. It is considered that due to the reduction in height, bulk, massing and maintaining the gable wall and section of building and proximity as existing, the development would not have an overbearing effect on No.22.

10.58. In relation to Nos.12 to 18 St John's Street the proposed Pusey Lane building sits on the same rear building line and therefore back to back distances would be retained. It would have the same ridge height as existing, and the top of the new parapet would be the same height as the top of the existing clerestory windows. The proposed eaves height would sit just above the cill height of the clerestory windows (approx. 15cm). Whilst the building would be approximately 1.27m (max) higher than the existing lower roof eaves level, it is considered that it would not result in a significant increase in overbearing effect than currently experienced from within these gardens such that refusal is warranted in this case.

10.59. In relation to overshadowing it is considered that due to the site's orientation and the heights proposed comparative to existing heights that it would not result in a significant increase in overshadowing effect than currently experienced from within St John's Street properties such that refusal is warranted in this case.

10.60. In relation to the new single storey rear extension to Nos.19-21 St John's St, this would not have an overbearing effect due to the distance to the boundaries of the neighbouring properties and high boundary walls.

#### Daylight/sunlight

10.61. As mentioned above due to the relationship to No.22 this part of the development would impact on daylight to the basement and ground floor windows of No.22. An updated daylight/sunlight report has been submitted in response to

the design changes made, as outlined above. Guidance from the Building Research Establishment (BRE) - 'Site Layout Planning for Daylight and Sunlight- A guide to Good Practice (2022) BR209' identifies that changes to Vertical Sky component (VSC) and No Sky Line (NSL) are only noticeable when greater than 20%.

10.62. As a result of the design amendments no windows to No.22 would fall short of the BRE reduction criteria. The 2 windows which previously saw a 22% reduction in VSC, now see only an 8% reduction. The basement kitchen now experiences a 1% NSL reduction (rather than 38% reduction as previous). As such the development would not adversely affect the sun or daylight to No.22.

10.63. Due to the existing and proposed relationship between other St John's Street properties being maintained, there would not be any significant adverse impact on sunlight or daylight to these properties.

10.64. There would be no impact on sun or daylight from the new single storey rear extension to Nos.19-21 St John's Street due to the distance to the boundaries of the neighbouring properties and existing high boundary wall treatment.

10.65. As such, Officers are satisfied that the development would not result in a significant loss of daylight or sunlight to the neighbours as a result.

#### Summary

10.66. Officers have carefully considered the impact of the proposed development on neighbouring residential amenity and are satisfied that subject to conditions the development accords with Policies H14 and RE7 of the OLP.

#### **d. Landscape and Trees**

10.67. Policy G7 of the Local Plan seeks the protection of existing Green Infrastructure features and states planning permission will not be granted for development that results in the loss of green infrastructure features such as hedgerows, trees or woodland where this would have a significant adverse impact upon public amenity or ecological interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated.

10.68. 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.

10.69. Policy G8 states development proposals affecting existing Green Infrastructure features should demonstrate how these have been incorporated within the design of the new development where appropriate. This applies to protected and unprotected Green Infrastructure features such as hedgerow, trees and small public green spaces.

- 10.70. An Arboricultural Report, tree canopy assessment and Landscape Framework Plan have been submitted with the application. In response to comments from residents it is noted that the height and age of the Mulberry T4 tree has been correctly identified in the Arboricultural Assessment as 8.5m high and mature age. Group G1 are two yews that are also low quality, constrained within planters and average 2m high.
- 10.71. The Landscape Framework Plan shows the rear shared gardens would be re-landscaped including removal of five small low quality (category C) trees and two groups of similar low quality in order to facilitate the development. The one good quality (Category B) tree (sycamore) to the rear of 7-11 and which provides some public amenity would be retained however. The other low quality existing trees to the rear of Nos. 19-21 are only glimpsed from the surrounding streets and do not provide significant public amenity. Due to the number and species of existing trees in the gardens together with the existing high boundary walls and hard landscaping create a very shade, dark and poor quality amenity spaces.
- 10.72. The proposed re-landscaping would open up and enhance the current garden spaces and includes replanting of 11 new trees and shrubs of native species and which would provide for increased biodiversity interest, rainwater garden areas and species diverse wildflower lawn. To the front of the development new rainwater gardens would be installed to bring planting and biodiversity of the street. Green roofs (sedum and meadow turf) would be installed on all flat roofs available, including the main building and outbuilding. Existing garden walls would be removed to ground level (but still visible) and/or lowered to form seating to create better quality and more usable gardens spaces. The Tree Canopy Cover Assessment shows that the planting would replace the existing lost over 25years.
- 10.73. It is considered that the landscape strategy would create a high quality landscape that would enhance the appearance of the street scene, rear gardens and Conservation Area. There would be no loss of public amenity from the removal of the trees. Details of planting species and schedule and green roofs could be secured by condition. Tree protection measures and an Arboricultural Method Statement would be required to ensure trees within neighbouring properties are protected during construction and could be secured by condition. As such the development accords with Policies DH1, G7 and G8 of the OLP.

#### **e. Transport**

- 10.74. Policy M1 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport. In accordance with policy M2, a Transport Assessment for major developments should assess the impact of the proposed development and include mitigation measures to ensure no unacceptable impact on highway safety and the road network and sustainable transport modes are prioritised and encouraged. A Travel Plan, Delivery and Service Management Plan and Construction Traffic and Environmental Plan Management Plan are required for major development.
- 10.75. Policy M3 sets out the Council's policy for motor vehicle parking. In Controlled Parking Zones (CPZs) or employer-linked housing areas (where occupants do not



have an operational need for a car) where development is located within a 400m walk to frequent (15 minute) public transport services and within an 800m walk to a local supermarket or equivalent facilities (measured from the mid-point of the proposed development) planning permission will only be granted for residential development that is car-free. In the case of the redevelopment of an existing or previously cleared site, there should be no net increase in parking as existing on site and a reduction will be sought where there is good accessibility to a range of facilities.

10.76. Furthermore as set out above, Policy H8 makes clear that all student accommodation development must comply with parking standards under Policy M3. This states that only operational and disabled parking is allowed and the developer must undertake and provide a mechanism to prevent students from parking their cars anywhere on the site, (unless a disabled vehicle is required), which the developer shall thereafter monitor and enforce. This is usually done through the tenancy agreement (as stated above).

10.77. Policy M5 and Appendix 7 sets out minimum cycle parking standards for student accommodation of at least 4 spaces for every 4 study bedrooms (1:1) unless site specific evidence indicates otherwise in accordance with Policy M5. Policy DH7 of the OLP sets out design requirements for bike & bin stores and external servicing features. These should be considered from the start of the design process.

10.78. The site is located within a Controlled Parking Zone and considered to be in a highly sustainable location with good access to public transport in and out of the City. It is a car free development which would result in the loss of 21 garages/ parking spaces. The reduction in spaces accords with Policy M3 which seeks to reduce car parking on redevelopment of brownfield sites and would benefit the highway network. Prior to occupation the Traffic Regulation Order (TRO) will need to be amended, with the proposed student accommodation excluded from the existing parking permit scheme and secured by condition.

10.79. 60 cycle parking spaces within two-tiered bike racks would be provided which meets the minimum bicycle parking standards (a total of 59 students across the whole site). Although the County Council consider that the cycle parking should be covered Sheffield stands, this needs to be balanced against the constraints of the site including the size of the site, the setting of the listed buildings and the proposed trees and landscaping and providing a good quality outside space for students and high quality development. It is considered that the provision of a high quality development both for the occupants and the locality within the constraints of the site have greater weight in this case and the cycle parking as proposed is considered acceptable. Details could be secured by condition.

10.80. The development also proposes to remove and relay the cobbles that currently form the road surface along Pusey Lane up to the central drainage line, together with a smooth surface pavement close to the development itself. This would improve accessibility for both new occupants and the public. As such, the principle is considered acceptable subject to agreeing the exact materials in order to preserve the character and appearance of Pusey Lane. In response to the County Council comments, the Applicant has confirmed it will undertake to re-lay the whole

of Pusey Lane. Details of which could be secured by condition and through a S278 agreement with the County Council.

- 10.81. Residents' concerns regarding construction times, routes and access to their properties could be controlled by condition requiring a Construction Traffic Management Plan.
- 10.82. The County advise that drop off and pick up of postgraduates does not occur in the same way or level as for undergraduates and therefore there would be no adverse impact on the highway at these times. The Applicant is required however to provide Travel Information Packs to students, secured by condition.
- 10.83. In summary, subject to conditions the development would not have an adverse impact on the highway, is car free and would provide adequate cycle parking in accordance with Policies M1, M2, M3 and M5 of the OLP.

**f. Noise**

- 10.84. Concerns have been raised by residents regarding the impact of noise from air source heat pumps (ASHPs) and mechanical plant. A Noise Impact Assessment has been submitted with the application.
- 10.85. It should be noted the new ASHPs within Nos.19-21 St John's Street have been considered separately under application 23/00594/FUL, which was granted approval subject to conditions including ones relating to noise restrictions and antivibration mountings. The ASHPs did not require planning permission to be installed in themselves but the new louvres did as they were considered to constitute a material change to the appearance of the building in this case. It was considered that, subject to conditions, the ASHPs would not have an unacceptable impact. The erection of the new single storey extension would be served by these approved ASHPs.
- 10.86. With regards to the proposed Pusey Lane building the Noise Impact Assessment states that there would be three small scale air source heat pumps (ASHPs) and fifteen intake/exhaust air terminals for the ventilation & heating/cooling building services plant that would service it. Mitigation measures are suggested to mitigate noise both internally within rooms and external emissions (e.g. double glazing).
- 10.87. It is considered that the noise emission limits applicable to all new internal and external building services systems have been obtained. External noise emission limits have correctly been based on the measured background noise levels and recommended industry standards of BS4142:2014 +A1:2019 "Methods for rating and assessing industrial and commercial sound. The assessment has been undertaken based on the sound data of anticipated plant and proposed locations. Outline noise control measures recommended would aid in meeting RE8 requirements. However, in order to ensure that the predicted noise levels do not harm amenity, a condition should be imposed so that noise emitted does not exceed the existing background level at any noise sensitive premises. In addition, a condition requiring the ASHPs/ plant to be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately

silenced and maintained as such to further ensure the neighbours are safeguarded from noise and vibration. A condition restricting construction hours should also be imposed together with a condition requiring neighbours are notified of the commencement of construction and duration. To ensure rooms are not exposed to excess traffic noise a condition should be imposed restricting noise levels day and night.

10.88. Officers are satisfied with the submitted acoustic criteria information and NIA submitted. Subject to the appropriate design choice and mitigation measures proposed and conditions, the development would be acceptable in environmental health terms and accord with RE7 and RE8 of the OLP.

#### **g. Flood Risk and Drainage**

10.89. Policy RE3 relates to flood risk management and states planning applications for development on sites larger than 1 ha in Flood Zone 1 must be accompanied by a site specific Flood Risk Assessment (FRA) to align with national policy.

10.90. Policy RE4 relates to sustainable and foul drainage, surface and groundwater flow, and states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SUDs) or techniques to limit run off and reduce the existing rate of run-off on previously developed sites. Surface water run off should be managed as close to its source as possible, in line with the stated drainage hierarchy.

10.91. A Drainage Strategy has been submitted with the application. This includes connecting in the existing water and sewerage infrastructure. Sustainable drainage measures including green roofs and rain gardens wherever practical; porous paving throughout; a surface water system attenuated to provide a reduction in flow rates off the site reducing the flood risk downstream; no foul water being discharged into the public foul drainage system; and, the surface water system being designed with no flooding on site for storms up to and including the 100 year + 40% climate change.

10.92. The Lead Local Flood Authority has raised no objection subject to conditions requiring implementation in accordance with the submitted Drainage Strategy, submission of a surface water drainage scheme (SuDS), and record of the implemented SuDS. Thames Water also raise no objection and considers there is sufficient infrastructure capacity for the development.

10.93. As such it is considered that the development accords with Policies RE3 and RE4 of the OLP.

#### **h. Biodiversity**

10.94. OLP policy G2 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 of 5% for biodiversity and for major development this should be demonstrated in a biodiversity calculator. Policy G8 requires new development that affects green infrastructure to

demonstrate how these have been incorporated within the design, including health and wellbeing and biodiversity enhancement.

- 10.95. The Local Planning Authority has a duty to consider whether there is a reasonable likelihood of protected species being present and affected by development at the application site. The presence of a protected species that may be affected by the development is a material consideration for the LPA in its determination of a planning application (paras' 98, 99 ODPM and Defra Circular 06/2005: Biodiversity and geological conservation). The LPA has a duty as a competent authority, in the exercise of its functions, to secure compliance with the Habitats Directive (Regulation 9(1) The Conservation of Habitats and Species Regulations 2017) (the '2017 Regulations'). The Habitats Directive is construed from 31 December 2020 to transfer responsibilities to UK authorities to enable it to function as retained EU law. This applies to European sites (SACs and SPAs) and European Protected Species (EPS), both in and out of European sites.
- 10.96. The 2017 Regulations provide a licensing regime to deal with derogations. It is a criminal offence to do the following without the benefit of a licence from Natural England:
1. Deliberate capture or killing or injuring of an EPS
  2. Deliberate taking or destroying of EPS eggs
  3. 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.
  4. Damage or destruction of an EPS breeding site or resting place.
- 10.97. The application site is located in the urban centre of Oxford. The Ecological Impact Assessment (EclA) submitted in support of both applications indicates there are no major ecological constraints to development.
- 10.98. The buildings impacted by the proposed works have been assessed for their potential to support roosting bats. They were found to be of moderate suitability for bats, with an appropriate number of bat roost surveys undertaken. The EclA concludes that bats are likely absent from all buildings impacted and Officers are satisfied that a robust assessment has been undertaken.
- 10.99. Potential impacts from the development are limited to the killing/injury of birds or destruction of their nests during the construction phases, and the trapping of small mammals in excavations. Suitable mitigation measures have been proposed for both, which could be secured by condition.
- 10.100. Six bat boxes and two bird boxes are also proposed as protected species enhancements which is considered acceptable. In addition it is considered that 'bug hotels' should also be included. Both types of enhancements could be secured by condition.

10.101. In relation to biodiversity net gain (BNG) the development would provide a gain of 14.22% habitat units and 100% hedgerow units which exceeds the 5% net gain required under Policy G2. The applicant proposes that the BNG is secured via a detailed Biodiversity Net Gain Management and Monitoring Plan (BMMP) which would ensure the long-term provision and can be secured by condition in this case.

10.102. Officers are satisfied that the potential presence of protected habitats and species has been given due regard and that European Protected Species are unlikely to be harmed as a result of the proposals. Net gain in biodiversity would be achieved, and subject to conditions listed, the development would accord with G2 of the OLP. Due regard has been given to the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended).

**i. Land quality**

10.103. The Council has a statutory duty to take into account, as a material consideration, the actual or possible presence of contamination on land. As a minimum, following development, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990. Policy RE9 requires a land quality assessment report where proposals would be affected by contamination or where contamination may present a risk to the surrounding environment. The report should assess the nature and extent of contamination and the possible impacts it may have on the development and its future users, biodiversity, the natural and built environment; and set mitigation measures to allow the development to go ahead safely and without adverse effect.

10.104. A Phase I Desk Study and Phase II Ground Investigation Report and a Remediation Statement were submitted with the application.

10.105. Historical mapping does not indicate that there were former significant contaminative uses of the site other than the possible presence of a small warehouse facility to the north east corner of the site. The site appears to have always been largely residential in nature and as such Officers consider that the potential for significant ground contamination risks to be present on the site is low.

10.106. The ground investigation works that have been completed at the site do not indicate any widespread contamination risks from soils or any contamination risks to groundwater, with only minor elevated shallow soil contamination identified in two locations. The minor shallow soil contamination identified can be easily managed through clean soil amendments in landscaped areas of the site as recommended within the submitted Remediation Statement. This approach is endorsed by Officers and in order that the proposed and approved remediation work is completed prior to occupation, a condition requiring a fill validation report should be imposed. An additional condition to deal with any further contamination found should also be imposed. As such, the development would accord with Policy RE9 of the OLP.

## **j. Air Quality**

- 10.107. Policy RE6 of the OLP has regard to air quality and states that planning permission will only be granted where the impact of new development on air quality is mitigated and where exposure to air quality is minimised or reduced. The application site is located within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council (OCC) for exceedances of the annual mean NO<sub>2</sub> air quality objective (AQO).
- 10.108. The application has been submitted with an Air Quality Assessment (AQA). The baseline desk assessment shows that current air quality levels at the site are quite below relevant air quality objectives for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations. Therefore, the location of the site is considered suitable for its intended use and the introduction of future residents (new receptors) without mitigation. The sustainable technologies (ASHPs and PV's) proposed within the development would not result in any emissions to the air. The proposed development would generate limited additional traffic during the operational phase as it is car free and consequently it would not have a significant impact on local roadside air quality. The impact of the traffic on existing sensitive receptors would also be 'not significant'. The limited increase in heavy vehicles during construction phase is below the threshold requiring an assessment, in accordance with relevant legislation.
- 10.109. The impact of demolition and construction on dust soiling and ambient fine particulate matter concentrations has been assessed within the AQA. There is a medium risk of dust soiling impacts from demolition due to the proximity of existing receptors to the proposed development. The sensitivity of the area for human health was classified as "Medium to low risk". The risk of dust causing a loss of local amenity and increased exposure to PM<sub>10</sub> concentrations has been used to identify appropriate dust mitigation measures within the AQA. Provided these measures are secured by condition (separately or within a Construction Environmental Management Plan) it is considered that the residual impact would not be significant.
- 10.110. Subject to the condition therefore, it is considered that the development would accord with Policy RE6 of the OLP and the NPPF.

## **k. Archaeology**

- 10.111. Policy DH4 states that within the City Centre Archaeological Area, on allocated sites where identified, or elsewhere where archaeological deposits and features are suspected to be present (including upstanding remains), applications should include sufficient information to define the character, significance and extent of such deposits so far as reasonably practical within a Heritage Assessment and, if applicable, a full archaeological desk-based assessment and the results of evaluation by fieldwork.
- 10.112. Development proposals that affect archaeological features and deposits will be supported where they are designed to enhance or to better reveal the significance of the asset and will help secure a sustainable future for it. Proposals which would or may affect archaeological remains or features which are

designated as heritage assets will be considered against the policy approach in policy DH3.

- 10.113. Archaeological remains or features which are equivalent in terms of their significance to a scheduled monument are given the same policy protection as designated heritage assets and considered against policy DH3. Proposals that will lead to harm to the significance of non-designed archaeological remains or features will be resisted unless a clear and convincing justification through public benefit can be demonstrated to outweigh that harm, having regard to the significance of the remains or feature and the extent of harm. Where harm to an archaeological asset has been convincingly justified and is unavoidable, mitigation should be agreed with Oxford City Council and should be proportionate to the significance of the asset and impact.
- 10.114. The application proposal is of interest because it involves groundworks within the former walled precinct of the 12th century Royal Beaumont Palace (also known as The King's Houses), later occupied by the Carmelite (White) friars from the 13th century to the Dissolution. The site is also located close to two late Neolithic to early Bronze Age and features that may indicate the presence of further barrows.
- 10.115. In this instance Oxford Archaeology have conducted an archaeological watching brief on thirteen geotechnical test pits at this site. A 'relatively good understanding of the site's deposit sequence was gained, with the level of natural un-truncated gravel and overlying in situ loess was established'. A number of 'early features' filled with characteristically reddish redeposited loess were tentatively identified, which would indicate an Anglo-Saxon or earlier (notably prehistoric) date. The report notes that 'It is possible that prehistoric barrows survived as extant earthworks into the post-medieval period and had previously influenced the area taken in by the 12th century precinct of the Kings Houses (later granted to the Whitefriars) and its subsequent post-Dissolution partitioning'.
- 10.116. The site therefore has significant archaeological potential but is heavily constrained by standing structures that prevent further on-site evaluation. Having considered the extent of the existing strip foundations and the proposed new strip foundation design it is considered that a conditioned approach to further post demolition trial trenching and recording is appropriate. As such it is considered that the development would accord with Policy DH4 of the OLP.

#### **I. Sustainable Design and Construction**

- 10.117. Policy RE1 states that planning permission will only be granted where it can be demonstrated that sustainable design and construction principles have been incorporated. In respect of carbon emissions the policy requires for major developments at least a 40% reduction carbon emissions from a 2022 Building Regulations compliant base case. This reduction could be secured through on-site renewable energy and other low carbon technologies and/ or energy efficiency measures.
- 10.118. An Energy Statement has been submitted with the application, together with a whole life carbon assessment for the Pusey Lane building. The approach to

the sustainable design of the Pusey Lane building, including to passivhaus standards, a fabric first approach and installation of photovoltaics and air source heat pumps, is considered acceptable in accordance with RE1. It is noted that green alternative to traditional cement (using Ground Granulated Blast-Furnace Slag (GGBS)) is intended to be used and salvage timber within the structure and crushed aggregate from demolition works recycled. In assessing the embodied carbon of the building versus carbon released through construction and operation, officers agree that on balance the amount of carbon generated due to the quantities of concrete needed to make the development stable, together with the excavation required to obtain necessary internal head heights needed to make the existing building function properly for the new development, would be significantly higher than that generated through demolition and construction in this case. The use of green roofs across the whole development is supported.

10.119. The information submitted indicates a 40% reduction in carbon emissions over the current 2021 Building Regulations base for the new Pusey Lane building would be achieved. Implementation of the energy strategy and further details of the PV could be secured by conditions and as such the development would accord with RE1 of the OLP.

#### **m. Planning obligations**

10.120. It is considered that the following matters should be secured through a section 106 legal agreement or Unilateral Undertaking with the County Council prior to the issue of any decision:

- to secure mitigation/ improvement works including alterations to highway surface at Pusey Lane/Pusey Place and include the following heads of terms:
  - Not to implement development (or occasionally other trigger point) until S278 agreement has been entered into.
  - The trigger by which time S278 works are to be completed;
  - Identification of areas required to be dedicated as public highway and agreement of all
  - relevant landowners will be necessary in order to enter into the S278 agreements;

10.121. The County Council also note that S278 agreements include certain payments, including commuted sums, that apply to all S278 agreements however the S278 agreement may also include an additional payment(s) relating to specific works.

## **11.CONCLUSION**

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



- 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 it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.
- 11.4. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the NPPF, and relevant policies of the Oxford Local Plan 2016-2036, when considered as a whole, and that there are no material considerations that would outweigh these policies.
- 11.5. This development would provide increased student accommodation on land owned by the College, thereby releasing housing back on to the general housing market which would help meet the high demand for housing in the City. It would make best and most efficient use of the land, providing net biodiversity gain, ecological benefit, sustainable drainage and a high quality sustainable design and construction that would enhance the public realm and Conservation Area. Any harm to heritage assets identified would be outweighed by the public benefits derived from the development. Protected Species have been given due regard, harm minimised and mitigation measures proposed. Subject to conditions, it is concluded that the development would accord with the relevant Policies of the Oxford Local Plan 2036 and the NPPF, and complies with the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981.
- 11.6. It is recommended that the Committee resolve to grant planning permission for the development proposed, subject to the conditions set out in Section 12 below and the legal agreement or unilateral undertaking with the County Council referred to in section 10 of this report.

## **12. CONDITIONS**

### *Time*

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

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

### *Plans*

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

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy SR1 of the Oxford Local Plan 2036.

### *Materials*

3. Prior to the commencement of development, excluding demolition and enabling works, a schedule of materials together with samples shall be submitted to and approved in writing by the Local Planning Authority. The following sample panels shall be provided on site:
  - a) Large scale sample panels of all new brickwork and stonework demonstrating the colour, texture, face bond, mortar and pointing for the new development shall be erected on site.
  - b) Large scale sample panels of all new ceramic cladding, metal claddings and screens, and roof materials demonstrating the colour, texture, reflectivity shall be erected on site.

The development shall be completed in accordance with the approved materials schedule and sample panels unless otherwise first agreed in writing with the Local Planning Authority. Where feasible the sample panels shall remain on site for the duration of the development works.

Reason: To ensure high quality development and in the interests of the visual appearance of the North Oxford Victorian Suburb Conservation Area in which it stands in accordance with policies DH1 and DH3 of the Oxford Local Plan 2036.

### *Lighting*

5. Prior to first occupation an internal and external lighting and CCTV scheme shall be submitted to and approved in writing by the Local Planning Authority. The details shall include siting (plans and elevations), luminance & spill of lights and technical specifications. The scheme shall set out the steps that will be taken to ensure that external lighting, including zonal/security lighting, particularly around parking areas, promotes a secure environment and does not cause a nuisance to local residents. The approved details shall be installed and maintained thereafter.

Reason: In the interests of Secure by Design, Biodiversity, neighbouring amenity and the Character and appearance of the Conservation Area in which the site lies in accordance with Policies DH1, DH3 and G2 of the Oxford Local Plan 2036.

## Transport

6. Notwithstanding the submitted Construction Traffic and Environmental Management Plan (CTEMP), no development shall take place until a revised CTEMP is submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the following matters:-
- the routing of construction and demolition vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
  - access arrangements and times of movement of construction and demolition vehicles (to minimise the impact on the surrounding highway network),
  - times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours of 07:30-09:30 or 16:00-18:00;
  - hours of working;
  - travel initiatives for site related worker vehicles;
  - signage for construction traffic, pedestrians and other users of the site;
  - piling methods (if employed) and controls on vibration;
  - earthworks;
  - hoardings and security fencing to the site;
  - noise limits;
  - control of emissions;
  - Dust mitigation measures including the complete list of site specific dust mitigation measures and recommendations that are identified on Chapter 6 (pages 8 to 10) of the Air Quality Assessment produced by Ricardo EE (February 2023) submitted with the application;
  - waste management and disposal, and material re use;
  - wheel cleaning / wash facilities to prevent prevention of mud / debris being deposited on public highway;
  - contact details of the Project Manager and / or Site Supervisor;
  - layout plan of the site;
  - materials storage including any hazardous material storage and removal.
  - Engagement with local residents and neighbours

The CTEMP shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, air quality\*, vibration, dust\*\* and waste disposal resulting from the site preparation, groundwork and construction phases of the development and manage Heavy Goods Vehicle (HGV) access to the site. Measures to minimise the impact on air quality should include HGV routes avoiding Air Quality Management Areas and avoid vehicle idling.

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

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

The approved Construction Traffic and Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: In the interests of the highway network, the amenities of neighbouring occupiers and to ensure that the overall dust impacts during the construction phase of the proposed development will remain as “not significant” in

accordance with the results of the dust assessment and policies RE1, RE6, RE8, M1 and M2 of the Oxford Local Plan 2036.

7. Prior to first occupation of the development a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. Thereafter the first residents of each student accommodation block and each new successive tenant/occupier thereafter shall be provided with a copy of the approved Travel Information Pack.

Reason: To ensure all residents and employees are aware from the outset of the travel choices available to them and to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework and Policies M1 and M2 of the Oxford Local Plan 2036.

8. Prior to occupation, details of a tenancy/ occupation agreement that includes a clause under which the study bedrooms shall be occupied restricting students resident at the premises (other than those registered disabled) from bringing or keeping a motor vehicle in the city and consequences for breaching this clause shall be submitted to and approved in writing by the Local Planning Authority. The study bedrooms shall only be let in accordance with the approved agreement.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies RE7, M2 and H8 of the Oxford Local Plan 2036.

9. Notwithstanding the submitted plans, details of the cycle parking storage for students shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation and implemented in accordance with the approved details prior to first occupation and retained at all times thereafter.

Reason: To encourage the use of sustainable modes of transport in line with policy M5 of the Oxford Local Plan 2016-2036.

10. The development hereby permitted shall not be occupied until the Order governing parking on Pusey Lane and roads in the immediate vicinity of the site has been varied by the Oxfordshire County Council as highway authority to exclude the site, the subject of this permission, from eligibility for resident's parking permits, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality in accordance with policy M5 of the Oxford Local Plan 2036.

11. Prior to the commencement of development, details for the re-surfacing of Pusey Lane including extent, materials and technical specification, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development maintains the character and appearance of the Conservation Area and in the interests of highway network in accordance with Policies DH1, DH3 and M1 of the Oxford Local Plan 2036.

#### *Landscaping*

12. Notwithstanding the submitted Landscape Framework Plan, a detailed Landscape Plan shall be submitted to, and approved in writing by the Local Planning Authority prior to first occupation or first use of the development hereby approved. The plan shall show details of treatment of paved areas, and areas to be grassed or finished in a similar manner, existing retained trees and proposed new tree, shrub and hedge planting. The plan shall correspond to a submitted schedule detailing plant numbers, sizes and nursery stock types. Plants and trees should be native and provide for biodiversity interest.

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

13. The landscaping proposals as approved by the Local Planning Authority in accordance with condition 12 above shall be carried out no later than the first planting season after first occupation or first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

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

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

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

The TPP and AMS shall detail any physical protective measures such as barrier fencing and/or ground protection materials, and any access pruning or other tree surgery proposals. Methods of any workings or other forms of ingress into the Root Protection Areas (RPAs) or Construction Exclusion Zones (CEZs) of retained trees shall be set out and described. Such details shall take account of the need to avoid damage to the branches, stems and roots of retained trees, through impacts, excavations, ground skimming, vehicle compaction and chemical spillages including lime and cement.

Prior to the commencement of development, photographic evidence of the physical measures in place shall be submitted to the Local Planning Authority. The development shall be carried out in strict accordance with the approved TPP and AMS unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

### *Students*

16. Subject to condition 17, the development shall be solely used for student accommodation and for no other purpose (including any other purpose in Class C2 of Part C of Schedule 1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification and also including any other purpose as may be permitted under the relevant provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order revoking and re-enacting that Order with or without modification).

Reason: To ensure the adequate provision of student accommodation and allow the Local Planning Authority to give further consideration to other uses in accordance with policies S1 and H8 of the Oxford Local Plan 2036.

17. During term time, as published by the College for the relevant academic year, the development hereby permitted shall be used for student accommodation in accordance with the specifications and requirements of conditions 8 and 16 and for no other purpose unless otherwise agreed in writing beforehand by the Local Planning Authority. Outside term time the permitted use may be extended to include accommodation for cultural and academic visitors and for conference and summer school delegates. The buildings shall not be used for any other purpose other than that permitted by this condition.

Reason: To avoid doubt and to allow the Local Planning Authority to give further consideration to other forms of occupation which may result in the loss of student accommodation in accordance with policies S1 and H8 of the Oxford Local Plan 2036.

### *Energy*

18. The development shall be implemented in strict accordance with the approved Energy Statement by KJ Tait submitted with the application. Prior to the full

occupation of the development evidence (including where relevant Energy Performance Certificate(s) (EPC), Standard Assessment Procedure (SAP) and Building Regulations UK, Part L (BRUKL) documents) shall be submitted to the Local Planning Authority to confirm that the energy systems have been implemented according to details laid out in the approved Energy Statement and achieve the target performance as approved.

Reason: To ensure compliance with policies S1 and RE1 of the Oxford Local Plan 2036.

19. Notwithstanding condition 18 above, prior to construction of the development above slab level further details of the photovoltaics including siting, rake, number and technical specifications shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be installed prior to first occupation and thereafter retained or upgraded as necessary.

Reason: To ensure compliance with policies S1 and RE1 of the Oxford Local Plan 2036.

#### *Drainage*

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

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact /cause failure of local underground sewerage utility infrastructure. In accordance with Policies RE7 and V5 of the Oxford Local Plan 2036.

21. The approved drainage system shall be implemented in accordance with the approved Drainage Strategy design listed below prior to the use of the building commencing:
- Drainage Strategy Prepared for: St John's College Project No: TC22053 : March 2023
  - 23\_00693\_FUL-DRAINAGE\_STRATEGY\_PART\_2-2955729
  - File: Pusey Lane 3.0 no controls .pfd Network: Storm Network 1 02/03/2023
  - Drainage Details Sheet 1 MAR 2023 2279-HRW-ZZ-ZZ-DR-C-320 P01
  - Drainage Details Sheet 2 MAR 2023 2279-HRW-ZZ-ZZ-DR-C-321 P01
  - Proposed Drainage layout Drw no: 2279-HRW-ZZ-ZZ-DR-C-300 P03 Mar 23

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal in accordance with Policy RE3 of the Oxford Local Plan 2036.

22. Prior to commencement of development a detailed surface water drainage scheme for the site, shall be submitted to and approved in writing by the Local

Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is completed. The scheme shall include:

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

Reason: To avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policy RE 2 of the Oxford Local Plan 2016-2036.

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

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



Reason: In accordance with section 21 of the Flood and Water Management Act 2010.

#### *Architecture*

24. Notwithstanding the submitted plans and information, prior to commencement of development large scale (1:50/ 1:20) details of the metal screens for rear facing windows shall be submitted to and approved in writing by the Local Planning Authority. The approved screens shall be installed prior to first occupation and thereafter retained in place.

Reason: In order to ensure high quality and prevent direct overlooking of neighbouring properties in accordance with Policies DH1, H14 and RE7 of the Oxford Local Plan 2036.

#### *Ecology*

25. Prior to development commencing, details of ecological enhancement measures including at least six bat roosting devices, two bird nesting devices, and two bug hotels shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the proposed specifications, locations, and arrangements for any required maintenance. The approved devices shall be fully constructed prior to occupation of the approved development and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enhance biodiversity in Oxford City in accordance with paragraph 174 of the National Planning Policy Framework and Policy G2 of the Oxford Local Plan 2036.

26. The development hereby approved shall be implemented strictly in accordance with the measures stated in Section 6 of the report 'Dusk Emergence and Pre-dawn Re-entry Surveys for Bats' produced by All Ecology and dated 24th June 2022, or as modified by a relevant European Protected Species Licence. The proposed bat roosting devices shall be installed by the completion of the development and retained as such thereafter.

Reason: To comply with The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats Regulations 2017 (as amended) and enhance biodiversity in Oxford City in accordance with the National Planning Policy Framework and Policy G2 of the Oxford Local Plan 2036.

27. If the development hereby approved does not commence by August 2024, further ecological survey(s) shall be commissioned to establish if there have been any changes in the presence of roosting bats and identify any likely new ecological impacts that might arise from any changes. The results of the survey(s) shall be submitted to the Local Planning Authority. Where the survey results indicate that changes have occurred that will result in impacts not previously addressed in the approved scheme, a mitigation and compensation scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To ensure bats are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended) and The Wildlife and Countryside Act 1981 (as amended) and Policy G2 of the Oxford Local Plan 2036.

- 24.A Biodiversity Net Gain Management and Monitoring Plan (BMMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the occupation of the development. The content of the BMMP shall include the following.
- a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management.
  - d) Appropriate management options for achieving aims and objectives.
  - e) Prescriptions for management actions.
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - g) Details of the body or organization responsible for implementation of the plan.
  - h) Ongoing monitoring and remedial measures.

The BMMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

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

Reason: To ensure the enhancement of biodiversity in accordance with Policy G2 of the Oxford Local Plan 2036.

#### *Noise*

25. The external noise levels emitted from plant/ machinery/ equipment shall ensure that the rating level of the noise emitted from the proposed installation located at the site shall not exceed the existing background level at any noise sensitive premises when measured and corrected in accordance with BS4142:2014 +A1:2019 "Methods for rating and assessing industrial and commercial sound.

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

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

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

27. All habitable rooms exposed to external road traffic noise in excess of 55 dBA Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 45 dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night. Details of a scheme shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development excluding demolition and shall ensure that habitable rooms subject to sound insulation measures shall be able to be effectively ventilated without opening windows. The development shall not be occupied until the approved sound insulation and ventilation measures have been installed in accordance with the approved details. The approved measures shall be retained thereafter in perpetuity.

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

#### *Archaeology*

28. No demolition shall take place until a demolition method statement that sets out how demolition shall facilitate archaeological trial trenching and secure the protection of archaeological remains has been submitted by the applicant, or its agent or successors in title and been approved in writing by the Local Planning Authority. All works shall be carried out and completed in accordance with the approved demolition method statement, unless otherwise agreed in writing by the Local Planning Authority.

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

29. No development shall take place until a written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI, no development shall take place other than in accordance with the approved WSI, which shall include the statement of significance and research objectives, and

- The programme and methodology of site investigation comprising Stage 1) Trial trenching and 2) a programme of archaeological recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

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

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their

visitors, including prehistoric and medieval remains in accordance with Policy DH4 of the Oxford Local Plan 2036.

*Amenity*

29. The gable wall of the re-built Lighting Store Building shall be re-painted white or a similar colour or finished as agreed after consultation with the occupants of No.22 St John's Street prior to the first occupation of the development.

Reason: To mitigate the impact of the development and in the interest of No.22 St John's Street's residential amenity in accordance with Policies RE7 and H14 of the Oxford Local Plan 2036.

**APPENDICES**

- **Appendix 1** – Site location plan

**HUMAN RIGHTS ACT 1998**

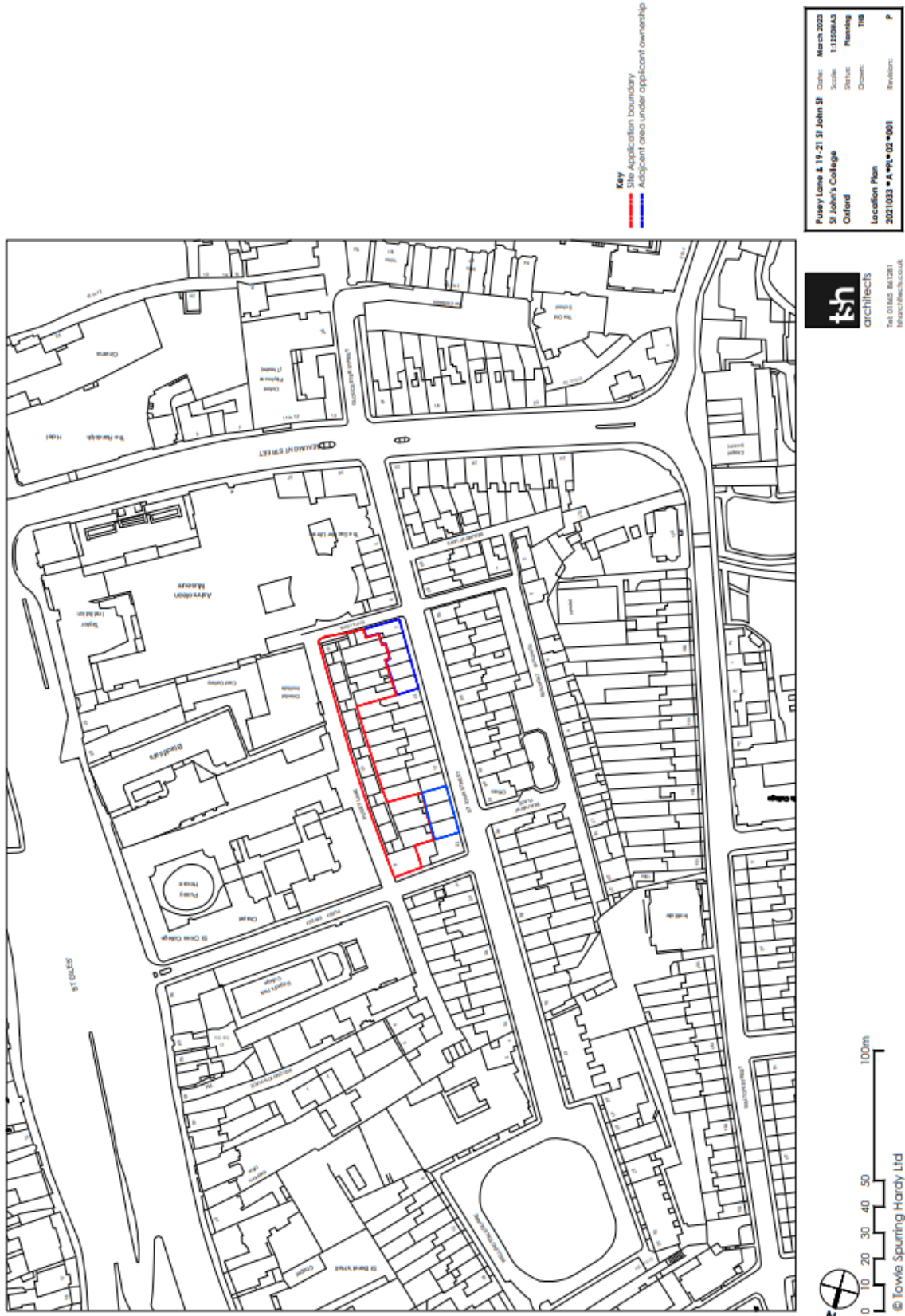
12.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection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

**SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

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

# Appendix 1

## Site location Plan



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<b>Application number:</b>	23/00694/LBC		
<b>Decision due by</b>	19th June 2023		
<b>Extension of time</b>	22 <sup>nd</sup> December 2023		
<b>Proposal</b>	Demolition of rear outrigger extensions to nos. 20 & 21 St John Street. Erection of single storey common room building to the rear of nos. 20 & 21 St John Street. Demolition/alteration of rear plot boundary walls. (Amended Description)		
<b>Site address</b>	Site Of 6-25 , Pusey Lane, And, 19-21 St John Street – see <b>Appendix 1</b> for site plan		
<b>Ward</b>	Carfax And Jericho Ward		
<b>Case officer</b>	Gill Butter		
<b>Agent:</b>	Mr Huw Mellor	<b>Applicant:</b>	St John's College
<b>Reason at Committee</b>	A concurrent application with a major planning application.		

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## 1. RECOMMENDATION

1.1. Oxford City Council Planning Committee is recommended to:

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

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

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

## 2. EXECUTIVE SUMMARY

2.1. This report considers the grant of listed building consent for the demolition of four-storey, brick outriggers, built in the second half of the C20 on the rear of Nos 20 and 21 St John Street; the construction of a single-storey extension to the rear of Nos 20 and 21 St John Street and the removal of fragments of C19 garden walls with their C20 additions that survive to the rear of these properties.

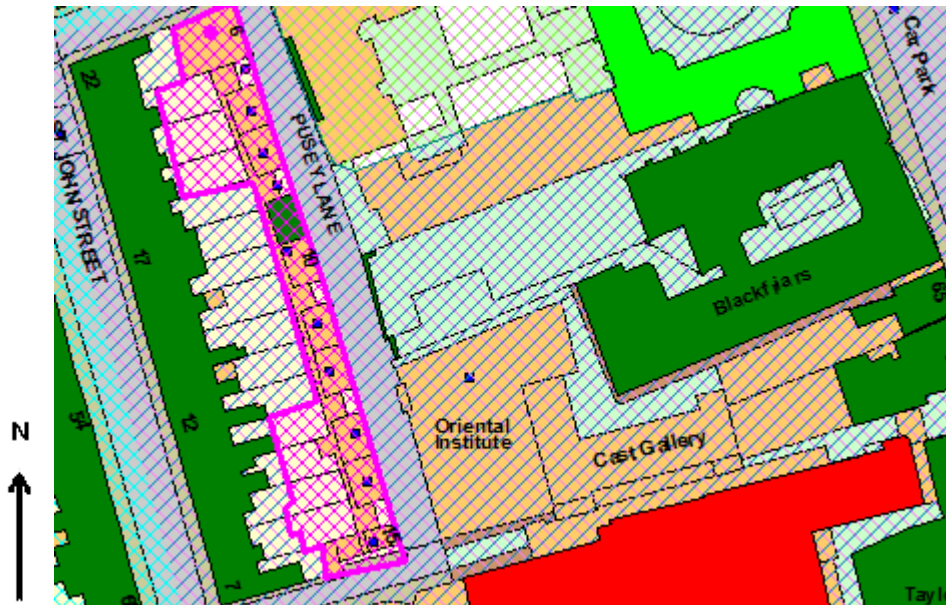
### 3. LEGAL AGREEMENT

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

### 4. SITE AND SURROUNDINGS

4.1. The site is located to the rear of Nos 19-21 St John Street.

4.2. See block plan below:



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Ordnance Survey 100019348

### 5. PROPOSAL

5.1. The application proposes the demolition of two, brick, four-storey, outriggers, built in the later part of the C20 on the rear of Nos 20 and 21 St John Street; the construction of a single-storey extension to the rear of Nos 20 and 21 St John Street and the removal of fragments of C19 garden walls with their C20 additions that survive to the rear of these properties.

### 6. RELEVANT PLANNING HISTORY

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

88/00079/LBC - 19/20/21 St John Street - Listed building consent for demolition of rear extensions and 2 garden walls between Nos. 21-20 and 20-19. Alterations, rear additions ancillary accommodation, with pedestrian access from Pusey Lane. APPR. 15.08.1988.

88/0080/NFH - 19/20/21 St John Street - Alterations, rear additions and light wells to provide 24 graduate student bedsits and ancillary accommodation with



pedestrian access from Pusey Lane.

23/00595/LBC - Alterations to include upgrading of existing fabric, insertion of secondary glazing to reduce heat loss; upgrading and alteration of existing mechanical and electrical services to enable alternative heat sources; alteration of plan form with insertion of partition walls and subdivision of rooms to include addition of en-suite bathrooms and the addition of two more study bedrooms; infilling of rear, basement lightwell to create laundry room. APPR.

23/00594/FUL -Internal alterations to existing student accommodation to include; installation of new en-suites and creation of 2no. additional student rooms. Formation of new felt roof over rear basement lightwell of 20 St John Street to form plant room. Alterations to fenestration to 19 St John Street. PER APPR.

23/00693/FUL - Demolition of Nos. 6-25 Pusey Lane. Erection of 2-3 storey terraced building to provide new student accommodation. Demolition of rear outrigger extensions to nos. 20 & 21 St John Street. Erection of single storey common room building to the rear of nos. 20 & 21 St John Street. Re-landscaping of the existing amenity areas to the rear of nos. 7-11 and 19-21 St John Street, including demolition/alteration of rear plot boundary walls. (amended description) (Amended Plans and Information).. PCO .

23/00694/LBC - Demolition of rear outrigger extensions to nos. 20 & 21 St John Street. Erection of single storey common room building to the rear of nos. 20 & 21 St John Street. Demolition/alteration of rear plot boundary walls. (Amended Description). PDE .

## 7. RELEVANT PLANNING POLICY

7.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:
Conservation/Heritage	189-208	DH3 - Designated heritage assets DH4 - Archaeological remains	Central (City and University) Conservation Area draft appraisal	

## 8. CONSULTATION RESPONSES

8.1. Site notices were displayed around the application site on 9<sup>th</sup> May 2023 and an advertisement was published in The Oxford Times newspaper on 4<sup>th</sup> May 2023.

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

### Historic England

9.2 In a letter dated 19<sup>th</sup> May 2023 “We suggest that you seek the advice of your specialist conservation and archaeological advisers. It is not necessary to consult us again unless there are material changes to the proposed development.”

## **Public representations**

9.3 There were a total of eleven consultation responses received. The majority of the responses only referred to matters of consideration for the associated planning application. The matters that are of material consideration to the listed building consent application are:

- The outriggers form part of the listed structures and even though they are not original they reflect the history of the buildings, provide elements of symmetry across the buildings and respect the lineage of the terrace. Consent should not be granted for their demolition. The proposed alterations to the outrigger on the rear of No.19 are inappropriate, out of keeping with the paned windows elsewhere on the building and would cause substantial harm to the existing buildings.
- The garden walls between properties are an important part of the integrity and character of the curtilage of the listed buildings. There is no clear evidence that consent was previously granted to demolish them, there is insufficient justification for their removal and demolition would be contrary to the objectives of local plan policy DH3.
- The proposed common room extension on the rear of Nos 20 and 21 does not respect the evolution of the listed buildings, would be out of keeping as a result of the large expanses of glazing proposed, it would damage the integrity of Nos 19, 20 and 21.
- There would be no public benefits to outweigh harm.
- The application contains insufficient detail to be determined.

## **Officer response**

9.4 Outriggers Officers acknowledge that whilst outriggers or additions at the back of a principal dwelling are not an uncommon feature there are an enormous variety of such additions to the rear of the terraces of St John Street and it is only the more recent additions such as those at Nos19-21 that have introduced a consistency at this location. Most if not all rear additions are later than the original construction and whilst they do offer insight into evolution not only of buildings but also habits of occupants these particular examples are not of any architectural interest and of extremely limited historical or social interest that offers little or no conservation value to the significance of the listed buildings or indeed the overall group, the listing covers Nos 2-63 St John Street as an entity. The alterations to the outrigger at the rear of No 19 were included in

listed building consent application 23/00594/LBC which has been approved under delegated powers therefore those alterations have already been granted consent.

Garden walls. Listed building consent was granted in 1988 for the demolition of the garden walls between Nos 19 and 20; 20 and 21. The walls that exist presently contain very little if any original surviving brickwork and they are arguably now post 1947 structures and do not therefore form part of the curtilage of the listed building. Officers do however acknowledge the importance of the definition of the plot boundaries and of the garden walls where these do survive. The proposals seek to preserve the legibility of plot boundaries by placing new structures, including in places new sections of wall where previously these and therefore officers consider that no harm would be caused to the architectural or historical significance of the listed building. Consequently it is considered that meet the objectives of both national and local planning policies would be met.

Common Room extension. The backs of properties that fall within the listing 2-63 St John Street are extremely varied in their architecture with lots of different types of additions. The proposed common room would be another element in the evolution of the terraces and officers consider that the use of a modern architectural language would allow this latest addition to be read as simply that, a new addition. The use of large areas of glass will allow the interior of the common room to have a good quality of light and the individual glass elements would actually be comparable in proportion to the larger sash windows on the rear facades of the terrace. Officers are comfortable in recommending that detailed design of this element be approved to ensure that the architectural quality will be appropriate to the context in line with both national and local planning policies.

Harm: officers consider that no harm that would be caused to the significance, the architectural or historical significance of the listed buildings as a result of the works for which listed building consent is being sought, namely the removal of two, recently constructed outriggers and the construction of a common room at ground floor of Nos 20 and 21 St John Street. The impact of the proposed works on the character or appearance of the Central Conservation Area falls to be considered under the concurrent planning application 23/00693/FUL. As there would be no harm caused to the significance of the listed building there is no need to consider any public benefits that may arise directly from these proposed works.

Insufficient detail: Officers consider that the application does include sufficient information to be able to understand the significance of the heritage asset that will be impacted by the proposals and that they are able to therefore make a decision about the impact of the proposals on that significance. Where additional information is required to ensure that the works as carried out will meet the planning policy objectives officers have recommended appropriate conditions to ensure that this will be provided and approved before any relevant work is carried out.

## 10.0 LISTED BUILDING CONSENT MATERIAL CONSIDERATIONS

10.1 Officers consider the issues that are material to consideration and determination of the application to be

- a. Significance of the listed building including any surviving, curtilage structures.
- b. Potential impact of the proposed alterations and extension to the listed building on the significance of that listed building. Whether the proposals would preserve or enhance the significance of the listed building or result in harm to the significance of the listed building.
- c. If harm would be caused to the significance of the listed building whether that harm has been clearly and convincingly justified.
- d. If harm would be caused to the significance of the listed building what would be the weight of that harm.
- e. If harm would be substantial then has the applicant provided a robust case for exceptionality.
- f. If harm would be less than substantial are there sufficient public benefits that would arise from the proposed alterations and extension that would outweigh the weight of harm.

### a. **Significance of the listed building including curtilage structures**

#### **2-63 St John Street:**

10.2 Numbers 2-63 St John Street comprise a number of terraces of late Georgian (c.1824) houses laid out to focus on the tower of the Radcliffe Observatory.

10.3 The houses were built in groups of two to four by individual builders or speculators, to a similar pattern, but displaying distinctive variation in architectural detail such as door cases, fanlights, window patterns and decorative ironwork. Equally varying at the rear as on the “public” front facades.

10.4 Typically three storeys above street level plus attic and lower ground floor, the buildings have ashlar stone on the front, street facing facades with cheaper, red brickwork to sides and rears. A not atypical arrangement on such buildings.

10.5 The significance of the buildings derives fundamentally from their architecture, details and materials as well as plan form, which as previously identified does vary throughout the terraces. The overall layout of the terraces, the plots and their relationship with principal street, St John Street and rear mews streets, Beaumont Buildings and Pusey Lane is important, making a contribution to the

setting of the buildings. Surviving curtilage structures, such as garden walls and outbuildings of contemporary or slightly later construction also make a contribution to significance.

- 10.6 The listed building has a medium level of significance, for which it is listed at grade II in the statutory list.

**b. Impact of the proposed alterations and additions on the significance of the listed building.**

- 10.7 The principal alterations proposed as part of this application for listed building consent are the removal of the “outriggers” that have been added to the back of numbers 20 and 21 St John Street.
- 10.8 These structures are three storeys above ground level and extend to the lower ground floor of the buildings to which they are attached.
- 10.9 Constructed in brick the structures were added to the principal buildings in the latter part of the C20 and have little or no architectural value, certainly making no contribution to the architectural or historical significance of the listed buildings to which they are presently attached.
- 10.11 Officers therefore consider that the removal of these structures would not cause any harm to the significance of the heritage asset, 2-63 St John Street. Any architectural symmetry that can be seen in the rear facades of these buildings has been of relatively recent origin and of a very functional rather than architectural nature.
- 10.12 The proposed extension to the rear and ground floor of Nos 20 and 21 St John Street to extend the present ground floor rooms in these buildings would result in the removal of rear, ground floor windows and the enlargement of the present openings in the rear façade to provide access to the extended building creating a single space to function as a common room for residents.
- 10.13 As has been noted previously in this report Nos 2-63 St John Street have been at various times and at various levels been provided with extensions at the rear of the buildings. Importantly the size, massing and architecture of the proposed extension would not detract from the architectural quality of the host building. Officers consider that it would be a relatively modest addition in its height and footprint and that architecturally it is proposed to be of a sufficiently high quality to be an appropriate addition to the building.
- 10.14 Officers therefore consider that this modest extension by virtue of its design, height, massing and architecture would not cause harm to the architectural or historical significance of the heritage asset.
- 10.15 The walls between properties 20 and 21 St John Street have been substantially altered and very little original fabric remains. Although listed building consent for

the demolition of these walls is being requested, officers consider that the surviving structures have an importance in providing some definition to plot boundaries and that the proposed replacement structures will be aligned such that this definition will be preserved.

**c. If harm would be caused to significance of the heritage asset whether that harm has been clearly and convincingly justified.**

10.15 As set out in the preceding sections of this report, having carefully assessed the special interest or significance of the heritage asset, Nos 2-63 St John Street, and considered the impact of the proposed alterations for which listed building consent is being sought through this listed building consent application, officers do not consider that any harm would be caused to the architectural or historical significance of the listed building and that the building, its setting and any features of special architectural or historic interest that it possess would certainly be preserved (not harmed) and where careful reinstatement of original, revealed parts of rear facades is proposed, enhanced.

10.16 As a consequence of there being, in officers' considered opinion no harm being caused to the architectural or historical significance of the heritage asset, Nos 2-63 St John Street, planning polices do not require any clear or convincing justification for the proposed alterations to the listed buildings.

**d. if harm would be caused to the significance of the heritage asset what would be the weight of that harm**

10.17 The assessment of any harm that would be cause to the significance of the heritage asset, Nos 2-63 St John Street by the proposed alterations is that there would be no harm caused to the heritage asset's significance.

**e. If harm would be substantial then has the applicant provided a robust case for exceptionality.**

10.18 As set out in the preceding paragraph of this report, officers have assessed the level of harm that would be caused to the significance of the heritage asset Nos 2-63 St John Street to be no harm. It is not therefore necessary to provide a case for exceptionality in this instance.

**f. If harm would be less than substantial are there sufficient public benefits that would arise from the proposed alterations and extension that would outweigh the weight of harm.**

10.19. As the level of harm that would be caused to the significance of the heritage asset has been assessed as being no harm, public benefits are not required to be found in this instance in order to be assessed and taken into consideration in reaching a decision to grant listed building consent for the works that have been applied for under this application.

## **11. CONCLUSION**

11.1 In conclusion, officers have assessed both the significance of the heritage asset and the impact of the proposed alterations on that significance and have concluded that no harm would be caused to the significance of the heritage asset, Nos 2-63 St John Street.

11.2 Furthermore officers consider that the proposed alterations to the rear of Nos 20 and 21 St John Street, including the removal of the two outriggers, the subsequent restoration of the exposed rear facades of those buildings and the modest single-storey extension to the rear of Nos 20 and 21 St John Street would preserve the buildings, their settings and any features of special architectural or historic interest which they possess, in line with the duty set out in section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would meet the objectives of policy DH3 of Oxford's Adopted Local Plan 2036.

11.3 It is therefore recommended that the Committee resolve to grant listed building consent subject to the recommended conditions as set out in the following section of this report and authorise the Head of Planning to finalise and make such amendment to those recommended conditions as may be considered to be reasonable.

## **12. CONDITIONS**

### **1. Commencement of works LB consent**

The works permitted shall be begun not later than the expiration of three years from the date of this consent.

Reason: In accordance with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

## **2. LBC Consent – approved plans**

Unless specifically excluded by subsequent conditions the works permitted shall be carried out strictly in accordance with the terms of, and subject to, the conditions attached to this consent and in compliance with the details specified in the application and the submitted/amended plans listed in this decision notice.

Reason: As Listed Building Consent has been granted only in respect of the application as approved, to ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policy DH3 of the Adopted Oxford Local Plan 2036

## **3. LBC – works as approved only**

This Listed Building consent relates only to the works specifically shown and described on the approved drawings. Any other works, the need for which becomes apparent as alterations and repairs proceed, are not covered by this consent and details of any other works must be submitted to the council as Local Planning Authority and approved before work continues.

Reason: For the avoidance of doubt and to protect the special interest of the historic building in accordance with policies DH3 and DH4 of Oxford's Adopted Local Plan 2036.

## **4. Making good following demolition**

Full details including methods, materials and workmanship to rear facades of Nos 20 and 21 St John Street following the removal of the existing outriggers shall be submitted to and approved in writing by the LPA before any of this work commences. All works shall be carried out in accordance with the approved details unless subsequently agreed otherwise by the LPA and confirmed in writing. A sample area of making good shall be prepared in situ, inspected by the LPA and approved in writing before the remainder of the areas to be made good are commenced.

Reason: This area of work has not been described in sufficient detail and the LPA wishes to ensure that the making good will meet the objectives of planning policy DH3 of the Oxford Adopted Local Plan 2036.



**5. Details and materials to be approved**

Details, including samples to be provided on site of materials to be used for the proposed common room extension at the ground floor rear of Nos 20 and 21 St John Street shall be submitted to and approved in writing by the LPA before any of this work commences. All works shall be carried out in accordance with approved details and samples unless subsequently agreed otherwise by the LPA and confirmed in writing.

Reason: Because the LPA wishes to ensure that the architectural detail and materials used for this new addition to the listed buildings will meet the objectives of policy DH3 of Oxford's Adopted Local Plan 2036.

**6. Details of new sash windows.**

Full drawn details of new sash windows, including details of reveals and wall openings proposed in exposed rear building facades of Nos 20 and 21 St John Street following careful removal of outriggers including details of materials and finishes to be submitted to and approved in writing by the LPA before any of this work takes place. All works to be carried out in accordance with approved details unless subsequently agreed by the LPA and confirmed in writing.

Reason: These works have not been described in sufficient detail and the LPA wishes to ensure that the proposed works will meet the objectives of policy DH3 of Oxford's Adopted Local Plan 2036.

**7. Details of openings to extension**

Full details, including details of removal and storage of sash windows, materials, finishes and formation of enlarged opening to ground floor extension to Nos 20 and 21 St John Street to be submitted to and approved in writing by the LPA before this are of work commences. All work to be carried out in accordance with approved details unless subsequently agreed by the LPA and confirmed in writing.

Reason: This area of work has not been described in sufficient detail and the LPA wishes to ensure that it will meet the objectives of policy DH3 of the Oxford Adopted Local Plan 2036.

**13. APPENDICES**

- **Appendix 1 – Site location plan**

#### **14 HUMAN RIGHTS ACT 1998**

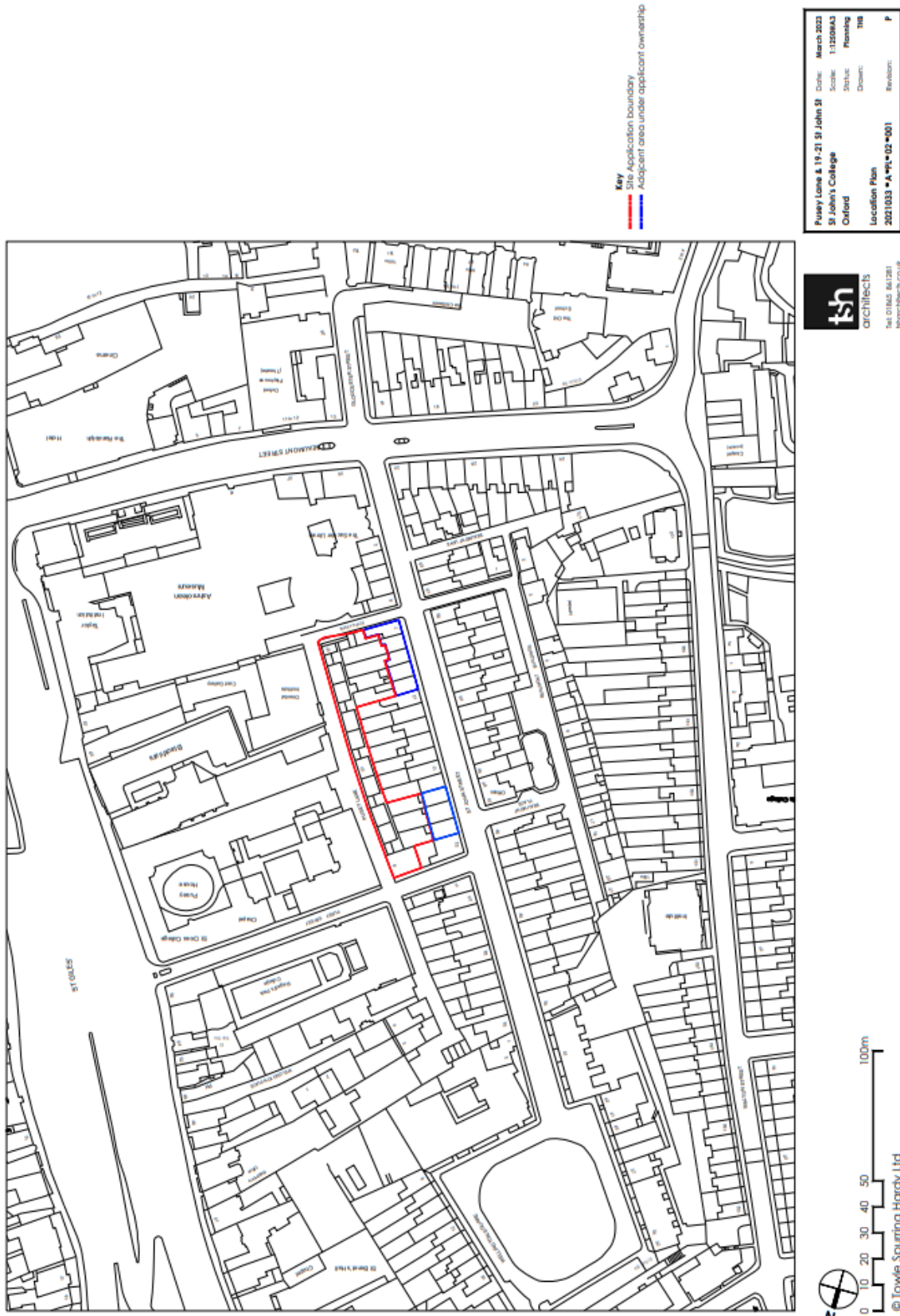
- 14.1 Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve] this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection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

#### **15 SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

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

# Appendix 1

## Site location Plan



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<b>Application number:</b>	23/01592/RES		
<b>Decision due by</b>	16th October 2023		
<b>Extension of time</b>	1 <sup>st</sup> December 2023		
<b>Proposal</b>	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.		
<b>Site address</b>	Land Bounded By A34 And A44 And A40, Parcel 1 , Woodstock Road, Oxford, Oxfordshire – see <b>Appendix 1</b> for site plan		
<b>Ward</b>	Wolvercote Ward		
<b>Case officer</b>	Michael Kemp		
<b>Agent:</b>	Mrs Dawn Brodie	<b>Applicant:</b>	Oxford North Ventures GP LLP
<b>Reason at Committee</b>	The application is for major development.		

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## 1. RECOMMENDATION

1.1. The Oxford City Planning Committee is recommended to:

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

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

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

## 2. EXECUTIVE SUMMARY

2.1. This report considers a reserved matters application for a multi-storey car park with parking for 1120 cars and the provision of surrounding landscaping. The car park would be located along the western boundary of the Oxford North site on the urban periphery of Oxford located to the north west of Wolvercote. The car park would consist of a split-level steel framed demountable structure, with parking located over five floors. Concrete access stairs are proposed to provide access to all levels. Vehicular access would be provided from a secondary service road located to the east of the building. The approved masterplan

includes provision for a larger decked car park within a similar position to the proposed building.

- 2.2. The design of the car park is functional and has been informed by the building's practical purpose. The system-built nature of the car park means that the structure is lightweight in appearance, which limits the visual impact of the building in terms of its bulk and presence. The height of the steel mesh has been increased to full height on the first floor and above in response to concerns expressed by the Police that there are inadequate design measures in place to address suicide prevention. Concentrating the provision of parking within a higher multi-level car park would represent a more efficient use of land compared with a surface level car park, or a car park of a smaller scale, this would align with the objectives of Policy RE2 of the Oxford Local Plan. There are clear advantages to this approach in urban design terms as this limits the extent of parking that would be required elsewhere on the site. Overall, the design approach is considered to be acceptable and compliant with Policy DH1 of the Oxford Local Plan and Policy NG7 of the Northern Gateway Area Action Plan.
- 2.3. In relation to the Oxford North site, the hybrid planning permission was accompanied by a building heights parameter plan, which formed part of the approved set of drawings accompanying the planning application. The levels and staggered nature of the car park structure accounts for the lower AOD parameters in the section of the site nearest the A34, where the maximum permitted height falls to 82 metres AOD. The height of the structure would largely fall within the height parameters shown on the approved height parameter plan accompanying the hybrid permission, with the exception of a very small section of the upper stair core along the north western elevation of the car park and lighting columns. The car park sits almost fully within the height parameters deemed appropriate under the hybrid planning application and the visual impact of the sections of the car park that would extend above the height parameters are considered negligible in visual terms, when assessed against the baseline height parameters.
- 2.4. Officers consider that there would be no additional harm to the setting of any surrounding listed buildings, or the setting of the Conservation Area as a result of the proposed development when compared with the consented scheme. There would still be a moderate level of less than substantial harm associated with the proposals, which was the case with the wider proposals approved under the hybrid permission. 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 of the development would outweigh the less than substantial harm 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.
- 2.5. The Section 106 agreement accompanying the planning permission sets the target parking threshold for employment uses at Oxford North at a maximum of 20% below the Northern Gateway AAP standards (1 space per 50sqm), this equates to a target ratio of 1 space per 62.5sqm for employment uses. When applying these ratios, the development would provide parking for up to 70,000sqm of employment space on the site. Presently just over 60,200sqm of

employment space has been approved under the Phase 1A and the Phase 2 reserved matters applications. Applying the maximum parking standards permitted within the Section 106 agreement, this would mean that a maximum of 963 spaces may be allocated within the car park to serve the consented plots. There are appropriate measures that may be implemented to control the phased provision or allocation of spaces, which may include limiting access to certain spaces in the car park, including the closure of levels and sections of the car parking. A car park management plan will be required by condition before the first use of the car park, which sets out how the delivery of car parking would be phased and how spaces would be allocated to individual plots over time. This would be necessary to ensure that the wider sustainability objectives outlined under Policy M1 of the Oxford Local Plan are met, to encourage a modal shift away from private car use towards more sustainable modes of travel.

2.6. It is recommended that the Committee resolve to grant reserved matters permission for the development proposed.

### **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 23<sup>rd</sup> 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 m<sup>2</sup> (GIA) of employment space (Use Class B1), up to 550 m<sup>2</sup> (GIA) of community space (Use Class D1), up to 2,500 m<sup>2</sup> (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 m<sup>2</sup> (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)*

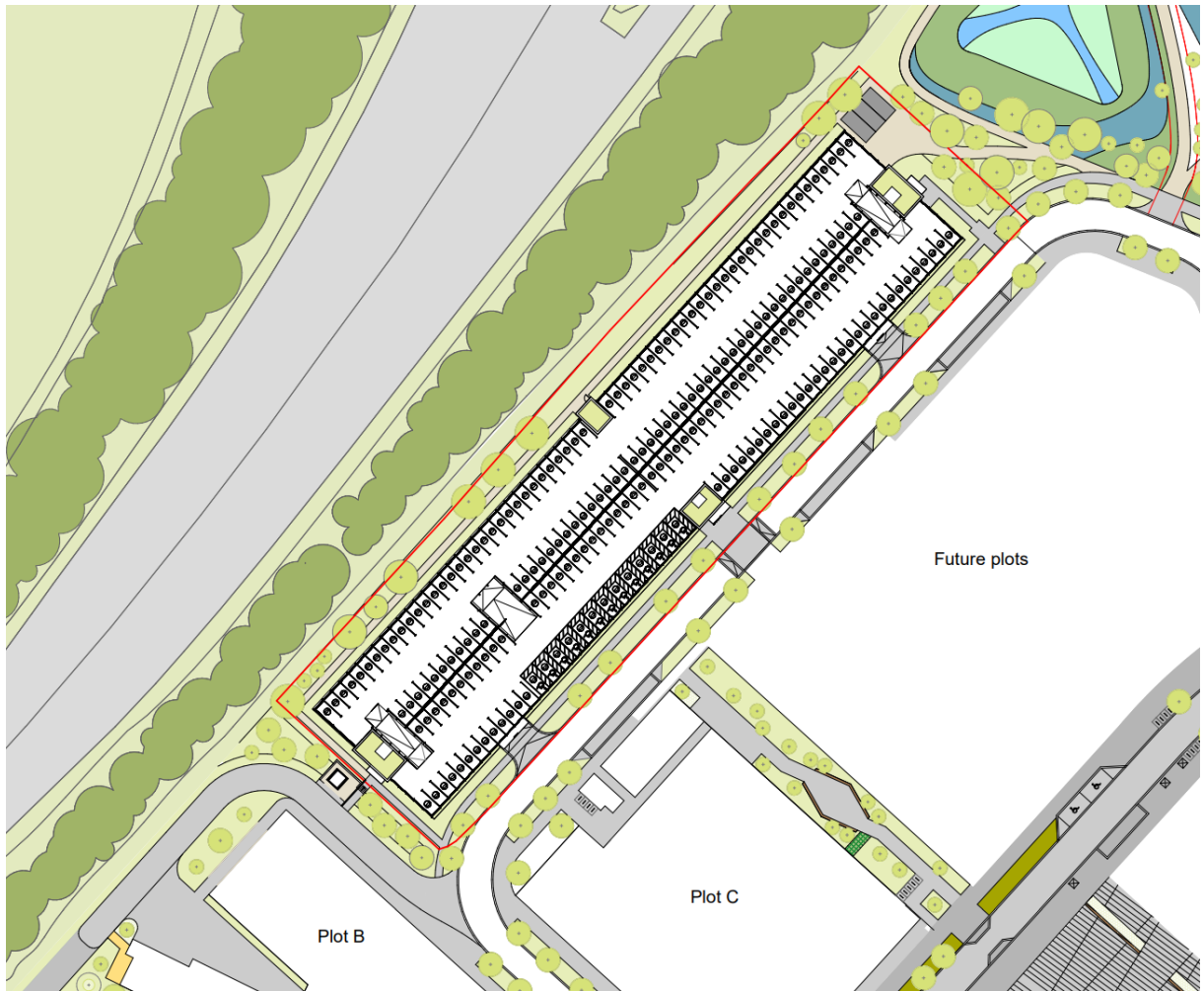
5.3. The application site to which planning application 18/02065/OUTFUL relates falls into three, fan-shaped parcels of land which run adjacent to the A44 and A40 trunk roads, converging at the Wolvercote roundabout. The northern boundary of the site is formed by a raised section of the A34 road. The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

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

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

5.5. This application relates to development on a section of the central parcel of the Oxford North Site. The site currently consists of cleared land which has been levelled following a process of cut and fill permitted under planning permission 21/01053/RES which allowed for earthworks to form the development platforms for future buildings on the site. The site of the proposed car park comprises a rectangular parcel of land located along the north western boundary of the Oxford North site. The car park would be sited to the north east of Plot B and would be sited to the south west of two attenuation ponds, which have been constructed. Access to the plot would be provided via a loop road, which would feed off the primary link road through the central parcel of the Oxford North site connecting the A40 and A44. The loop road has been approved under reserved matters application 23/01569/RES. To the north west of the site is a raised section of the A34 road, which is separated from the site by a row of existing trees. The site lies on the very edge of the Oxford City boundary, where the boundary of the site adjoins Cherwell District, although the site falls fully within the limits of Oxford City. The location plan for the proposed multi-storey car park is shown below in the context of the Oxford North site and the future development plots proposed under Phase 2 of the development.





## 6. PROPOSAL

- 6.1. A multi-storey car park is proposed with parking for 1120 cars. 56 of the parking spaces will be blue badge spaces. 40 motorcycle parking spaces would also be provided at ground floor level as well as facilities related to estate management functions. Spaces for service vehicles and operational parking would also be provided at ground floor level. Toilet facilities would be provided at first floor level. 3 parking spaces are proposed outside of the car park to the north east of the car park, adjoining the attenuation ponds.
- 6.2. The car park would serve buildings already benefitting from planning permission under Phase 1A, including Red Hall, replacing provision provided within the temporary car park on the site of proposed Plot C. The car park would also serve the three employment buildings approved under Phase 2 of the development (Plots A, B and C). Further capacity would be available to serve future development plots including a hotel use and further employment space.
- 6.3. The car park would be split across five levels with each floor staggered, corresponding to the site topography. The car park would be a system built, component-based structure consisting of a steel frame with steel mesh railings on each level to ensure pedestrian safety and to act as a barrier for vehicles.

Amendments have been made to the elevations of the car park to include the provision of full height mesh on all floors apart from the ground floor and includes an increase in the height of the mesh screen on the top floor from 2.4 to 2.7 metres. This follows a specific request for these changes from Thames Valley Police to ensure that measures are in place for suicide prevention. Four stair cores are proposed, which would be clad with pre-cast concrete panels. A series of vertical windows are proposed on each floor of the stair cores. Sedum roofs are proposed above each of the stair cores. The car park would be 33 metres in depth and 160 metres in width. The height of the structure would vary between 14.5 metres and 15.8 metres accounting for the site levels. The floor-to-floor height of the building would be 2.75 metres. 4-metre-high lighting columns are proposed on the upper floor of the building.

6.4. The car park would be accessed from the northern loop road, which benefits from planning permission. Access consists of separate entry and exit vehicle accesses from the loop road. The primary pedestrian access would be from the loop road in a position to the north of Plot C. A secondary access would be provided to the south west elevation of the car park in a position to the north east of Plot B. Landscaping is proposed surrounding the building including tree planting alongside the loop road and adjoining the A34.

## **7. RELEVANT PLANNING HISTORY**

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

18/02065/OUTFUL - Hybrid planning application comprising:

(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.

(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.

22/00081/NMA - Non-Material amendment to planning permission 22/00081/RES to allow change in surface materials and update to drainage strategy.. PER 6th December 2022.

22/03042/RES - Erection of commercial building (revised design of approved Red Hall) and immediate hard landscaping.. PER 31st March 2023.

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.. PER 31st March 2023.

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.. PER 27th July 2023.

23/01191/FUL - Provision of temporary car parking and cycle storage. Associated alterations to landscaping (Retrospective). PER 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 PER 3<sup>rd</sup> 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.. PER. 24<sup>th</sup> October 2023.

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.. PER 26<sup>th</sup> October 2023.

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. PER 25<sup>th</sup> October 2023.

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. PER 25<sup>th</sup> October 2023.

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.. PER 25<sup>th</sup> October.

23/00708/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 B). The original application was EIA development. (Amended plans). PER 25<sup>th</sup> October.

## 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
Design	117-123, 124-132	DH1 - High quality design and placemaking DH2 - Views and building heights DH7 - External servicing features and stores		NG7 – Design and Amenity
Conservation/ Heritage	184-202	DH3 - Designated heritage assets DH4 - Archaeological remains		
Commercial	170-183	E1 - Employment sites - intensify of uses		
eNatural environment	91-101	G2 - Protection of biodiversity geo-diversity G3 - Green Belt G7 - Protection of existing Green Infrastructure		
Transport	117-123	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development M3 - Motor vehicle parking		NG5 – Highway Access NG6 – Car Parking

		M4 - Provision of electric charging points M5 - Bicycle Parking		
<b>Environmental</b>	117-121, 148-165, 170-183	RE1 - Sustainable design and construction RE2 - Efficient use of Land RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE5 - Health, wellbeing, and Health Impact Assessment RE6 - Air Quality RE7 - Managing the impact of development RE8 - Noise and vibration RE9 - Land Quality	GBS2 - Green Belt, Designated Land GBS5 - Biodiversity GBS6 - Green space in developments BES2 - Air Pollution BES4 - Drainage and Flooding CHS2 - Electric Vehicle Charging Points	
<b>Miscellaneous</b>	7-12	S1 - Sustainable development		NG11 – Delivery of Infrastructure

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 26<sup>th</sup> July 2023 and an advertisement was published in The Oxford Times newspaper on 27<sup>th</sup> July 2023.

9.2. The application was readvertised by site notice on 5<sup>th</sup> October 2023 and an advertisement was published in The Oxford Times newspaper on 5<sup>th</sup> October 2023.

### Statutory and non-statutory consultees

#### Oxfordshire County Council

#### Highways

9.3. No objection to the proposed development.

- 9.4. This Reserved Matters application seeks planning permission for the details of a decked car park under the outline element of the overarching hybrid planning permission. The proposed car park is to be located to the north of the central land parcel and accessed via a loop road from the central link road the details of which are to be considered as part of a separate permission. The vehicle access to the car park is proposed as an entry at the north east and exit at the south west with both to be barrier controlled. The main pedestrian access will be central to the building and have direct access from the loop road.
- 9.5. The proposed car park will provide a total of 1120 spaces with 56 reserved as blue badge and 250 enabled with EV charging. The car park is intended to serve the buildings consented under Phase 1a and buildings being progressed through Phase 2. The level of car parking provided is in excess of that required for the buildings that are consented or pending and would appear to be sufficient to serve all of the buildings expected in the central parcel.
- 9.6. It will therefore be necessary for the car park spaces to be made available for use in a staged manner alongside the occupation of buildings so as not to embed car based travel habits at an early stage. This can be done through Condition 51 of the outline consent which requires a Car Parking Management Strategy to be submitted and will also include the closure of the existing temporary car park the use of which will transfer to the decked car park. The ANPR operated access system would appear to offer opportunity for this type of use control to take place.
- 9.7. The modular construction of the car park potentially allows for the size of the car park to be reduced over time as travel habits change and the land re-purposed more easily.

#### Drainage

- 9.8. No objection subject to a detailed surface water drainage scheme, which should be provided by condition.

#### Thames Water

- 9.9. Do not wish to comment.

#### Environment Agency

- 9.10. Do not wish to comment.

#### Natural England

- 9.11. No comments.

#### Historic England

- 9.12. No comments

#### Thames Valley Police

9.13. Have not objected but have made the following comments in relation to the proposals:

- The public toilet may be particularly vulnerable to crime and antisocial behaviour. The entrance to the facility should be explicitly covered by CCTV, with regular checks of the area conducted to monitor use and potential abuse of the facility. Consideration should be given to access controlling the toilet for disabled use, such as using the radar key scheme.
- Due to the size of the car park, there is a heightened risk of crime and antisocial behaviour. Therefore, it is crucial that the area is thoroughly monitored by CCTV.
- Requirement to implement measures for suicide prevention including floor to ceiling enclosures to prevent jumping from height. Other recommended measures include emergency call systems, regular security control including a security presence in the car park and mental health training. Have advised following receipt of amended plans showing tensioned security mesh on all floors above ground floor level that this would adequately address the risk of jumping from height.
- Recommend conditions requiring submission of a CCTV study and lighting scheme.

### **Public representations**

9.14. No public comments have been received in relation to the proposed development.

## **10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- Principle of development
- Design and Heritage
- Neighbouring amenity
- Transport
- Drainage
- Ecology

### **Principle of development**

10.2. The application site benefits from a combination of detailed and outline planning permission for 87,300sqm of Class B1 floor space; 2500sqm of Class A floorspace; and 550sqm of Class D1 floorspace as approved under the hybrid planning permission for Oxford North. This was in accordance with the version of the Town and Country Planning (Use Classes) Order 1987 in effect at the time that the application was assessed and presented to members of the planning committee, prior to the Order being amended in September 2020.

- 10.3. This reserved matters application forms part of Phase 2 of the Oxford North development, which includes three employment buildings (Buildings A, B and C), permanent car parking and amendments to the landscaping approved under the detailed element of the hybrid planning permission. The transport implications are discussed in further detail in the transport section of this report, however there is a requirement to provide car parking to serve the buildings already benefitting from planning permission under Phase 1A and Phase 2 of the Oxford North development. The car park would include capacity to provide for future development on the site, including a hotel use and additional employment floorspace.
- 10.4. The hybrid permission is accompanied by a Land Use Parameter Plan, which outlines the permitted spatial distribution of the relevant land uses across the site that are covered by the planning permission. In relation to the application site, the area of the Oxford North site the subject of this application is shown on the Land Use Parameter Plan as a mixed-use area, where Use Class B1 Employment; C3 Residential; C1 Hotel; D1 Non-residential institutions; A1 to A5 Retail uses, including parking and landscaping would be appropriate. A section of the site, comprising a strip of land along the north western edge is shown on the parameter plan as a landscape buffer. The proposed site plan includes landscaping within this section of the site. The proposed car park building would be consistent with the land uses parameter plan for Oxford North and is considered acceptable.
- 10.5. The hybrid permission was accompanied by an illustrative masterplan, which formed part of the approved plans accompanying the hybrid permission and is intended to guide the layout of elements of the site benefitting from outline permission, including the siting of buildings, uses and landscaping. This is an indicative document, and the position of buildings is not intended to be fixed, which is why the majority of the site is covered by outline planning permission only. The approved masterplan includes provision for a large, decked car park within a similar position to the proposed building, although the proposed car park is located slightly closer to the western boundary of the site. The car park shown on the illustrative masterplan is deeper than the proposed car park, although the length of the car park on the masterplan as indicatively shown is less. The indicative masterplan also showed two further decked car parks, including a smaller car park to the north east of the application site, closer to the A44, as well as another larger decked car park on the 'Eastside' Area of the Oxford North site on the land to the east of the A44. Undercroft and podium car parking was also shown for two of the employment buildings, located in the position of approved Plots A and B and was not proposed on either of the approved plans. The design and transport/accessibility implications of the car park siting are discussed in further detail in the following sections of this report, however the in-principle siting of the car parking is considered acceptable in line with the approved land uses parameter plan.

### Environmental Impact Assessment

- 10.6. 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.

10.7. The proposals submitted under this reserved matters application do not deviate from the parameters of the hybrid planning permission and the fundamental details outlined within the previously submitted Environmental Statement, in terms of the scope of development and overall scale and layout of the development. 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, Visual and Heritage Impact**

10.8. 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. Paragraph 134 of the NPPF also sets out that development should take into account the principles set out within the National Design Guide and National Model Design Code.

10.9. Policy NG7 of the Northern Gateway Area Action Plan states that planning applications will be required to demonstrate that new development has been designed with an understanding of the area's heritage, setting and views. Applications will be required to demonstrate how the Wolvercote with Godstow Conservation Area and how views of, into and out of the site have influenced proposals. Planning permission will only be granted for developments that demonstrate compliance with the Northern Gateway Design Code.

10.10. The proposed car park would be a system built, component-based structure consisting of a steel frame with steel mesh railings on each level. The design of the car park is functional and has been informed by the buildings practical purpose. The system-built nature of the car park means that the structure is lightweight in appearance, which limits the visual impact of the building in terms of its bulk and presence. The barriers on each level consist of visually permeable steel mesh, as opposed to more solid masonry or opaque materials. The height of the steel mesh has been increased to full height on the first floor and all levels above in response to concerns expressed by the Police that there were inadequate design measures in place to address suicide prevention. Notwithstanding the increase in the mesh surrounding the car park, officers consider that the lightweight and transparent appearance of the mesh would avoid the upper sections of the car park appearing heavy in views from within the site, including from the loop road along the frontage of the car park and the access road to the north of Plot B as well as in external views into the site, including from the raised section of the A34 and further wider views, including views from the A40 looking eastwards.

10.11. Officers note that Thames Valley Police have requested that a lighting strategy and CCTV operational requirements study should be carried out and submitted by condition. Officers note that condition 38 of the hybrid planning permission already requires the submission of a lighting strategy to be submitted for approval in writing, whilst condition 63 requires details of CCTV to be installed to

also be submitted for approval in writing and there would be no need to replicate these conditions under this reserved matters application. Officers consider that it would be appropriate to require details of security, management, and maintenance of the car park to be submitted as part of a car park management and phasing plan. This is to ensure that the car park is a safe and secure environment and to prevent opportunities for crime.

- 10.12. Concentrating parking within a single large multi-level car park would represent a more efficient use of land compared to a single or multiple surface level car park or multi-level car parks of a smaller scale, this would align with the objectives of Policy RE2 of the Oxford Local Plan. There are clear advantages in urban design terms as this limits the extent of parking required elsewhere on the site including on individual plots as surface level parking, or at podium or basement level, which would limit the extent of active ground floor frontages.
- 10.13. The system-built nature of the car park means that the car park, or sections of the car park are demountable and may be removed if no longer required, should the modal share of car users decline because of future changes to future patterns of travel, including trends identified in future travel plans applicable to employment uses on the site. This was an approach that was supported by the Oxford Design Review Panel (ODRP), as set out within their letter contained at Appendix 3 of this report.
- 10.14. Soft landscaping is proposed around the edge of the building to soften the appearance of the building in views from within the site. Street trees are proposed along the secondary access route to ensure that the ground level views along this street are attractive and to ensure consistency with the similar planting of street trees across the central parcel of the Oxford North site. Some additional planting is also proposed along the north western edge of the site, which would assist in providing further screening to supplement the planting that is already provided along the adjoining embankment with the A34.
- 10.15. Policy RE1 of the Oxford Local Plan requires the incorporation of sustainable design and construction principles into new developments. A Sustainability Strategy has been submitted in support of the planning application, which outlines that the following measures have been incorporated to meet the sustainable design criteria required under Policy RE1 of the Oxford Local Plan:
- Demountable design using off-site construction.
  - Use of sustainable cement and steel with a high percentage of recycled content.
  - Lightweight structure minimising extent of foundations required and materials usage.
  - Minimisation of waste generation and maximising extent of waste to be recycled.
  - High efficiency lighting with adaptive controls.
  - High efficiency of water consumption for WC's and other water consumption devices.
  - Metering to monitor the building's energy and water consumption.

- Incorporation of sustainable drainage measures and measures to enhance biodiversity net gain.

Policy RE1 requires that new non-residential developments of over 1000sqm achieve at least a 40% reduction in carbon emissions from the 2021 Part L Building Regulations compliant base case. It is also required that developments of over 1000sqm meet BREEAM excellent standards. The car park however is not a conventional building designed for occupation and is open sided without windows or continuous walls. It would not therefore be possible for the development to meet BREEAM excellent standards or achieve a 40% reduction in carbon emissions assessed against Part L Building Regulations. As the car park is not a conventional structure, which could be assessed against these particular aspects of Policy RE1, officers consider that the proposals would not depart from the aims of policy RE1, particularly as the proposals incorporate a range of other sustainability measures which align with the requirements of Policy RE1 of the Oxford Local Plan.

10.16. Policy DH2 of the Oxford Local Plan sets parameters, when considering the height of new development within the city and provides guidance applicable to higher buildings within the city. In relation to the Oxford North site, the hybrid planning permission was accompanied by a building heights parameter plan, which formed part of the approved set of drawings accompanying the planning application. The purpose of the parameter plan is to set height limits across the site for subsequent reserved matters applications, as the heights set out in the parameter plan have been tested as part of an LVIA and are accounted for in the assessment of the impact of the development in the Environmental Statement, where this relates to the landscape impact and impact on the setting of heritage assets. The height parameters are defined in metres as Above Ordinance Datum (AOD), which relates to heights above mean sea level.

10.17. The levels and staggered nature of the structure account for the lower AOD parameters in the section of the site nearest the A34, where the maximum permitted height falls to 82 metres AOD. The height of the structure would largely fall within the height parameters shown on the approved height parameter plan accompanying the hybrid permission, with the exception of a very small section of roof of an escape stair that is located along the north western side of the car park. Lighting columns located on the upper floor of the car park would also extend above the 82 metres AOD. Most of the structure falls within a section of the site where the maximum permitted height would be either 86 or 90 metres AOD and neither the car parking or lighting would exceed the 86 or 90 AOD metre parameters. As noted in the paragraphs below, officers consider that the extremely limited extent of deviation from the height parameters is acceptable when considering the very limited impact in visual terms of the small section of the roof of the stair core and lighting columns that would extend above the height parameters. The very minor extent deviation is shown on the plan below, where the aforementioned elements sit above the red line:



10.18. The landscape impact of the heights proposed within the height's parameter plan has been assessed in detail under the hybrid planning permission. A revised LVIA has also been submitted, which assesses the impact of all the buildings proposed under Phase 2 of the development, the subject of recent reserved matters applications. This includes modelling of the scale and height of the proposed buildings.

10.19. Visibility of the car park beyond the site would be predominantly limited to views from the west. The Phase 1a buildings and the Red Hall, which are currently under construction as well as Plots A, B and C which are located to the south, and south east of the site of the proposed car park would likely limit views of the car park from the south and east almost entirely given that these buildings are of a greater scale and height than the car park. In terms of views from the north, visibility would be predominantly limited to views from the A44. Whilst the car park would be relatively visible at the current time, the car park would sit to the rear of what are likely to be future development plots facing the A44 and over time it is likely that there would be only glimpsed views of the car park from the A44, aside from in views adjacent to the Peartree Roundabout.

10.20. The upper sections of the car park would be visible from the west, including in views from the A40 as there are no intervening development plots or buildings in the foreground of these views. Lower sections of the car park would sit below the adjoining A34 embankment in views from the west. The whole of the car park would be visible from the A34 itself. In all views, including those views from the west where the building would be most prominent, the development would be visible against a backdrop of large employment buildings. The masterplan for Oxford North, height parameter plans and the Area Action Plan account for the siting of large employment buildings and the character of the site is undergoing transformation from a rural approach to what would be a new urban extension to Oxford. This is reflected in the scale of the buildings, which benefit from approval under the hybrid permission and subsequent reserved matters applications.

10.21. The car park sits almost fully within the height parameters deemed appropriate under the hybrid planning application and the impact of the sections of the car

park that would extend above the height parameters are considered to be negligible in visual terms, where assessed against the baseline height parameters set out within the parameter plan. This is limited to a series of lighting columns and a very small section of the top of the stair towers. The car park would be of a much lower height than the surrounding buildings benefitting from planning permission, including Plots B and C and the approach to the elevational treatment and materiality of the car park would serve to limit the presence of the building in terms of its volume and heaviness. Some further screening would also be provided once the proposed trees located to the west of the building are established.

10.22. The application site was removed from the Oxford Green Belt prior to the adoption of the Northern Gateway Area Action Plan and no part of the proposed development lies within land falling within the Green Belt. Although no development is proposed within the Green Belt there is a requirement to consider whether the proposals would preserve the openness of the Green Belt in accordance with Paragraph 137 of the NPPF and Policy G3 of the Oxford Local Plan, which is relevant given that the site is adjacent to land remaining within the Green Belt.

10.23. The impact of the proposals submitted under this reserved matters application on the openness of the Green Belt must be considered in the context of the hybrid planning application, which outlines parameters for building heights, the likely quantum of development on the Central Site, as well as the site masterplan. Officers in their analysis of the landscape and visual impact of the hybrid proposals concluded that there would be an impact in visual terms, given the scale and height of development proposed on the site, in turn this would impact on the openness of the green belt in spatial and visual terms given the urbanising impact of what is a substantial edge of city urban development.

10.24. The development proposed within this application would impact on the openness of the green belt in spatial and visual terms to a minor degree particularly given the location of the site of the car park on the edge of the wider Oxford North site and the visibility of the upper sections of the structure from the west. As views from Port Meadow are limited given the presence of intervening buildings located in the foreground, it is considered that the proposals in isolation would have no significant impact on the greenbelt, where experienced in views from Port Meadow. Overall, it is considered that the development would have no greater impact on the openness of the Green Belt than the scope of impact accounted for under the hybrid approval. It is considered that the proposals would generally accord with Policy G3 of the Oxford Local Plan or Paragraph 137 of the NPPF.

### Heritage Impact

10.25. The Wolvercote with Godstow Conservation Area extends to a point approximately 130 metres to the south west of the application site and the development would fall within the wider setting of the Conservation Area. The building 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.

- 10.26. 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.
- 10.27. 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.
- 10.28. 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 17<sup>th</sup> 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 20<sup>th</sup> Century which has greatly altered the original setting of the listed buildings. There are also two late 18<sup>th</sup> 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.
- 10.29. 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.
- 10.30. Policy DH3 of the Oxford Local Plan specifies that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance, character and distinctiveness of the heritage asset and locality. 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).
- 10.31. 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, which concluded that there would be no harm to the

setting and significance of this Conservation Area due to the site's peripheral setting in relation to the Conservation Area.

- 10.32. 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. The impact of the proposed development is assessed to not be significantly greater than the scope of the development permitted under the hybrid permission.
- 10.33. 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.
- 10.34. 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 Farmhouses.
- 10.35. The proposals within this application for a multi-storey car park are consistent with the scope of the original hybrid planning permission which accounts for the requirement to provide parking on the Oxford North site, including multi-storey parking. As noted in the above paragraphs, with the exception of a very small section of the stair cores on the western side of the building and lighting columns, the development would not extend above the height parameters allowed for under the hybrid permission. Given the siting of buildings under construction (Phase 1a) and development benefitting from planning permission (Plots A, B and C) it is unlikely that the car park would be seen or would be visible to any significant degree in views from within the Wolvercote with Godstow

Conservation Area. The development would be visible in views into the Conservation Area from the west, however as also noted in the above paragraphs, the building would be set against a backdrop of relatively large-scale employment buildings, both permitted or allowed for within the scope of the original permission and the development would not appear incongruous within this new urban context.

10.36. Officers consider that there would be no additional harm to the setting of any surrounding listed buildings, or the setting of both adjoining Conservation Areas as a result of the proposed development compared with the consented scheme. There would still be a moderate level of less than substantial harm associated with the proposals, which was the case with the wider proposals approved under the hybrid permission.

10.37. In the context of Paragraph 202 of the NPPF, 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 also 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.

10.38. 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 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. The specific proposals would provide vital infrastructure in the form of car parking and whilst there is an ambition set out within Policy M1 of the Oxford Local Plan to reduce dependence on private car use, there is still an identified need to provide car parking to serve approved and future development plots. The development is therefore necessary to facilitate the delivery of employment floorspace on the site (up to 70,000sqm), an extent of which benefits from planning permission, as well as a future hotel use and is therefore essential in facilitating the economic benefits of the development as a whole.

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.

### **Amenity Impact**

10.40. The nearest existing residential dwellings at Woodstock Road are located over 400 metres from the proposed car park, which is a considerable distance and it would be expected in line with the planning permission that further buildings would be developed between the car park and these adjoining properties under future phases of the development. Accounting for the significant separation distance it is considered that the development would not have an adverse impact



on the amenity of any existing residential uses by reason of scale, siting or noise impacts. Similarly in terms of future residential uses on the Canalside section of the Oxford North site, there would be a separation distance of over 100 metres between the car park and the proposed buildings and therefore the proposed development would not have an adverse impact on any future residents of these properties.

10.41. The closest adjoining use is at Red Barn Farm, which is located approximately 75 metres to the north east of the proposed car park. The site consists of a range of buildings used by Trax, a community organisation. The siting of the car park would not have an adverse impact on the use of the buildings on this site. The proposals are therefore considered to not impact on the amenity of any adjoining residential, or non-residential uses and are compliant with Policy RE7 of the Oxford Local Plan.

## **Transport**

10.42. Policy M1 of the Oxford Local Plan outlines the need for development to be planned in a way which prioritises access by walking, cycling and public transport. This is crucial in achieving a modal shift away from private car use as the default means of accessing new developments, in this case as a means of commuting.

10.43. The wider transport impact of the Oxford North development as a whole was assessed under the hybrid planning application in the Transport Assessment and Environmental Statement accompanying this application. In terms of employment uses, the transport impacts of a development of up to 87,300sqm was assessed as not having a severe cumulative residential impact on the highway network, or an unacceptable impact on highway safety or amenity.

10.44. The Section 106 agreement accompanying the planning permission sets the target parking threshold for employment uses at Oxford North at a maximum of 20% below the Northern Gateway AAP standards (1 space per 50sqm), this equates to a target ratio of 1 space per 62.5sqm for employment uses. Where applying these ratios, the development would provide parking for up to 70,000sqm of employment space. Policy M3 of the Oxford Local Plan does not set specific standards for employment based uses and requires instead that standards are set on a site-by-site basis, based on an objective transport assessment. Presently just over 60,200 square metres of employment space has been approved under the Phase 1A and the Phase 2 reserved matters applications. Applying the maximum parking standards permitted within the Section 106 agreement, this would mean that a maximum of 963 spaces may be allocated within the car park to serve the existing plots. It is proposed that 100 of the car parking spaces may be allocated for a future hotel use, which is permitted under the outline application and is expected to be provided on a vacant plot adjacent to approved Plot C. 56 (5%) of the parking spaces are proposed as blue badge spaces. 40 motorcycle parking spaces are proposed as well as 7 spaces at ground floor level for estate management vehicles (maintenance/security).

10.45. Provision of all employment buildings on the Oxford North site would be phased to ensure that parking provision for the individual plots does not exceed

the ratio of 1 space per 62.5sqm, it is important that the provision of parking is also phased to ensure that there is not a temporary overprovision of spaces for the individual plots. There are measures that could be implemented to control the phased provision or allocation of spaces, which may include limiting access to certain spaces in the car park, including the closure of levels and sections of the car parking. A car park management plan will be required by condition before the first use of the car park, which sets out how the delivery of car parking would be phased and how spaces are allocated to individual plots over time. This would be necessary to ensure that the wider sustainability objectives outlined under Policy M1 of the Oxford Local Plan are met.

- 10.46. The parking standards quoted above are maximum parking standards and as noted in the design section of this report, the system-built nature of the car park means that the structure is demountable allowing for parking to be reduced over time. The Framework Travel Plan accompanying the planning application included the broad aim of reducing single occupancy car trips by 12% by year 5 following first occupation of the development. It is also a requirement of the Section 106 agreement that a Travel Plan is submitted for each commercial unit prior to the occupation of any commercial unit. The travel plans for the respective plots will identify where parking may be reduced below the present maximum standards to meet the aims of Policy M1 of the Oxford Local Plan. Within this scenario sections of the car park could be removed, or alternatively the car park could be used to accommodate parking for future commercial plots, reducing pressure for parking to be provided elsewhere on the site. The car park management plan required by condition would be expected to outline measures for reducing parking over time, including details on how this may be achieved through the adaptation, repurposing or removal of elements of the structure.
- 10.47. A temporary car park was approved under the detailed element of the hybrid planning permission, this is located on the site of Plot C, which benefits from planning permission for a building that would be delivered under Phase 2 of the Oxford North development. A temporary planning application was approved in July 2023 for the retention of the car park for a period of 5 years, following the removal of the temporary car park from the detailed part of the hybrid planning permission. The purpose of the temporary planning application was to ensure that the site of the temporary car park could be redeveloped through a subsequent reserved matters application, as was envisaged within the development masterplan for the site. It is a condition of planning permission 23/01191/FUL that the temporary car park is permanently removed before the first use of a permanent car park, which would include the proposals within this application, or after a period of five years from the date that the planning permission was issued.
- 10.48. Policy M4 of the Oxford Local Plan requires that a minimum of 25% of all parking spaces in non-residential developments are fitted with electric vehicle charging points. The transport statement sets out that 250 car parking spaces (22%) are proposed within the car park with ducting to allow other spaces to be upgraded. This would fall short of the requirements outlined under Policy M4 and it has been agreed with the applicant that a higher number of spaces (at least 25%) shall be fitted with EV charge points, details of this infrastructure and its provision are proposed to be secured by planning condition.

## Drainage

10.49. 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.*

10.50. 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.

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

10.52. 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 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.

10.53. 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 to be submitted for each phase of the development.

10.54. It has been agreed with the County Council that provision of a detailed surface water drainage strategy could be secured by condition. This is to allow progression of detailed design work on Plots A and B post planning which form part of the Phase 2 drainage strategy, of which the development is also part of. The overall principles of the drainage strategy are agreed with the County Council and this is considered to be an appropriate approach. Subject to the provision of a detailed surface water drainage strategy, it is considered that the proposals would comply 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 also 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 (WPN) 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 WNP Area 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 development is one of several applications forming Phase 2 of the Oxford North Development. A biodiversity strategy was prepared by the applicants which is related to all works proposed under Phase 2 of the Oxford North development and would provide 5.7 biodiversity units. The proposals contained in the reserved matters application relating to the car park, include the provision of additional tree planting and landscaping surrounding the building, as well as the provision of green roofs above the stair towers serving the parking, which was specifically suggested by ODRP as a means of achieving biodiversity net gain. In total the proposed enhancements are forecast within the applicant's technical note to provide 0.25 biodiversity units. New hedgerow species rich planting is also proposed, which are forecast to provide 1.66 hedgerow units. In addition to this, ecological enhancements are proposed, which would comprise 6 swift boxes or bricks and 8 house sparrow terraces. An insect hotel is also proposed within the soft landscaped area on the north east side of the car park.
- 10.59. Overall, the proposals would provide a small but valued contribution to biodiversity net gain and would therefore comply with Policy G2 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. 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 was established through the approval of the hybrid planning permission to which this reserved matters application relates. The matters for consideration under this reserved matters application relate only to detailed matters that were not established under the hybrid permission.
- 11.4. There is a need for parking to be provided on the Oxford North site in order to serve employment floorspace that has already been permitted under Phase 1a of the development and Plots A, B and C proposed under Phase 2 of the development. The proposed multi-storey car park would provide parking for 1120 cars. The Section 106 agreement accompanying the planning permission sets the target parking threshold for employment uses at Oxford North at a maximum of 20% below the Northern Gateway AAP standards (1 space per 50sqm), this equates to a target ratio of 1 space per 62.5sqm for employment uses. Where applying these ratios, the development would provide parking for up to 70,000sqm of employment space on the site. As the delivery of employment floor space would be phased, a condition will be required, which sets out how the parking spaces within the multi-storey car park would be allocated and phased to avoid overprovision of parking during the early phases of the development. Subject to the submission of an appropriate management strategy, the proposals would comply with Policy M3 of the Oxford Local Plan.
- 11.5. The in-principle siting of the car parking aligns with the land use parameter plan for Oxford North. The development masterplan envisaged that parking would be located within multi-storey car parks, this has an advantage in design terms as this prevents provision of extensive on-plot parking throughout the site limiting the spread of parking throughout the public realm and makes for a more efficient use of land.
- 11.6. The car park design is functional and is designed to be demountable should demand for parking decrease. The appearance is lightweight which reduces the buildings visual presence in the streetscene and in surrounding views. With the exception of a very small section of the western stair cores and lighting columns, the structure would comply with the building heights parameter plan. The building is likely to only be significantly visible from the west and north of the site,

although views from the north would be much more limited once future plots adjacent to the A44 are developed under later phases. In all views the structure would sit against the backdrop of large employment buildings and the character of the site is undergoing transformation following the approval of the hybrid planning permission on the site. The scale and siting of the building is therefore considered appropriate, and the building when considered in the scope of the development permitted under the hybrid planning permission would not have an additional harmful impact in visual terms. The proposals are therefore considered to comply with Policies DH1 and DH2 of the Oxford Local Plan and Policy NG7 of the Northern Gateway Area Action Plan.

11.7. It is considered that the scale and siting of the building would not result in any additional harm to surrounding heritage assets. The public benefits of the development, when considered in the scope of the benefits delivered under the hybrid planning application as a whole would outweigh the less than substantial harm that would be caused to the setting and significance of surrounding heritage assets.

11.8. It is recommended that the Committee resolve to grant reserved matters permission for the development proposed subject to the conditions in section 12 of this report.

## **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 unless otherwise required by other conditions on this reserved matters approval.

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.

### *Materials*

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

Reason: In the interests of visual amenity in accordance with Policy DH1 of the Oxford Local Plan 2016-2036.

### *Car Parking Strategy*

3. A car park management and phasing plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works. The car parking strategy shall include the following details:

- Details of how and where parking will be allocated for individual plots/buildings.
- The number of parking spaces allocated for individual buildings/plots – the quantity of which shall be no greater than a ratio of 1 parking space per 62.5sqm of employment floorspace.
- A phasing and management strategy outlining measures to prevent overprovision of parking during early phases of the development and outlining when specific spaces/areas of the car park will be made available for use.
- Details of security measures and site management and maintenance.
- Details relating to how parking provision may be reduced over time in line with the objectives of the Framework Travel Plan and individual commercial travel plans for the individual plots on the site.
- Details outlining how elements of the structure would be removed, altered or adapted where parking is no longer required.

The development shall be carried out in full accordance with the approved car park management and phasing plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the phased delivery of car parking to serve the proposed development up to a maximum permitted level in the interests of highway safety and amenity and ensuring a modal shift to more sustainable modes of travel in accordance with Policies M1, M2 and M3 of the Oxford Local Plan and Policy NG6 of the Northern Gateway Area Action Plan. To ensure adequate measures are implemented for security to prevent opportunities for crime in accordance with Policy DH1 of the Oxford Local Plan.

#### *EV Charging Infrastructure*

4. Prior to the first occupation of the building, details of the Electric Vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following provision:
  - Location of EV charging points;
  - The amount of electric car charging points shall cover at least 25% of the amount of the permitted parking spaces.

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

Reason - To contribute to improving local air quality in accordance with policy M4 of the Oxford Local Plan 2016-2036 and enable the provision of low emission vehicle infrastructure.

#### *Landscaping*

5. The development shall be carried out in accordance with the landscaping proposals submitted with this application. The landscaping shall be carried out no later than the first planting season after first occupation or first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

### *Tree Planting Pits*

6. Details of tree pit designs for each of the public realm tree planting types specified in the approved landscaping plan and details for their future maintenance shall be submitted to and approved in writing by the Local Planning Authority 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 car park hereby permitted unless otherwise agreed in writing by the Local Planning Authority and shall be maintained thereafter 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.

### *Drainage*

7. Notwithstanding the details submitted with this planning application, the development shall not commence until a detailed surface water drainage scheme has been approved in writing by the Local Planning Authority. The scheme shall be in accordance with the submitted site-wide surface water drainage scheme and shall include:

- a.) Full microdrainage calculations for all events up to and including the 1 in 100 year plus climate change;

- b.) Detailed design drainage layout drawings of the sustainable drainage scheme proposals including cross section details;

- c.) A detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element. The development shall be carried out in full accordance with the approved surface water drainage strategy.

The approved drainage scheme shall be implemented prior to first use of the car park.

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



### *Biodiversity Net Gain*

8. 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 in writing by the Local Planning Authority and referred to in “Technical Note: Car Park 1 – response to the requirements of Condition 52 prepared by BSG Ecology”. The Development shall be carried out in accordance with the approved Scheme and the measures listed in the report shall be provided in full prior to the first use of the building 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.

### *Energy and Sustainability Report*

9. The development shall be carried out in accordance with the recommendations outlined in the submitted ‘Approach to Sustainability Report – Revision 01 30 June 2023 prepared by Hoare Lea’ reference REP-2324753-05-JT-20230630-ON.

Reason: To ensure the incorporation of sustainable design measures within the completed development in accordance with Policy RE1 of the Oxford Local Plan.

## **13. APPENDICES**

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

## **14. HUMAN RIGHTS ACT 1998**

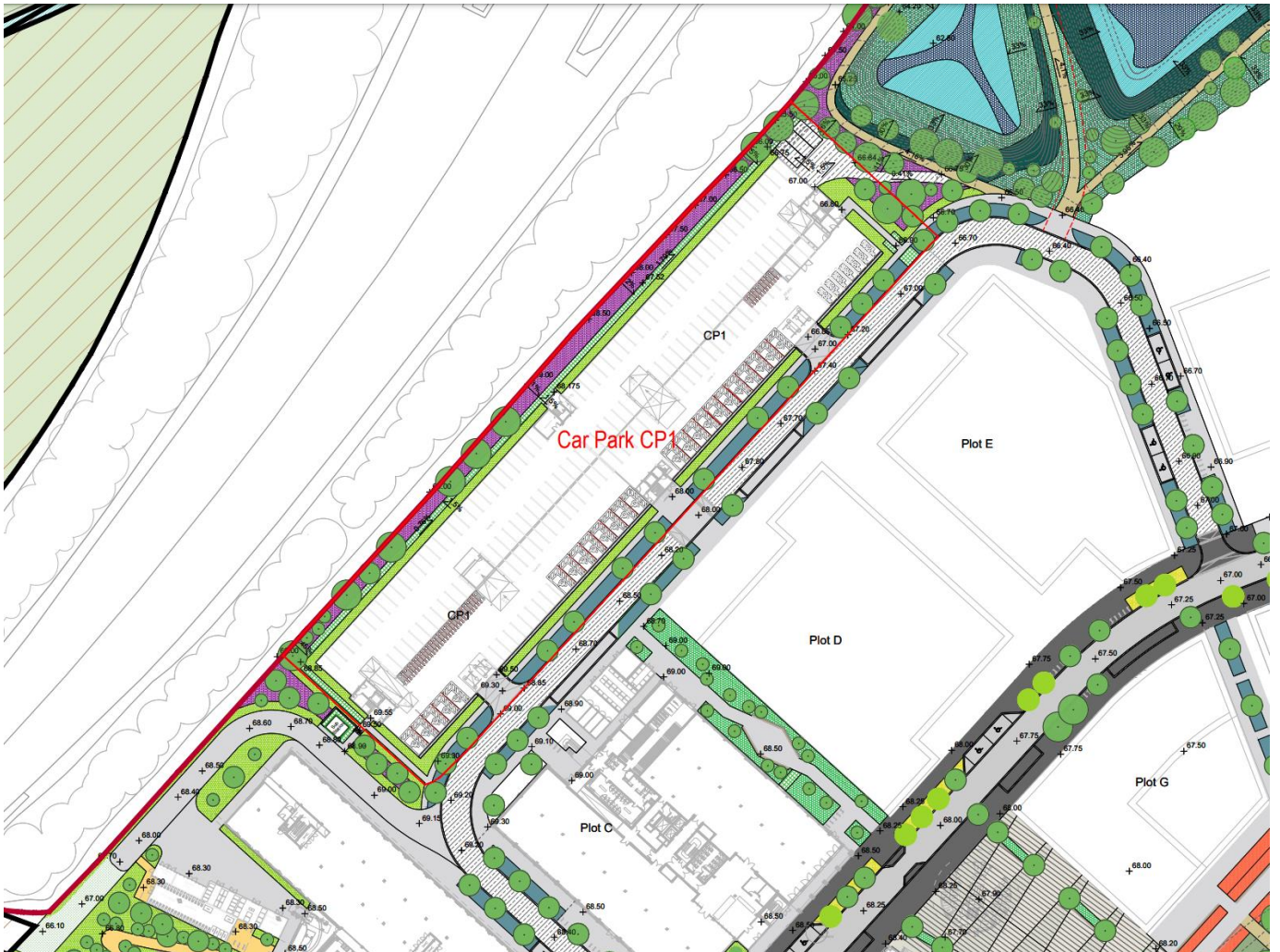
- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection 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 reserved matters approval, officers consider that the proposal will not undermine crime prevention or the promotion of community.

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# Appendix 1 – Site Plan for 23/01592/RES – Multi-Storey Car Park



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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

25<sup>th</sup> November 2022

## Introduction

A design workshop was held in Oxford on 10<sup>th</sup> 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

<b>Reference number</b>	Ref: 1869/221110
<b>Date</b>	10 <sup>th</sup> November 2022
<b>Meeting location</b>	Jurys Inn (Leonardo Royal Hotel), Godstow Rd, Oxford OX2 8AL
<b>Panel members attending</b>	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
<b>Panel manager</b>	Lizzie Atherton, Design South East
<b>Presenting teams</b>	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
<b>Other attendees</b>	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
<b>Site visit</b>	Panel members visited the site before the meeting, accompanied by the client, design team and City Council officers

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

## Appendix B: Scheme details

<b>Name</b>	Oxford North Phase 2
<b>Site location</b>	Oxford North (Northern Gateway) Land Adjacent To A44, A40, A34 And Wolvercote Roundabout.
<b>Site details</b>	<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>
<b>Proposal</b>	<p>The proposals relate to ‘phase 2’ of the Oxford North works, comprising:</p> <ul style="list-style-type: none"> <li>- three new life sciences buildings on plots A,B, and C; parking provision;</li> </ul>

- 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.

<b>Planning stage</b>	The scheme is at pre-application stage with intention to submit a reserve matters application.
<b>Local planning authority</b>	Oxford City Council
<b>Planning context</b>	<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"> <li>- Up to 90,000sqm of B1 employment</li> <li>- Up to 500 dwellings</li> <li>- Up to 2,500 sqm of local retail uses</li> <li>- 180 bed hotel</li> </ul> <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>
<b>Planning history</b>	<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"> <li>(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</li> </ul>

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).

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#### 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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## OXFORD CITY PLANNING COMMITTEE

21<sup>st</sup> November 2023

<b>Application number:</b>	23/02092/FUL		
<b>Decision due by</b>	21 <sup>st</sup> December 2023		
<b>Extension of time</b>	N/A		
<b>Proposal</b>	Partial demolition of and alterations to Littlemore House. Erection of 1no. research and development building (Use Class E) at Littlemore House with ancillary accommodation, clinic, educational floorspace and restaurant, new access arrangements, parking, landscaping, engineering and ground modelling works.		
<b>Site address</b>	Littlemore House, 33 Armstrong Road - see <b>Appendix 1</b> for site plan		
<b>Ward</b>	Littlemore Ward		
<b>Case officer</b>	Jennifer Coppock		
<b>Agent:</b>	Mr Guy Wakefield	<b>Applicant:</b>	Ellison Oxford Limited
<b>Reason at Committee</b>	Major development		

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### 1. RECOMMENDATION

1.1. The Oxford City Planning Committee is recommended to:

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

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

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

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning and Regulatory Services considers reasonably necessary;
- finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to

dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning and Regulatory Services considers reasonably necessary; and

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

## 2. EXECUTIVE SUMMARY

- 2.1. The Planning Committee recently resolved to grant planning permission for development on both the Littlemore House site and plot 18 of The Oxford Science Park (TOSP), linked by an elevated walkway (Ref. 22/02969/FUL). The Committee's resolution was subject to receiving and resolving any concerns that the Environment Agency (EA) may have, as at the time of Committee, the EA had not commented on the application due to resourcing issues. The resolution was also subject to the prior completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers. This current application was submitted in September 2023 in order to avoid further delays in commencing meaningful development on the Littlemore House site whilst we awaited final comments from the EA, as this site was not the subject of concerns raised by the EA. The EA issued final comments on 3<sup>rd</sup> November 2023, confirming that they do not object to application 22/02969/FUL, subject to conditions (listed at section 12 below). The applicants have however decided to proceed with this current application to provide a fall back position should there be any hold ups to issuing planning permission on the 2022 application. This current application will also require the prior completion of a legal agreement which will need to be agreed by both the City and County Councils.
- 2.2. This proposal remains the same as the 2022 application, but simply omits the elevated walkway and development at plot 18 and increases the provision of roof mounts solar PV panels at Littlemore House to ensure compliance with Local Plan policy RE1. Please refer to the original Committee Report at **appendix 2** for details on the original scheme. For clarity, the applicant is fully committed to implementing development on plot 18 of TOSP as well as Littlemore House and would revert to this scheme once the legal agreement is completed and planning permission is issued.
- 2.3. This report considers development at Littlemore House, Armstrong Road. The proposal includes the partial demolition of Littlemore House, a non-designated heritage asset, and erection of a new 2 storey (with lower ground and basement levels) laboratory building with ancillary clinic, restaurant, accommodation and educational floorspace. Officers consider that the proposed development would respond appropriately to the site context and Local Plan policies. The proposal would provide improved wider transport infrastructure through financial contributions and it is considered that there would be no harm to the highway network as a result of traffic generation. The development would result in a net gain in tree canopy cover through new and retained soft landscaping.
- 2.3. There would be no harm to any identified protected species and the proposal would achieve a Biodiversity Net Gain in excess of 10%. The development would be of a sustainable design and construction, achieving a 41% reduction in carbon



emissions when set against the 2021 Part L Building Regulations. The proposed car parking provision is considered acceptable in accordance with the objectives of the Oxford Local Plan 2036 and adequate cycle parking would be provided across the site, with further details to be secured by condition. There would be no adverse land contamination, noise pollution or air quality impact as a result of the proposal.

- 2.3. Subject to the imposition of appropriately worded conditions and a section 106 legal agreement, the development would accord with all policies in the Oxford Local Plan 2036 and the NPPF.

### **LEGAL AGREEMENT**

- 2.4. This application is subject to a legal agreement to cover:

- £551,398.00 towards the Eastern Arc bus route.
- £432, 345.00 towards the Cowley Branch Line
- £212,497.00 towards active travel improvements.
- £2,563.00 towards Travel Plan monitoring.
- Agreement to enter into a S278 Agreement with the Highways Authority.
- Agreement to enter into a Community Employment and Procurement Plan with the City Council.
- Agreement to achieve Biodiversity Net Gain on site.

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

- 3.1. The proposal is liable for CIL to the amount of £626, 935.14

### **4. SITE AND SURROUNDINGS**

- 4.1. The application site extends to approximately 3ha and comprises Littlemore House, a C-shaped building within an expanse of inconsistently sloping grassed and treed landscape, which was formerly part of the wider Littlemore Hospital site and converted in the late 1980s for research purposes. It was then acquired and occupied up until recently by the SAE Institute for a media college and office space. The primary accesses to the site are from Mandlebrote Drive to the west of the building and Armstrong Road, to the east of the building which runs through the centre of the site and is characterised by an avenue of Lime trees. The site is delineated by a belt of hedgerow and trees and comprises a protected Horse Chestnut tree.
- 4.2. Littlemore House is not listed, but is considered a non-designated heritage asset due to its former relationship to the adjacent Grade II listed Littlemore Hospital. There are no Conservation Areas covering the site but the Littlemore Conservation Area does sit approximately 360m north west of the site. The site

lies within Flood Zone 1 (low probability of flooding), but adjacent to Flood Zone 2 (medium probability of flooding).

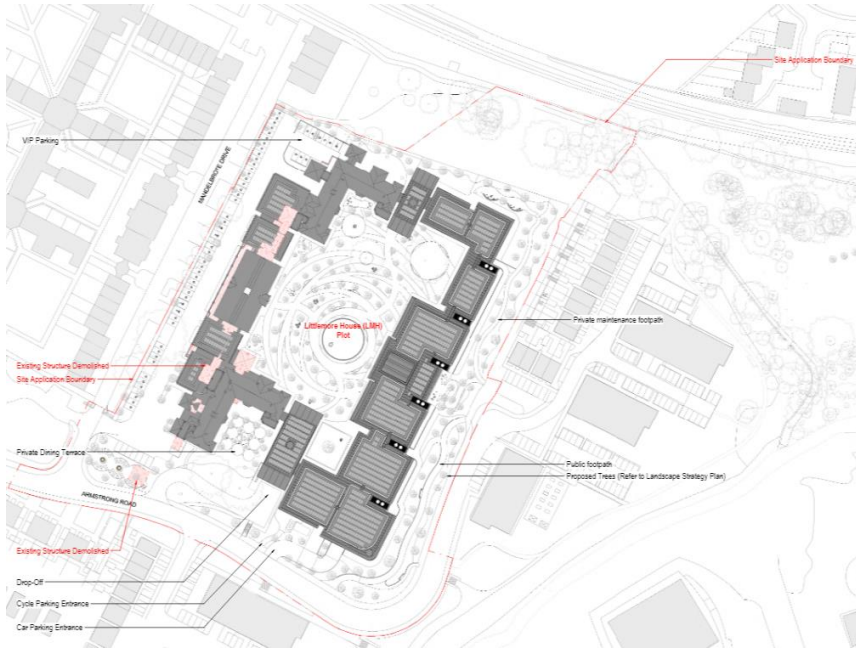
- 4.3. Newman Place, a partially constructed and occupied housing development of 270 units fronting Armstrong Road, lies to the east and south of the site while St George's Manor – a converted residential complex within the Grade II listed former hospital site – lies to the west. To the north of the site lies a wooded burial ground, associated with the historic hospital use, with a railway line beyond.
- 4.4. See site location plan below:



**Figure 1: Site location plan**

## **5. PROPOSAL**

- 5.1. This full application proposes the partial demolition of Littlemore House, a non-designated heritage asset, and erection of a new building in quad form connecting to the remaining Littlemore House building. The building would provide Containment Level 1 (low risk biological agents and hazards, genetically modified organisms, animals and plants) and Containment Level 2 (medium risk biological agents and hazards, genetically modified organisms, animals and plants) laboratories for researching the prevention and treatment of cancer. The building would also provide ancillary uses including a publicly accessible restaurant, accommodation for patients and visitors, clinic and educational floorspace. Given the variance in ground level across the site, the new building height would range from 10m to 17m (to the top of the proposed chimneys) which is broadly in line with the height of Littlemore House at approximately 12.5m.
- 5.2. The proposal would provide 176 parking bays which would equate to provision for 33% of staff. Cycle parking, in excess of Local Plan requirements, would also be provided.
- 5.3. Please see proposed block plan at figure 2 below:



**Figure 2: Proposed block plan**

## 6. RELEVANT PLANNING HISTORY

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

88/00882/PN - Change of use from hospital building to scientific research use, buildings 10, 11, 12. Temporary permission 22nd March 1990.

91/01055/NF - First floor extension above existing porch to accommodate new lift shaft. Approved 8th November 1991.

91/01341/NF - Change of use from ward to office (Rivendell II). Approved 6th April 1992.

93/00391/NOY - Demolition of some buildings on the site. Retention of other buildings & change of use from hospital to B1 and outline application for erection of buildings to provide 22,575 sq. m Business Use Class B1 & associated leisure facilities. New access to Sandford Rd (Amended Plans). Approved 16th January 1995.

95/00283/NRY - (1) Retention of use for business (offices and research and development) - Isis Building (granted temporary permission under 94/01341/NF). (2) Change of use from part of hospital to business (research and development and ancillary offices) including 1st floor, extension for lift shaft and external alterations. - Rivendale Building. (3) Change of use from snooker club to business (research and development and ancillary office) including single storey extensions and porticos - Cherwell Building. (4) Demolition of single storey extensions and corridor links, single storey extensions and erection of 2 storey linking corridor between Isis, Rivendell and cherwell buildings. (5) Erection of building to house boilers and plant. (6) Formation of car park for 150 vehicles and access. (7) Formation of temporary access. (Reserved Matters of application 93/00391/NOY). Approved 12th May 1995.

98/01629/NF - Erection of single storey prefabricated buildings arranged around paved courtyard to provide start-up units for Bioscience Companies (998.4 sq. m.) for a five year period. Shared use of existing access & car parking. (Amended plans). Approved 8th January 1999.

00/00737/NF - Erection of 2 additional prefabricated buildings to provide start up units for bioscience companies for 5 year period. Shared use of existing access and car parking. Approved 3rd July 2000.

00/00738/NT - Renewal of planning permission 98/1629/NF for the erection of single storey prefabricated buildings arranged around paved courtyard to provide start up units for Bioscience Companies ( 998.4 sq.m. ) for a further 5 year period. Shared use of existing access and car parking. Approved 3rd July 2000.

06/01648/FUL - Erection of two x 2 storey buildings for B1B (research and Development) Use. 64 parking spaces. Motorcycle and bicycle parking. Bin stores. Approved 6th November 2006.

09/02314/EXT - Erection of two x 2 storey buildings for B1 (B) (research and development) Use. 64 parking spaces. Motorcycle and bicycle parking. Bin stores. Approved 20th January 2010.

11/01569/FUL - Retention of change of use of part of ground floor and whole of first floor from Class B1 offices to mixed Class B1 office and D1 educational use. (Additional Information). Approved 23rd April 2012.

20/02672/FUL - Erection of two 2-storey buildings to provide 3,500 sqm (GIA) of flexible commercial floorspace (Use Class E) with associated car and cycle parking; hard and soft landscaping and public realm works; ancillary structures including refuse stores, substation building and vehicular access via existing entrance from Armstrong Road. Approved 6th October 2021.

23/00392/FUL - Enabling works comprising the removal of topsoil and excavation of land for primary external drainage runs, the installation of pile mats, guide walls, site hoardings, temporary accesses and access gates, and temporary office/accommodation, as well as tree and vegetation removal and other associated works. Approved 26.05.2023

22/02969/FUL - Partial demolition of and alterations to Littlemore House. Erection of 1no. research and development building (Use Class E) at Littlemore House with ancillary accommodation, clinic, educational floorspace and restaurant and erection of 1 no. research and development building (Use Class E) and 1no. building to accommodate servicing plant and bicycle parking facilities at plot 18 of the Oxford Science Park. Erection of an elevated walkway, linking Littlemore House and plot 18 of the Oxford Science Park, new access arrangements, parking, landscaping, engineering and ground modelling works (amended address) (amended documents). Recommended for approval by Planning Committee on 18th April 2023. Awaiting further comments from the Environment Agency and completion of legal agreement.

23/01698/FUL - Erection of temporary site cabins and hoarding. Installation of piling mat, test piles, external scaffolding, grounds source heating tower, crane bases and temporary guide walls. Under pinning of existing building. Ancillary works. Approved 10.11.2023

## 7. RELEVANT PLANNING POLICY

7.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents
Design	126-136	DH1 - High quality design and placemaking DH7 - External servicing features and stores	
Conservation/Heritage	189-208	DH2 - Views and building heights DH3 - Designated heritage assets DH4 - Archaeological remains	
Housing	60-77	H14 - Privacy, daylight and sunlight	
Commercial	81-83	E1 - Employment sites - intensify of uses SP9 - The Oxford Science Park (Littlemore and Minchery Farm)	Employment Skills TAN
Natural environment	174-188	G1 - Protection of Green/Blue Infrastructure G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	Green Spaces TAN
Social and community	92-103	RE5 - Health, wellbeing, and Health Impact Assessment	
Transport	104-113	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development M3 - Motor vehicle parking M4 - Provision of electric charging points M5 - Bicycle Parking AOC7 - Cowley Branch Line	Parking Standards SPD

<b>Environmental</b>	152-173	RE1 - Sustainable design and construction RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE6 - Air Quality RE8 - Noise and vibration RE9 - Land Quality	Energy Statement TAN
<b>Miscellaneous</b>	7-14	S1 - Sustainable development RE2 - Efficient use of Land RE7 - Managing the impact of development	

## 8. CONSULTATION RESPONSES

- 8.1. Site notices were displayed around the application site on 25<sup>th</sup> September 2023 and an advertisement was published in The Oxford Times newspaper on 28<sup>th</sup> September 2023.

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

#### Oxfordshire County Council (Highways)

- 8.2. No objection subject to conditions, financial contributions and agreement to enter into a S278 agreement.

#### Oxfordshire County Council (Lead Local Flood Authority (LLFA))

- 8.3. No objection, subject to conditions.

#### Thames Water Utilities Limited

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

#### Natural England

- 8.5. No comments received.

#### Network Rail

- 8.6. No objection.

#### Littlemore Parish Council

- 8.7. No objection

#### Oxford Preservation Trust

- 8.8. No comments received.

#### Thames Valley Police

- 8.9. No objection, subject to conditions.

Oxford Civic Society

8.10. No comments received.

Active Travel England

8.11. Issued standing advice.

**Public representations**

8.12. No local people have commented on this application.

**9. PLANNING MATERIAL CONSIDERATIONS**

9.1. Officers consider the determining issues to be:

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

**a. Principle of development**

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

9.3. The Oxford Local Plan recognises at paragraph 128 that Oxford has *“one of the highest concentrations of knowledge intensive businesses in the UK. It has the fastest growing and one of the best educated workforces in the country and is the main centre of research and spin outs in the country. The Local Plan supports the growth of these sectors and puts in place measures to manage the effects of success”*. The Oxfordshire Strategic Economic Plan (2017) sets out the long term vision and ambitions for economic growth in the County, which is that overall by 2030 *“Oxfordshire will be recognised as a vibrant, sustainable, inclusive world leading economy driven by innovation, enterprise and research intelligence”*. The Oxfordshire

Local Industrial Strategy (2019) looks to position Oxfordshire as one of the top 3 global innovation ecosystems highlighting the County's world leading science and technology cluster.

- 9.4. Whilst Littlemore House is not allocated for development under the current Local Plan, it is prudent to note that the site was allocated in the former 2001-2016 Local Plan for research and development. The site allocation was not rolled forward as the site was not promoted for allocation by the landowner. The planning history of the site for employment space is a material consideration, with the most recent permission being granted in October 2021 and the 2022 application – including the Littlemore House site - unanimously recommended for approval by Planning Committee in April 2023. Furthermore, the nearby employment uses at The Oxford Science Park also form the context of the site. The planned growth in this knowledge economy and its role in the Oxford economy is also of merit. It is therefore considered that the proposal would support the Oxford economy and its planned growth in this sector, and thus the principle of the development can be supported under policy E1 as outlined above, subject to compliance with other development management policies in the Local Plan.
- 9.5. The submitted Economic Statement estimates that during the construction of the proposed development, an estimated 125 full time equivalent (FTE) jobs would be delivered in Oxford with 466 in Oxfordshire. During the operation of the development, an estimated 291 FTE jobs would be delivered in Oxford and 179 in Oxfordshire. These figures further support the proposed development in economic terms.
- 9.6. In addition to the above, the applicant has committed to entering into a Community Employment and Procurement Plan which would ensure that local people are employed and supplies are locally procured during the construction phase, and potentially the operational phase, of the development. This would be secured by legal agreement.

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

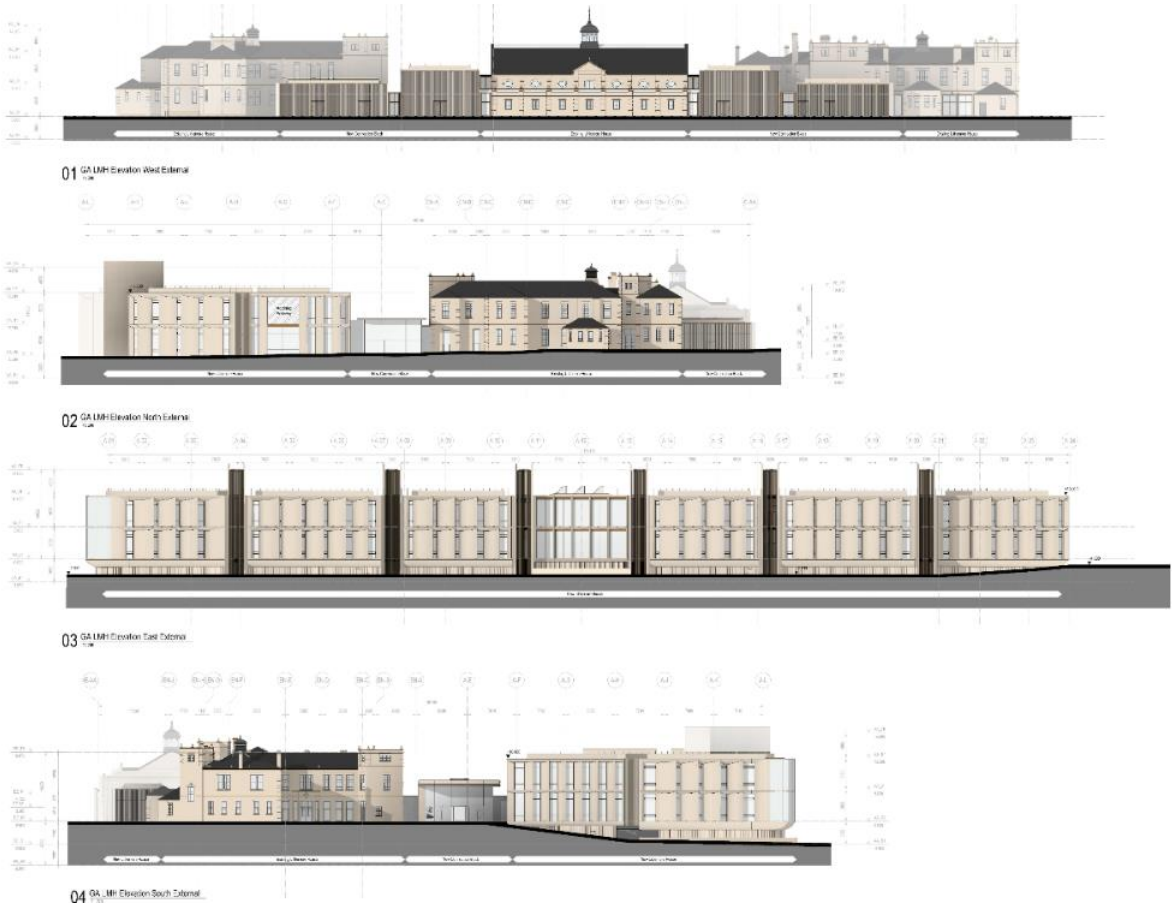
- 9.7. The NPPF makes it clear that the purpose of planning is to help achieve sustainable development (Section 2), and that design (Section 12) and effects on the natural environment (Section 15) are important components of this.
- 9.8. Section 11 of the NPPF notes in paragraph 124 that in respect of development density the considerations should include whether a place is well designed and “the desirability of maintaining an area’s prevailing character and setting...or of promoting regeneration and change”.
- 9.9. Paragraph 130 of the NPPF states that decisions should ensure that developments will a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic in local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place to create attractive, welcoming and distinctive places and e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix



of development (including green and other public open space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

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

9.11. A key challenge for the Littlemore House site has been marrying the technical needs of a modern R&D building with the scale, articulation and materiality of the non-designated heritage asset. This has however been achieved by incorporating chimneys as a visual link between the old and new and breaking up the massing into smaller blocks more akin to the existing building. While the new building on the Littlemore House site does not, for technical reasons, have as varied a roofline as the existing building, it does add to the variation experienced at street level by stepping the building line which creates apparent variation in the roofline. Please refer to figure 3 below and the proposed block plan at figure 2 above.



**Figure 3: Littlemore House external elevations**

9.12. Further, materiality has been designed to complement Littlemore House with a restrained palette of concrete/stone, bronze coloured metal and timber which is consistent across both buildings.

9.13. Following pre-application advice and ODRP feedback, in response to the 2022 proposal, which encouraged visual and physical permeability with the streetscape, an

atrium was introduced at the eastern elevation to allow views of Littlemore House. A glazed staircase holds the corner of Armstrong Road and the main entrance is mainly glazed to give views into the courtyard. These moments of visual permeability and the revealing of building function inside would contribute positively towards the streetscape.

- 9.14. As required by Local Plan policy DH2, the City Council will seek to retain significant views both within Oxford and from outside.
- 9.15. In long views from Toot Baldon, Nineveh Farm and Kennington Road, the proposals are not highly visible, with the bulk of the massing hidden within the treeline of the southern edge of Oxford. The proposals are also well screened in closer views from Sandford on Thames, Sandford Road/Cowley Branch Line and Grenoble Road, adjacent to the Priory.
- 9.16. However, the views study from land to the east of the railway line, within the conservation area, indicates that there would be visual impact from the loss of openness in the views which contributes to the rural setting of the historic settlement. It is considered that this proposal would lead to a low level of less than substantial harm to the setting of Littlemore Conservation Area.
- 9.17. When considering an application affecting the setting of a Conservation Area, Chapter 16 of the NPPF is relevant. Paragraph 199 requires great weight to be given to conserving a designated heritage asset.
- 9.18. Paragraph 200 of the NPPF states that, 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.' Paragraph 202 continues that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'.
- 9.19. As outlined above, the proposed development would lead to far reaching economic benefits within the City and beyond with the applicant also committed to entering into a Community Employment and Procurement Plan. In addition to this, the purpose of the proposed laboratories and offices is to lead research in cancer prevention and diagnosis as well as hosting lectures, with invites extended to the public when appropriate. Taking this into account, it is considered that the less than substantial harm caused to the rural character of the setting of the Littlemore Conservation Area is far outweighed by the public benefits that the proposal would bring with it.
- 9.20. With regards to Littlemore House as a non-designated heritage asset, policy DH5 requires due regard to be given to the impact on the asset's significance and its setting and that it is demonstrated that the significance of the asset and its conservation has informed the design of the proposed development.
- 9.21. The NPPF requires proposals to be based upon an informed analysis of the significance of all affected heritage assets and expects applicants to understand the impact of any proposal upon those assets with the objective being to sustain their significance (paragraph 194). When assessing the impact of a proposal on a non-designated heritage asset the NPPF requires the Local Planning Authority to

undertake a balancing judgement having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 203).

- 9.22. The proposed development would result in a loss of the important open space and visual connection from the former hospital buildings with the landscape and surroundings. The proposed demolition would result in a loss of the clear visible evidence of the former hospital building, its symmetrical plan form and architectural expression as part of an historic hospital site. Whilst the connection to the original listed hospital buildings has already been partially severed, it is still possible to read at present but would be further obscured with the addition of the new buildings and the loss of visibility of the existing building.
- 9.23. It is considered that the proposals would result in less than substantial harm being caused to the local heritage asset. This harm would be partially mitigated through the already approved Historic Building Recording (Donald Insall Associates, May 2023) so that those who seek to understand what would be lost are able to do so. Further, it is considered that the benefits of re-using the building, making more efficient use of the site and the economic benefits that the proposal would bring to the City would outweigh the less than substantial harm identified.
- 9.24. In light of the above, it is considered that the proposal accords with policies DH1, DH2 and DH5 of the Oxford Local Plan 2036 and the NPPF.

### **c) Archaeology**

- 9.31. Local Plan Policy DH4 states that where archaeological deposits and features are suspected to be present (including upstanding remains), applications should include sufficient information to define their character, significance and extent of such deposits so far as reasonably practical.
- 9.32. This application is of archaeological interest as it involves groundworks in a location that has potential for Roman, medieval and early modern (late 19th century) remains. The immediate vicinity of the Littlemore House and Plot 18 sites has produced evidence for Bronze Age, Middle Iron Age, Roman and Early Saxon activity, located on the higher ground either side of Littlemore Brook.
- 9.33. The phased evaluation trenching that has been carried out within the application site has only produced evidence for a single Roman ditch containing multiple sherds from a Roman vessel and potentially associated undated ditch, gully and post holes. A second area of the site recorded a ditch containing medieval pottery. Littlemore House is of further interest as the 1st Edition OS map (1876) records a row of likely domestic dwellings and an engine house associated with the Littlemore Asylum. As above, the hospital cemetery is located between the two plots and is to be protected from development.
- 9.34. As set out at paragraph 7.1, separate minor applications for enabling works in relation to this development have been approved that would involve the laying of a pile mat in advance of basement reduction works. This area of potential Roman interest had been subject to a controlled strip and record excavation as part of the enabling works. Given the extent of the proposed basement, it is also considered appropriate to secure an archaeological watching brief by condition.

9.36. Littlemore House, as a non-designated heritage asset, would be subject to a photographic record, formatted to Level II standard, prior to its redevelopment. This would be secured by condition.

9.37. With the above mitigation measures in place, it is considered that the proposed development would comply with policy DH4 of the Oxford Local Plan 2036.

#### **d) Impact on neighbouring amenity**

9.38. H14 of the Oxford Local Plan 2036 requires new development to provide reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy RE7 requires the amenity of neighbours to be protected with regards to visual privacy, outlook, sunlight, daylight and overshadowing and impacts of the construction phase. Policy RE8 seeks to control nuisance from noise.

9.39. With regards to the Newman Place residential development, the rear boundaries and the rear walls of dwellings to the east of the application site would sit between approximately 18m and 32m respectively from the proposed development. Dwellings to the south of the application site would sit approximately 42m from the proposed development.

#### *Privacy*

9.40. Given the significant distances between the proposed development and surrounding residential development, as mentioned above, it is considered that the buildings would not compromise neighbouring privacy.

#### *Overbearing*

9.41. Again, the distance between the plots would mitigate the potential for the buildings to have an overbearing impact on neighbours. Further, the transparency of the proposed eastern elevation and intervening landscaping along the eastern and southern boundaries (please see figure 6 below) would soften the outlook for neighbours within Newman Place.



Viewpoint 3: View from Armstrong Road/Littlemore Brook Public Open Space - Photomontage

**Figure 6: View of eastern elevation from Newman Place**

#### *Daylight/sunlight*

9.43. Overshadowing studies have been submitted, demonstrating the impact of the proposed development on neighbours. In summary, at least half of all the neighbouring gardens would receive at least two hours of sunlight on 21<sup>st</sup> March (equinox) in accordance with BRE guidelines.

### *Construction phase*

- 9.44. In order to protect the amenity of neighbours during the construction process, the development would be carried out in strict accordance with the approved Construction Traffic Management Plan (Laing O'Rourke, 24th May 2023) and Construction Environmental Management Plan (Laing O'Rourke, April 2023 P01).
- 9.45. Taking all of the above into account, it is concluded that the proposed development fully complies with policies RE7, RE8 and H14 of the Oxford Local Plan 2036.

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

- 9.46. Local Plan policy RE5 seeks to promote strong, vibrant and healthy communities and reduce health inequalities. The application has been supported by a Health Impact Assessment (HIA) which considers the health impacts of the proposed development based on the NHS London Healthy Urban Development Unit (HUDU) Rapid Health Impact Assessment (HIA) as required by policy RE5.
- 9.47. With regards to the proposals impact on healthcare provision, it would essentially provide a private facility which would *'reimagine and redefine cancer treatment, enhance health and transform lives. The facility would be constructed and managed by EITM, an institute which combines interdisciplinary research with the prevention and treatment of cancer.'* To enhance the wellbeing of staff and visitors, the proposal includes landscaped gardens and retains the largely protected woodland. EITM intend on holding events for the public which would also allow access to the landscaped areas.
- 9.48. Inclusive design has been considered both internally and externally throughout the scheme with wheelchair accessibility and flexibility available.
- 9.49. As above, the scheme would provide employment locally in both the construction and operational phases and the applicant has committed to entering into a Community Employment and Procurement Plan.
- 9.50. In light of the above, and the contents of this report as a whole, it is considered that the proposed development would comply with policy RE5 of the Oxford Local Plan 2036.

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

- 9.51. Oxford has the ambition to become a world class cycling city with improved air quality, reduced congestion and enhanced public realm. Road space within the city is clearly limited and to achieve its ambition there is a need to prioritise road space and promote the sustainable modes of travel. For non-residential development, the presumption will be that vehicle parking will be kept to the minimum necessary to ensure the successful functioning of the development. Policies M1, M2, M3, M4 and M5 of the Oxford Local Plan 2036 seek to deliver these objectives.
- 9.52. Policy M1 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport. In accordance with policy M2, a Transport Assessment for major developments should assess the impact of the

proposed development and include mitigation measures to ensure no unacceptable impact on highway safety and the road network and sustainable transport modes are prioritised and encouraged. A Travel Plan, Delivery and Service Management Plan and Construction Management Plan are required for a development of this type and size.

### *Sustainability*

9.53. Littlemore is still considered relatively unsustainable in transport terms compared to other parts of Oxford, however there is still a high number of staff within walking and cycling distance from areas such as Sandford-on-Thames, Blackbird Leys, Greater Leys and Cowley. As Planning Committee will be aware, there is a proposal for the Cowley Branch Line (CBL) to be repurposed as a passenger service which would connect Oxford train station with Oxford Business Park, Oxford Science Park and Oxford Parkway train station/Park & Ride. It is currently anticipated that the CBL could operate from December 2026. Within a recent connectivity study by Phil Jones Associates, it was highlighted that active travel improvements to the new Branch Line station at the Science Park were required, and with the high level of staff that would be commuting to the Science Park by active travel, it is considered that these are also required for further development in this area. Some of these are already planned and/or funded and will be implemented in the near future, these include:

- Pedestrian/ cycle link from the Science Park to Armstrong Road as part of this application.
- Improved pedestrian/ cycle permeability and street lighting on Public Right of Way 281/1/40 connecting the Science Park to Minchery Farm.
- New direct pedestrian/ cycle route from Knights Road connecting the Science Park to Blackbird Leys.
- Active travel improvements from Sandford-on-Thames along Church Road and towards Littlemore on Sandford Road.

9.54. It should also be noted that approximately 3,500 dwellings are planned for land south of Grenoble Road 'South Oxford Science Village' which falls with the administrative area of South Oxfordshire District Council. However, should this come forward it would bring with it a large investment in sustainable transport options and increase the viability of schemes such as the CBL passenger rail service.

9.55. It is considered that the below improvements are required in order to make active travel to the area more attractive. Contributions towards these improvements have been requested from this development and others nearby:

- A new pedestrian/cycle crossing on Henley Road to allow easier access to the Science Park from Abingdon, Sandford-on-Thames and Littlemore.
- A new shared use path along Brick Kiln Lane.

- A safer crossing point at the Grenoble Road/Brick Kiln Lane roundabout which would allow pedestrians and cyclists to cross the A4074 slip road to join the shared use path on the northern side of Grenoble Road.
- Upgrading of the cycle route from the Science Park through Littlemore as far as Giles Road.

9.56. The sites are currently served by the no. 45 bus which connects the Science Park with Culham, Abingdon, Berinsfield and Cowley and is funded by Culham Science Centre. The sites are also served by the 3A bus which connects the Science Park to the City centre via Littlemore, Rose Hill and Iffley which is soon to be extended to the train station. This service is currently every half an hour but this may change in the future if the proposed traffic filters come in, which will also improve journey time.

9.57. As Planning Committee will be aware, there is a proposal for a new 'eastern arc' bus route which would connect Littlemore and the Science Park with Marston, Headington and North Oxford. This is currently unfunded but should be operational by the occupation of the proposed development. Contributions towards this route have been requested as part of this application.

#### *Access*

9.59. In terms of vehicular access, Littlemore House would be accessed from Armstrong Road, the existing access via Mandelbrote Drive. The existing access to the east would be closed up with the footpath reinstated. The two new accesses to be constructed on Armstrong Road would allow for acceptable visibility splays and vehicle tracking with all technical details to be approved with the Highways Authority under a S278 Agreement (secured by legal agreement).

#### *Vehicular and cycle parking*

9.60. The proposal would provide 176 car parking bays which equates to 33% of staff (based on 43sq. m. per person). A total of 12 bays would be accessible and 50 would be served with EV charging infrastructure which equates to 28% of provision, in excess of Local Plan requirement of 25%.

9.61. The proposal would provide 170 secure and covered cycle parking spaces (114 at basement level and 56 at grade) which is in excess of the Local Plan requirement of 149 spaces.

#### *Traffic impact*

9.62. The submitted impact assessments demonstrate that all local junctions would operate well within capacity and therefore Officers do not consider that the impact from this development on the local highway network would be severe.

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

## **g. Trees and landscaping**

- 9.64. Policy G7 of the Oxford Local Plan 2036 requires that any unavoidable loss of tree canopy cover should be mitigated by the planting of new trees or introduction of additional tree cover. Policy G8 continues that development proposals affecting existing Green Infrastructure features should demonstrate how these have been incorporated within the design of the new development where appropriate.
- 9.65. A Tree Preservation Order (TPO) (including both Individual and Area designations) covers much of the original wider Littlemore Hospital estate. At the time the land became available for development, the TPO was created to ensure appropriate consideration of trees as landscape assets in any future development of the site. Three individual Horse Chestnut trees are located within the Littlemore House site; and a protected wooded area runs between the two plots just outside the southwestern boundary of Plot 18. Trees, which have been planted or otherwise established subsequently are not protected; this includes the lime avenue along the Armstrong Road entrance route to Littlemore House, which was planted as part of planning permission 95/01537/NR.
- 9.66. The development at Littlemore House would involve the loss of the lime avenue. Whilst regrettable, their amenity value is largely limited to within the site itself and does not contribute significantly to public views. Taking into account the form and quantum of development proposed, it appears infeasible to retain the limes.
- 9.68. In total, 15 individual trees and 6 groups and/or parts of tree groups would be lost as a result of the development. However, given the scale of the site it is more contextual to consider the impacts and mitigations proposed using the tree canopy cover metric as set out at Local Plan policy G7 and the Green Spaces Technical Advice Note (TAN).
- 9.69. The Council's Green Spaces TAN requires a Tree Canopy Cover Assessment to be submitted for various types of applications. For major non-residential developments, it needs to be demonstrated that there would be no net loss in canopy cover compared with a no development baseline scenario + 25 years. It is predicted that the proposed planting would result in a 23% increase in canopy cover after 25 years and a 47% increase in 30 years compared to a no-development scenario.
- 9.70. In light of the above, the proposals are considered to meet the requirements under Local Plan policies G7 and G8 and the Green Spaces TAN.

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

- 9.71. The Council is committed to tackling the causes of climate change by ensuring developments use less energy and assess the opportunities for using renewable energy technologies. As such, policy RE1 of the Oxford Local Plan 2036 requires schemes to incorporate a number of sustainable design and construction principles.
- 9.72. Policy RE1 requires developments for new build non-residential development of over 1,000sq. m. to achieve at least a 40% reduction in carbon emissions from a 2013 Building Regulations (or future equivalent legislation) compliant base case. As the Planning Committee will be aware, the new 2021 building regulations were



introduced in June 2022 and form the basis of the submitted Energy Statement. Policy RE1 also requires that non-residential development achieves BREEAM Excellent accreditation.

- 9.73. The submitted Energy Statement has been developed using a 'fabric first' approach with the design seeking to reduce energy demand through passive measures which include the design of the external shading and incorporating natural ventilation to all viable office, meeting and circulation areas.
- 9.74. Air Source Heat Pumps are proposed to heat and cool the building with Ground Source Heat Pumps providing low temperature hot water and chilled water. Energy would be supplemented by roof mounted solar PV panels across Littlemore House. Specifications and large scale details of the solar panels would be conditioned to ensure they do not detract from visual amenity.
- 9.75. The scheme would achieve a 41% reduction in carbon emissions when set against Part L of the 2021 building regulations. It is anticipated that the scheme would achieve BREEAM Excellent. Conditions requiring compliance with the approved Energy Statement and certification of BREEAM Excellent would be attached to the planning permission to ensure compliance with local policy.
- 9.76. In light of the above, it is considered that the proposal complies with the requirements of policy RE1 of the Oxford Local Plan 2036.

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

- 9.77. Policy RE6 of the Oxford Local Plan 2036 requires new development to mitigate its impact on air quality and minimise or reduce exposure to poor air quality.
- 9.78. The baseline assessment shows that the application site is located within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council for exceedances of the annual mean NO<sub>2</sub> air quality objective (AQO). Analysis of DEFRA's Urban background maps and of all pollutant concentrations at monitoring locations in the surrounding area of the application site, show clear compliance with all relevant air quality objectives for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations. Therefore, the location of the application site is considered suitable for its intended use without mitigation.
- 9.79. As outlined within the sustainable design and construction section above, the proposed development would be all electric, utilising zero emission technologies. Littlemore House would incorporate a roof mounted solar PV array. As no combustion sources are proposed during normal operation, no local air quality impacts are anticipated.
- 9.80. The submitted Air Quality Assessment indicates there is a high risk of dust soiling during the demolition and construction phase of development but a low risk of increasing PM concentrations. The risk of dust and increased exposure to PM<sub>10</sub> concentrations impacting on local amenity has been used to identify appropriate dust mitigation measures and provided that these measures are implemented and included within a dust management plan that would be secured by condition, it is considered that the residual impacts are not significant.

- 9.81. The results of the operational phase traffic impact assessment indicate that the impact on NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations at all nearby existing sensitive receptors would be negligible and therefore no mitigation is required. A Site Suitability Assessment of NO<sub>2</sub> concentrations at proposed sensitive receptors at the facades of the proposed buildings and along the site boundary has also been completed. The modelled NO<sub>2</sub> concentrations from the dispersion model are below the annual mean AQO for NO<sub>2</sub>, and the 1-hour mean NO<sub>2</sub> is not predicted to be exceeded at any proposed sensitive receptor, or at the application site boundary. As such, mitigation measures are not required for the operational phase of the proposed development.
- 9.82. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE6, subject to suggested conditions set out at section 12 below.

#### **j) Noise**

- 9.83. Policy RE8 of the Oxford Local Plan 2036 requires new developments to manage noise in order to safeguard or improve amenity, health, and quality of life for local communities.
- 9.84. The submitted acoustic assessment adequately predicts plant noise levels as being below the existing background noise level at the identified receptors taking into consideration distance losses, surface acoustic reflections and, where applicable, screening provided by the proposed buildings. The calculations show that the noise criteria of the proposed plant strategy would meet the Local Plan requirements during the operating period and should not have an adverse impact on the nearest sensitive receptors. Conditions requiring proposed plant noise to fall below existing local background levels and the installation of anti-vibration isolators would be attached to the planning permission to ensure that amenity of occupiers and neighbours is protected.
- 9.85. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE8.

#### **k) Land quality**

- 9.86. The Council has a statutory duty to take into account, as a material consideration, the actual or possible presence of contamination on land. As a minimum, following development, land should not be capable of being determined as contaminated land, meaning the contamination poses an unacceptable risk to human health or the environment, under Part 2A of the Environmental Protection Act 1990. In accordance with policy RE9 of the Oxford Local Plan 2036, a Phase 1 Desk Study and contaminated land questionnaire was submitted as part of the application.
- 9.87. Historical documentation and mapping information indicate that the Littlemore House site has had a previous potentially contaminative use as a hospital and gas works. This could give rise to potential ground contamination risks which could impact future users of the site and surrounding environment.
- 9.88. The submitted Geo-environmental assessment report and Geo-environmental assessment addendum report confirm the presence of various contamination risks

within soils, made ground and groundwater across the whole application site. In terms of mitigation of the identified risks, the submitted site wide Remedial Strategy is considered acceptable on the basis that further testing of groundwater, soils and ground gas is proposed. Results from this further testing is due to be provided within a supplementary briefing note that would be secured by condition.

9.89. It is considered that, subject to conditions set out within section 12 below, the proposed development would comply with Local Plan policy RE9.

### **l) Flood risk and drainage**

9.90. Local Plan policy RE3 requires applications for development within flood zones 2 and 3 and sites over 1ha in flood zone 1 to be accompanied by a Flood Risk Assessment (FRA) demonstrating that the proposed development will not increase flood risk on or off site; and safe access and egress in the event of a flood can be provided; and details of the necessary mitigation measures to be implemented have been provided.

9.91. As set out above, Littlemore House is located wholly within flood zone 1 and is at low flood risk from fluvial, pluvial, tidal and artificial sources. As such, no flood mitigation measures are proposed.

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

9.93. The submitted Drainage Strategy proposes to utilise SuDS such as blue roofs, permeable paving and landscape features. It is proposed to split the application site into two drainage catchment areas. The western existing catchment would retain the foul and surface water drainage networks that currently serve the existing buildings west elevations and parking areas/access roads. SuDS, such as permeable paving and landscape planting would be incorporated where feasible. The proposed eastern catchment would collect the drain points from the eastern elevations of the existing buildings to be retained and serve all the other proposed buildings and landscaping areas. Blue roofs, above basement storage layers, extensive planting/soft landscaping and an attenuation tank would be utilised to allow the discharge rate to be restricted to the greenfield runoff rate for all storms up to the 1 in 100 year storm with a 40% allowance for climate change. A new outfall is proposed into the offsite public surface water sewer, which discharges almost immediately into the Littlemore Brook.

9.94. Final drainage design drawings, including the required level of detail including cover levels, invert levels, pipe diameters/materials/gradients and standard Manhole details would be conditioned. It is considered that the proposal would comply with policy RE4 of the Oxford Local Plan 2036.

### **m) Ecology**

9.95. Local Plan policy G2 states that development that results in a net loss of sites and species of ecological value will not be permitted. On sites where there are species and habitats of importance for biodiversity that do not meet criteria for individual

protection, development will only be granted where a) there is an exceptional need for the new development and the need cannot be met by development on an alternative site with less biodiversity interest; and b) adequate onsite mitigation measures to achieve a net gain of biodiversity are proposed; and c) offsite compensation can be secured via legal obligation. Compensation and mitigation measures must offset the loss and achieve an overall net gain for biodiversity of 5% or more from the existing situation and for major development this should be demonstrated using a biodiversity calculator. Section 98 and Schedule 14 of the Environmental Protection Act 2021 that require biodiversity of 10% is not yet in force and the local policy therefore prevails.

9.96. The Local Planning Authority (LPA) has a duty to consider whether there is a reasonable likelihood of protected species being present and affected by development at the application site. The presence of a protected species that may be affected by the development is a material consideration for the LPA in its determination of a planning application. The LPA has a duty as a competent authority, in the exercise of its functions, to secure compliance with the Regulation 9(1) The Conservation of Habitats and Species Regulations 2017, which makes it a criminal offence to deliberately disturb a protected species.

9.97. The primary ecological consideration at Littlemore House is roosting bats. Three bat roosts were identified in the existing buildings during emergence and re-entry surveys undertaken in June, July and August 2022, including two day roosts comprising small numbers of Brown Long-eared bats and a single day roost comprising an individual Common Pipistrelle. The Ecological Assessment indicates the two brown long-eared bat roosts would be lost. The proposed development will only be able to proceed under licence from Natural England.

9.98. The LPA must consider the likelihood of a licence being granted when determining a planning application. This requires consideration of the “three tests” which development must pass to qualify for a licence, as set out in The Conservation of Habitats and Species Regulations 2017 (as amended). The three tests are as follows:

- a) The purpose of the development must be preserving public health or public safety or another imperative reason of overriding public interest;
- b) There must be no satisfactory alternative; and
- c) The development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

9.99. It is considered that, for the reasons set out within this report, the first two tests would be met. The identified roosts are of low conservation importance and the proposed mitigation would ensure roosting opportunities remain post-development, therefore the third test would also be met.

9.100. Several non-native invasive species are present within the application site, including Cotoneaster, Portuguese laurel and Snowberry. The opportunity should be taken to eradicate all of these species as part of the management of the site. An invasive

species protocol is to be secured via planning condition to address the cotoneaster with the remainder captured in the LEMP.

- 9.101. The Ecological Impact Assessment (EclA) states the proposed development will provide new bat roosting and bird nesting opportunities integrated within the new building and on retained trees on site. This includes the provision of bat tiles facilitating access within the new building roof.
- 9.102. The submitted Biodiversity Metric submitted in support of the application indicates the proposed development would deliver an increase in 16.49 habitat units (+13.76%) and 3.18 hedgerow units (+18.98%). The gains are largely driven by tree planting on site. However, as set out above, enabling works (including site clearance) commenced on the Littlemore House site in June 2023 prior to planning permission being granted for 22/02969/FUL. As such, there will likely be delays in providing the habitat and hedgerow units from the timescale originally anticipated in the submitted BNG metric. Any delays will impact on the units achieved, requiring an updated metric during the development process to accurately reflect this. In the event that the above units can no longer be met on-site, an option to purchase credits for off-site enhancement would need to be incorporated into the S106 legal agreement. Officers are confident that, in any event, the proposal would achieve in excess of the 5% BNG Local Plan policy requirement.
- 9.103. Given the nature and location of the proposed development, the only potential pathway for impacts on the Oxford Meadows Special Area of Conservation (SAC) is through changes in air quality arising from the increase in traffic associated with the development.
- 9.104. The transport consultant undertook modelling in relation to the wider application covering Littlemore House and Plot 18 of the Oxford Science Park, calculating that the proposed development across both plots of land would result in a maximum increase of 90 Annual Average Daily Traffic (AADT) on the stretches of the A34 and A40 that pass immediately adjacent to the Oxford Meadows SAC. The submitted methodology is considered acceptable.
- 9.105. It has been demonstrated that the development at Littlemore House will not, in combination with local projects within the Science Park, exceed 1,000 AADT, which would be a trigger for further assessment.
- 9.106. As such, Officers are satisfied this planning application, concerning only Littlemore House, would not give rise to any likely significant effects on the Oxford Meadows Special Area of Conservation (SAC), either alone or in combination with other projects/plans.
- 9.107. In light of the above, it is considered that the proposal would accord with the requirements of policy G2 of the Oxford Local Plan 2036.

#### **n) Utilities**

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

- 9.106. The applicant is in contract with SSE to meet the proposal's electrical demand and an Independent Distribution Network Operator are engaged to provide the connection.
- 9.107. Whilst the proposed heating and cooling strategy is all electric, there may be gas requirements for kitchen burners. In the event that this is the case, the applicant intends to install a natural gas line during construction to avoid retro-fitting and as such has sought confirmation from SGN that there is capacity in the network to serve the development.
- 9.108. Thames Water has confirmed that the required flow rate of 1 l/s is achievable in principle. Thames Water will commence further modelling if planning permission is granted or when the applicant underwrites the modelling fees. A storage tank has been designed to support the building loads, which serves as a buffer store that would meet any peak loads during the day, ensuring that the flow rate from the mains would always remain below 1 l/s.
- 9.109. Thames Water has also confirmed that there will be sufficient sewerage capacity in their network to serve foul flows from Littlemore House.
- 9.110. Both Openreach and Virgin Media have capacity to provide sufficient data connections to the proposed development.
- 9.111. The proposal therefore complies with policy V8 of the Oxford Local Plan 2036.

## **10. PLANNING OBLIGATIONS**

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

- £551,398.00 towards the Eastern Arc bus route.
- £432,345.00 towards Cowley Branch Line.
- £212,497.00 towards active travel improvements.
- £2,563.00 towards travel plan monitoring.
- Agreement to enter into a S278 Agreement with the Highways Authority.
- Agreement to enter into a Community Employment and Procurement Plan with the City Council.
- Agreement to achieve Biodiversity Net Gain on site with a requirement to purchase credits for off-site enhancement in the event that all proposed units cannot be provided on-site.

## **11. CONCLUSION**

11.1. Officers consider that the proposed development would respond appropriately to the site context and Local Plan policies.

- 11.2. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the consideration of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.3. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver sustainable development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.
- 11.4. Therefore it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.
- 11.5. Officers consider that the proposed development would respond appropriately to the site context and Local Plan policies as a whole.
- 11.6. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out at section 12 of this report and the satisfactory completion (under authority delegated to the Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the obligations referred to in section 10 of this report..

## 12. CONDITIONS

### *Time limit*

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

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

### *Approved plans*

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

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

### *Materials*

3. Prior to the commencement of works above ground floor slab level, large scale sample panels (minimum of 1m x 1m) of external materials shall be erected on site and approved in writing by the Local Planning Authority. The external materials to be used shall be in accordance with the details of materials indicated on the following drawings:
  - 'Littlemore House General Arrangement Elevation Overall External' (dwg. no. EITM-FOS-AA-XX-D-A-06100 X02).
  - 'Littlemore House General Arrangement Elevation Internal' (dwg. no. EITM-FOS-AA-XX-D-A -06101 X02).
  - 'Walkway Site Elevations Overall External' (dwg. no. EITM-FOS-LL-XX-D-A -06101 X02).
  - 'Plot 18 General Arrangement Elevation Overall External' (dwg. no. EITM-FOS-PP-XX-D-A -06100 X02)

Sample panels and samples shall, where feasible, remain on site for the duration of the development works following their approval by the Local Planning Authority.

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

### *Hard landscaping works*

4. Prior to the commencement of hard landscaping works, hard landscaping samples shall be erected on site and approved in writing by the Local Planning Authority. The development shall be completed in strict accordance with the approved sample panels and samples unless otherwise agreed in writing by the Local Planning Authority. Sample panels and samples shall, where feasible, remain on site for the duration of the development works following their approval by the Local Planning Authority.

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

### *Signage and lighting*

5. Prior to the installation of any external signage and lighting fixtures, large scale details (1:50), images and specifications shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with approved details unless otherwise approved in writing by the Local Planning Authority.

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



### *Balustrading and boundary treatments*

6. Prior to the installation of any balustrading adjacent to the vehicular ramps and boundary treatments, large scale details (1:50) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

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

### *Solar panels*

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

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

### *Lighting strategy*

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

All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy, and these shall be maintained thereafter in strict accordance with the approved strategy unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent harm to species and habitats within and outside the site during construction and to ensure a sympathetic appearance of the proposed development and enhance the safety and amenity of residents in accordance

with policies RE7 and DH1 of the Oxford Local Plan 2036 and to comply with the Conservation of Habitats Regulations 2017 (as amended) and The Wildlife and Countryside Act 1981 (as amended) and Policy G2 of the Oxford Local Plan 2036.

*Noise emission*

9. Prior to installation, details of the external noise level emitted from any mechanical plant, machinery and equipment along with appropriate mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. Mitigation measures shall ensure that the rating level of the noise emitted from the proposed installation located at the site shall not exceed the existing background level at any noise sensitive premises when measured and corrected in accordance with BS4142:2014 +A1:2019 "Methods for rating and assessing industrial and commercial sound." Mechanical plant, machinery and equipment shall be installed together with the approved mitigation measures and retained as such thereafter.

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

*Anti-vibration isolators*

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

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

*Emergency plant and equipment*

11. Noise emitted from the emergency plant and generators, to be operated only for essential testing except when required by an emergency loss of power, shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10dB one metre outside any premises. Testing of the emergency plant and generators shall be carried out only for up to one hour per calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

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

*Construction Environmental Management Plan (CEMP)*

12. The development, hereby approved, shall be carried out in complete accordance with the submitted Environmental Management Plan (Laing O'Rourke, April 2023 P01).

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

#### *EV Charging points*

13. Prior to the commencement of development, details of the Electric Vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following provisions:
- Location of EV charging points;
  - The amount of electric car charging points shall cover at least 25% of the amount of permitted parking of the commercial development;
  - Appropriate cable provision to prepare for increased demand in future years.

The electric vehicle infrastructure shall be formed, and laid out in accordance with these approved details prior to first occupation and shall remain in place thereafter.

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

#### *Thames Water infrastructure*

14. There shall be no occupation of the development beyond 1lites per second demand until confirmation has been provided to the Local Planning Authority, in consultation with Thames Water that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or – a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation of additional floorspace shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no/ low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

#### *Travel Plan*

15. Prior to first occupation of the development a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

### *Cycle parking*

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

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

### *Construction Traffic Management Plan (CTMP)*

17. The development hereby approved shall be carried out in strict accordance with the approved Construction Traffic Management Plan (Laing O'Rourke, 24th May 2023).

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

### *Archaeology*

18. The development hereby approved shall be carried out in strict accordance with the Stage 2 Archaeological Watching Brief and Written Scheme of Investigation (John Moore Heritage Services, October 2023).

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

### *Historic Building Recording*

19. Upon commencement, the development hereby approved shall be carried out in strict accordance with the submitted Heritage Assessment (Donald Insall Associates, May 2023)

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

### *Landscape Plan*

20. Prior to first occupation or use of the development, a landscape plan shall be 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 also include an amended species selection for the proposed new tree planting along the southern boundary, adjacent to the car park ramps. The plan shall correspond to a schedule detailing plant numbers, sizes and nursery stock types.

Reason: In the interests of visual amenity and to ensure that biodiversity net gain is achieved in accordance with policies G2, G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

*Landscape proposals – implementation*

21. The landscaping proposals as approved by the Local Planning Authority pursuant to condition 21 shall be carried out no later than the first planting season after first occupation or first use of the development hereby permitted 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*

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

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

*Landscape Management Plan*

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

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

*Landscape surface design – tree roots*

24. The hard surfaces shall be constructed in strict accordance with details set out in the following document, unless otherwise agreed in writing by the Local Planning Authority

Ellison Institute For Transformative Medicine - Oxford  
Planning Conditions Discharge |12/06/2023  
Condition 25 | Landscape surface design - Tree Roots

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

*Underground services – tree roots*

25. The development hereby approved shall be carried out in strict accordance with details set out in the document below unless otherwise agreed in writing beforehand by the Local Planning Authority:

Ellison Institute For Transformative Medicine - Oxford  
Planning Conditions Discharge |12/06/2023  
Condition 26 | Underground Services - Tree Roots

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

*Arboricultural Method Statement*

26. The development shall be carried out in strict accordance with the approved methods of working and tree protection measures contained within the approved details and shown on Tree Protection Plan drawing referenced: Barrell: 22064-6, unless otherwise agreed in writing beforehand by the Local Planning Authority. The Local Planning Authority shall be informed in writing when physical tree protection measures are in place, in order to allow Officers to make an inspection prior to the commencement of development.

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

*Arboricultural Monitoring Programme (AMP)*

27. The development hereby approved shall be carried out in strict accordance with the Arboricultural Monitoring Programme (Barrell tree consultancy, 13<sup>th</sup> August 2023) from commencement of development and adhered to thereafter.

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

*BREEAM*

28. Prior to first occupation of the development hereby approved, the full BREEAM assessment (or recognised equivalent assessment methodology), confirming the achievement of a level of Excellent shall be provided to and confirmed in writing by the Local Planning Authority.

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

*Energy Statement*

29. The development shall be implemented in strict accordance with the approved Energy Statement (Foster + Partners, December 2022, Version 1.0). Prior to the first occupation of the development evidence (including where relevant Energy Performance Certificate(s) (EPC), Standard Assessment Procedure (SAP) and Building Regulations UK, Part L (BRUKL) documents) shall be submitted to the Local Planning Authority to confirm that the energy systems have been implemented according to details laid out in the approved Energy Statement and that they achieve the target performance as approved.

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

*Green roofs*

30. Prior to installation, specifications of and a maintenance plan for the proposed green roofs shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation and maintained thereafter in accordance with the approved maintenance plan.

Reason: To ensure the longevity of this new green infrastructure in accordance with policy G8 of the Oxford Local Plan 2036.

*Contamination risk assessment*

31. Prior to the commencement of above ground works, a further contamination risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Land Contamination Risk Management (LCRM) procedures for managing land contamination. The risk assessment, in the form of an updated briefing note, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with approved details.

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

*Construction Environmental Management Plan: Biodiversity*

32. No development shall take place (excluding the approved enabling works) 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)*

33. Prior to the occupation of the development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:

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

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.



The development shall be carried out in strict accordance with the approved LEMP.

Reason: To prevent harm to species and habitats within the development site in accordance with The Wildlife and Countryside Act 1981 (as amended), and to improve the biodiversity in Oxford City in accordance with Policy G8 of the Oxford Local Plan 2036 and the National Planning Policy Framework.

#### *Ecological Enhancements*

34. Prior to the commencement of development, a scheme of ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include specifications of landscape planting of known benefit to wildlife, including nectar resources for invertebrates, in addition to bat roosting devices and bird nesting devices. Details must include the proposed specifications, locations, and arrangements for any required maintenance of the devices. The approved devices and enhancements shall be fully constructed prior to occupation of the approved buildings and retained and maintained in accordance with approved details thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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

#### *Cotoneaster Eradication Plan*

35. Prior to the commencement of the development, an invasive non-native species protocol shall be submitted to and approved in writing by the Local Planning Authority, detailing the containment, control and removal of Cotoneaster Horizontalis on site. The measures shall be carried out prior to commencement of development in strict accordance with the approved scheme.

Reason: It is an offence under the Wildlife and Countryside Act 1981 (as amended) to plant or cause to grow in the wild any plant listed in Schedule 9, Part 2 of the Act. Cotoneaster Horizontalis is included within this schedule.

#### *Badgers*

36. No more than one month prior to commencement of any works, a badger walkover shall be undertaken. Should any new badger activity be recorded within the site, full surveys and a badger mitigation strategy shall be produced and submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the mitigation measures within the mitigation strategy as approved. If necessary, a licence shall be obtained from Natural England for works to proceed lawfully.

Reason: To prevent harm to badgers in accordance with the Protection of Badgers Act 1992.

*Time limit on development before further surveys are required*

37. If the development hereby approved does not commence prior to September 2024, or having commenced is suspended for more than 12 months, further ecological surveys shall be commissioned to:

- i. Establish if there have been any changes in the presence and abundance of roosting bats; and
- ii. Identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures shall be revised and new or amended measures, and a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement or resumption of development. Works shall then be carried out in strict accordance with the proposed new approved ecological measures and timetable.

Reason: To protect bats in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended) and The Wildlife and Countryside Act 1981 (as amended).

*Drainage*

38. Prior to the commencement of development, a detailed surface water drainage scheme for the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details. The scheme shall include:

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

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

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

#### *SuDS*

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

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

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

#### *Flood risk*

40. In accordance with paragraph 167 of the National Planning Policy Framework and Policy RE3: Flood risk management of the Oxford City Local Plan 2036 (adopted 08 June 2020), the development shall be carried out in accordance with the submitted Flood Risk Assessment (reference: Flood Risk Assessment for Littlemore House Littlemore Park and Plot 18 Oxford Science Park, prepared by: Langan International UK LTD, revision 2, dated 06 Dec 2022) and the following mitigation measures it details:

- The Littlemore House plot will be located wholly within Flood Zone 1.
- The service shafts finished floor levels shall be set no lower than 58.40 metres above Ordnance Datum.
- Flood storage compensation shall be provided on a level for level basis to mitigate for any change in existing ground levels including landscaping and to ensure no increase in flood risk elsewhere. Any changes to the existing flood management basins to the east and west of the site shall not reduce flood storage volume.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: This condition is in accordance with paragraph 167 of the NPPF and Policy RE3: Flood risk management of the Oxford City Local Plan 2036 (adopted 08 June 2020) and seeks to reduce the risk of flooding to the proposed development and future occupants, prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and ensure the structural integrity of the proposed building thereby reducing the risk of flooding.

### *Remedial works*

41. In accordance with paragraphs 174 and 180 of the NPPF, prior to each sequence of development approved by this planning permission no development shall commence until an updated remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:
1. An updated groundwater investigation updating the findings of the previous investigations to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
  2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

### *Verification report*

42. Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.

### *Previously unidentified contamination*

43. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until an updated

remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved before the development continues.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the National Planning Policy Framework.

#### *Infiltration*

44. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: The previous use of the proposed development site as a historic landfill and gas works site presents a medium risk of contamination that could be mobilised by surface water infiltration from the proposed sustainable drainage system (SuDS). This could pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary aquifer. Therefore, it is not believed that the use of infiltration SuDS is appropriate in this location. This condition seeks to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework.

#### *Piling*

45. Piling using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved piling monitoring plan details.

Reason: Piling using penetrative methods can result in risks to potable supplies from, for example, pollution/turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Groundwater is particularly sensitive in this location because the proposed development site is located upon secondary aquifer A with groundwater encountered at shallow depths. This condition seeks to ensure that the proposed development, does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework and Position Statement N of the 'The Environment Agency's approach to groundwater protection (publishing.service.gov.uk)'.

#### *Boreholes*

46. A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

Reason: The submitted planning application indicates that boreholes have been installed at the development site to investigate groundwater resources. As per section 5.4 of the Remediation Strategy, redundant boreholes must be decommissioned, taking into account that they could serve as monitoring locations during piling works. If these boreholes are not decommissioned correctly, they can provide preferential pathways for contaminant movement which poses a risk to groundwater quality. Groundwater is particularly sensitive in this location because groundwater at this proposed development site is very shallow and hydraulically connected to surface waters. This condition seeks to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 174 of the National Planning Policy Framework and Position Statements A4 and A8 of 'The Environment Agency's approach to groundwater protection (publishing.service.gov.uk)'.

*Secured by Design application*

47. Prior to the commencement of development, excluding approved enabling works, an application shall be made for Secured by Design Commercial accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details and shall not be occupied or used until confirmation of SBD accreditation has been received and acknowledged in writing by the Local Planning Authority.

Reason: To safeguard the safety and amenity of occupants and the local community in accordance with policy RE7 of the Oxford Local Plan 2036.

*Security and Access Strategy*

48. Prior to commencement of development above slab level, a detailed Security and Access Strategy shall be submitted to and approved in writing by the Local Planning Authority for the development hereby approved. The strategy shall set out the measures that will be taken to ensure opportunities for crime have been designed out from the outset, to include as a minimum:

- Access control strategy, including access control measures for both vehicular and pedestrian traffic for staff and visitors.
- Site response plan, detailing command and control proposals in the event of an incident.
- CCTV strategy, with accompanying lighting strategy.
- Boundary treatment scheme.

- Soft landscaping scheme indicating location and specification of all defensible space and planting.

The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation that all measures detailed within the approved strategy have been installed and are operational has been submitted to and approved in writing by the Local Planning Authority.

#### INFORMATIVES:

1. This development is liable for CIL.
2. Construction and demolition works and associated activities at the development, audible beyond the boundary of the site should not be carried out other than between the hours of 07:00 – 19:00 Monday to Friday daily, 08:00 – 13:00 on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer.
3. At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works should be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.
4. All waste materials and rubbish associated with demolition and/or construction should be contained on site in appropriate containers which, when full, should be promptly removed to a licensed disposal site.
5. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he/she will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed online via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
6. Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992.

All species of bats and their roosts are protected under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended). Please note that, among other activities, it is a criminal offence to deliberately kill, injure or capture a bat; to damage, destroy or obstruct access to a breeding or resting place; and to intentionally or recklessly disturb a bat while in a structure or place of shelter or protection. A derogation licence from Natural England is required before any works affecting bats or their roosts are carried out.

All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended). Occasionally nesting birds can be found during the course of development even when the site appears unlikely to support them. If any nesting birds are present then the buildings works should stop immediately and advice should be sought from a suitably qualified ecologist.

### **13. APPENDICES**

13.1. **Appendix 1** – Site location plan

13.2. **Appendix 2** – Committee report for application 22/02969/FUL.

### **14. HUMAN RIGHTS ACT 1998**

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

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

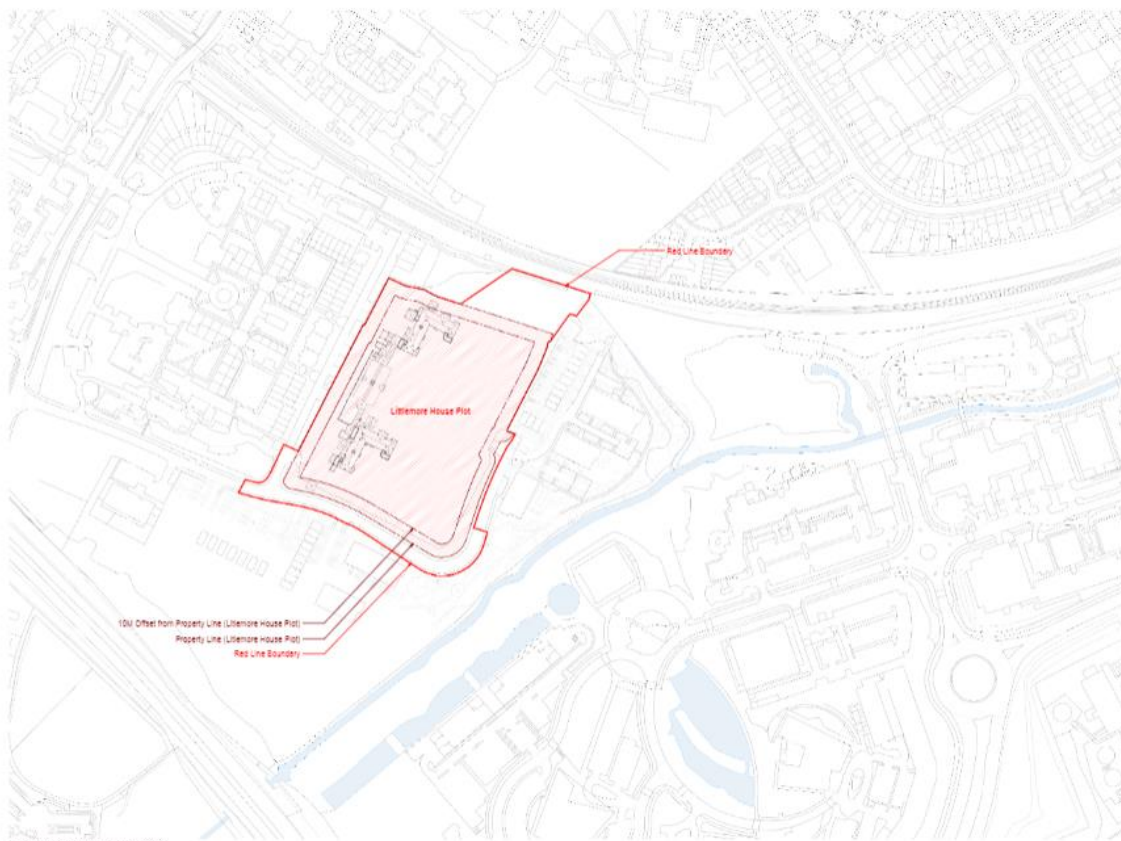
15.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers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



# Appendix 1 – Site Location Plan

23/02092/FUL

Littlemore House, Armstrong Road



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## Appendix 2

OXFORD CITY PLANNING COMMITTEE

18<sup>th</sup> April 2023

**Application number:** 22/02969/FUL

**Decision due by** 15th March 2023

**Extension of time** 16<sup>th</sup> May 2023

**Proposal** Partial demolition of and alterations to Littlemore House. Erection of 1no. research and development building (Use Class E) at Littlemore House with ancillary accommodation, clinic, educational floorspace and restaurant and erection of 1 no. research and development building (Use Class E) and 1no. building to accommodate servicing plant and bicycle parking facilities at plot 18 of the Oxford Science Park. Erection of an elevated walkway, linking Littlemore House and plot 18 of the Oxford Science Park, new access arrangements, parking, landscaping, engineering and ground modelling works (amended address) (amended documents)

**Site address** Littlemore House, 33 Armstrong Road, And Plot 18 Oxford Science Park , Sanders Road – see **Appendix 1** for site plan

**Ward** Littlemore Ward

**Case officer** Jennifer Coppock

**Agent:** Miss Claudia Jones      **Applicant:** Ellison Oxford Limited

**Reason at Committee** Major development

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### 1. RECOMMENDATION

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

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

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary;
- respond to comments made by the Environment Agency, resolve any concerns or objections and finalise any recommended conditions;
- finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning Services considers reasonably necessary; and
- complete the section 106 legal agreement referred to above and issue the planning permission.

## **2. EXECUTIVE SUMMARY**

- 2.1. This report considers development at both Littlemore House, Armstrong Road and plot 18 of the Oxford Science Park (TOSP) - an allocated employment site. The proposal includes the partial demolition of Littlemore House, a non-designated heritage asset, and erection of a new 2 storey (with lower ground and basement levels) laboratory building with ancillary clinic, restaurant, accommodation and educational floorspace. At plot 18, a raised 2 storey laboratory building would be erected. The proposed buildings would be linked by an elevated walkway and the two sites would be linked by a publically accessible ground level pedestrian and cycle path. Officers consider that the proposed development would respond appropriately to the site context, Local Plan policies and TOSP site allocation. The proposal would provide enhanced pedestrian connectivity and improved wider transport infrastructure through financial contributions and it is considered that there would be no harm to the highway network as a result of traffic generation. The development would result in a net gain in tree canopy cover through new and retained soft landscaping.
- 2.2. There would be no harm to any identified protected species and the proposal would achieve a Biodiversity Net Gain in excess of 10%. The development would be of a sustainable design and construction, achieving between a 41%-55% reduction in carbon emissions when set against the 2021 Part L Building Regulations. The proposed car parking provision is considered acceptable in accordance with the objectives of the Oxford Local Plan 2036 and adequate cycle parking would be provided across the site, with further details to be secured by condition. There would be no adverse land contamination, noise pollution or air quality impact as a result of the proposal. The Environment Agency (EA) are yet to comment on the application due to ongoing resourcing issues, however Officers would liaise with the EA to address any queries or objections and/ or negotiate appropriate conditions prior to granting planning permission.
- 2.3. Subject to addressing comments made by the Environment Agency, the imposition of appropriately worded conditions and a section 106 legal

agreement, the development would accord with all policies in the Oxford Local Plan 2036 and NPPF.

## **LEGAL AGREEMENT**

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

- £633,144 towards bus services serving Littlemore.
- £292,800 towards active travel improvements.
- £2,563.00 towards travel plan monitoring.
- Agreement that the footpath/ cycleway linking Littlemore House and Plot 18 of The Oxford Science Park shall remain open 24 hours a day, 7 days a week in perpetuity.
- Agreement to enter into a S278 Agreement with the Highways Authority.
- Agreement to enter into a Community Employment Plan with the City Council.
- Agreement to achieve Biodiversity Net Gain on site.

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

3.1. The proposal is liable for CIL to the amount of £894,334.24.

## **4. SITE AND SURROUNDINGS**

4.1. The application site comprises two connecting parcels of land with a total area of approximately 4.66ha. Littlemore House, accessed off Armstrong Road, and Plot 18 of TOSP are largely separated by woodland, a tributary of Littlemore Brook and the Newman Place residential development.

### *Littlemore House*

4.2. Littlemore House, a C-shaped building within an expanse of inconsistently sloping grassed and treed landscape, was formerly part of the wider Littlemore Hospital site and converted in the late 1980s for research purposes. It was then acquired and occupied up until recently by SAE Institute for a media college and office space. The primary accesses to the site are from Mandlebrote Drive to the west of the building and Armstrong Road, to the east of the building which runs through the centre of the site and is characterised by an avenue of Lime trees. The site is delineated by a belt of hedgerow and trees and comprises a protected Horse Chestnut tree.

4.3. Littlemore House is not listed, but is considered a non-designated heritage asset due to its former relationship to the adjacent Grade II listed Littlemore Hospital. There are no Conservation Areas covering the site but the Littlemore Conservation Area does sit approximately 360m north west of the site. The site

lies within Flood Zone 1 (low probability of flooding), but adjacent to Flood Zone 2 (medium probability of flooding).

- 4.4. Newman Place, a partially constructed and occupied housing development of 270 units fronting Armstrong Road, lies to the east and south of the site with St George's Manor – a converted residential complex within the Grade II listed former hospital site – lies to the west. To the north of the site lies a wooded burial ground, associated with the historic hospital use, with a railway line beyond.

*Plot 18*

- 4.5. Plot 18 is one of the last remaining undeveloped plots within TOSP and is located immediately north of Littlemore Brook. The plot is characterised by rough grassland with dense trees located to the southern and western boundaries. An existing access road runs along the eastern and north eastern boundaries. The site lies within flood zones 2 and 3 (medium to high probability of flooding).
- 4.6. Surrounding land uses include the railway embankment and line with residential dwellings beyond to the north, office and laboratory buildings within TOSP to the east and south and the Newman Place residential development to the west.
- 4.7. The site is designated as a Category 1 Employment Site, has been allocated for employment use under Policy SP9 and falls within the Cowley Branch Line Area of Change. These designations are set out in more detail within paragraph 9.4-9.6 below.
- 4.8. See site location plan below:

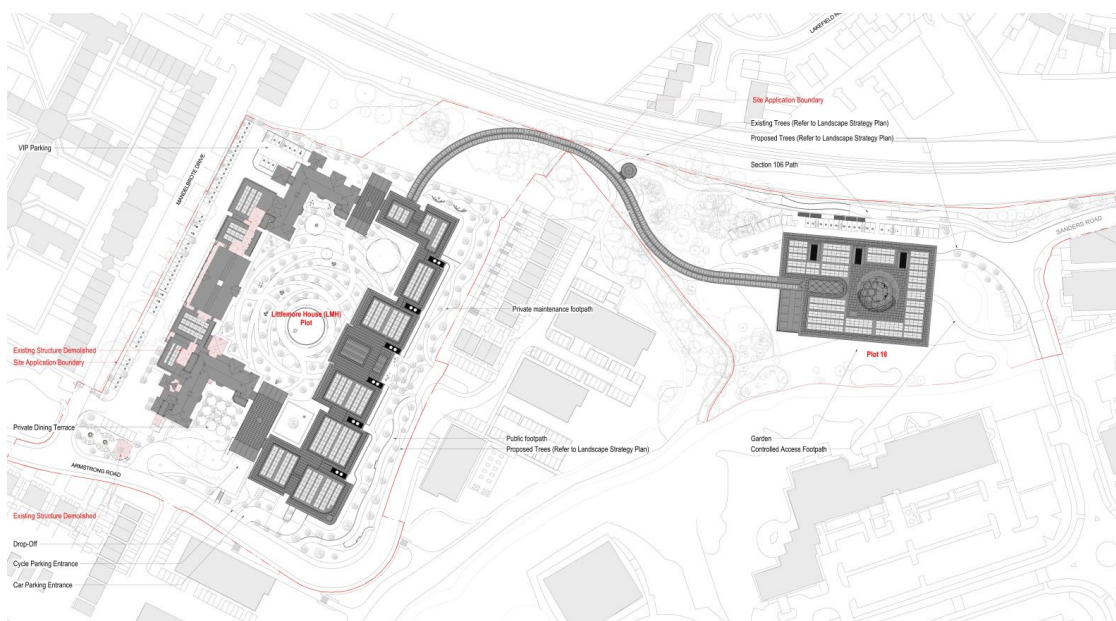


**Figure 1: Site location plan**

## **5. PROPOSAL**

- 5.1. This full application proposes the partial demolition of Littlemore House, a non-designated heritage asset, and erection of a new building in quad form connecting to the remaining Littlemore House building. The building would provide Containment Level 1 (low risk biological agents and hazards, genetically modified organisms, animals and plants) and Containment Level 2 (medium risk biological agents and hazards, genetically modified organisms, animals and plants) laboratories for researching the prevention and treatment of cancer. The building would also provide ancillary uses including a publically accessible restaurant, accommodation for patients and visitors, clinic and educational floorspace. Given the variance in ground level across the site, the new building height would range from 10m to 17m (to the top of the proposed chimneys) which is broadly in line with the height of Littlemore House at approximately 12.5m.
- 5.2. A timber clad elevated walkway is proposed to connect Littlemore House and plot 18. The walkway would be used by staff, visitors and patients of EITM (the applicant) only and not open to the general public. Again, given the variation in ground level, the height of the walkway would range between 7.7m and 14.3m. The route of the walkway avoids impact on significant landscape features and maintains sufficient distance from residential neighbours (29.5m at its nearest point).

- 5.3. The new raised building at plot 18 would also provide Containment Level 1 and 2 laboratories with a water feature 'the Iris garden' underneath. The overall height of the building would be 29m, including the glazed dome (16m up to the dome). An ancillary building, located beneath the publically accessible footpath (referenced as Section 106 path at figure 2 below) due to the change in ground level, would provide a substation, CCTV equipment, waste store, cycle parking and shower facilities. A plant room would be located below ground.
- 5.4. The proposal would provide 208 parking bays across both sites which would equate to provision for 35% of staff. Sufficient cycle parking would be provided across both sites.
- 5.5. Please see proposed block plan at figure 2 below:



**Figure 2: Proposed block plan**

## 6. RELEVANT PLANNING HISTORY

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

<p>88/00882/PN - Change of use from hospital building to scientific research use, buildings 10, 11, 12. Temporary permission 22nd March 1990.</p> <p>91/01055/NF - First floor extension above existing porch to accommodate new lift shaft. Approved 8th November 1991.</p> <p>91/01341/NF - Change of use from ward to office (Rivendell II). Approved 6th April 1992.</p> <p>93/00391/NOY - Demolition of some buildings on the site. Retention of other buildings &amp; change of use from hospital to B1 and outline application for erection of buildings to provide 22,575 sq. m Business Use Class B1 &amp; associated leisure facilities. New access to Sandford Rd (Amended Plans). Approved 16th January</p>
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1995.

95/00283/NRY - (1) Retention of use for business (offices and research and development) - Isis Building (granted temporary permission under 94/01341/NF). (2) Change of use from part of hospital to business (research and development and ancillary offices) including 1st floor, extension for lift shaft and external alterations. - Rivendale Building. (3) Change of use from snooker club to business (research and development and ancillary office) including single storey extensions and porticos - Cherwell Building. (4) Demolition of single storey extensions and corridor links, single storey extensions and erection of 2 storey linking corridor between Isis, Rivendell and cherwell buildings. (5) Erection of building to house boilers and plant. (6) Formation of car park for 150 vehicles and access. (7) Formation of temporary access. (Reserved Matters of application 93/00391/NOY). Approved 12th May 1995.

98/01629/NF - Erection of single storey prefabricated buildings arranged around paved courtyard to provide start-up units for Bioscience Companies (998.4 sq. m.) for a five year period. Shared use of existing access & car parking. (Amended plans). Approved 8th January 1999.

00/00737/NF - Erection of 2 additional prefabricated buildings to provide start up units for bioscience companies for 5 year period. Shared use of existing access and car parking. Approved 3rd July 2000.

00/00738/NT - Renewal of planning permission 98/1629/NF for the erection of single storey prefabricated buildings arranged around paved courtyard to provide start up units for Bioscience Companies ( 998.4 sq.m. ) for a further 5 year period. Shared use of existing access and car parking. Approved 3rd July 2000.

06/01648/FUL - Erection of two x 2 storey buildings for B1B (research and Development) Use. 64 parking spaces. Motorcycle and bicycle parking. Bin stores. Approved 6th November 2006.

09/02314/EXT - Erection of two x 2 storey buildings for B1 (B) (research and development) Use. 64 parking spaces. Motorcycle and bicycle parking. Bin stores. Approved 20th January 2010.

11/01569/FUL - Retention of change of use of part of ground floor and whole of first floor from Class B1 offices to mixed Class B1 office and D1 educational use. (Additional Information). Approved 23rd April 2012.

20/02672/FUL - Erection of two 2-storey buildings to provide 3,500 sqm (GIA) of flexible commercial floorspace (Use Class E) with associated car and cycle parking; hard and soft landscaping and public realm works; ancillary structures including refuse stores, substation building and vehicular access via existing entrance from Armstrong Road. Approved 6th October 2021.

23/00392/FUL - Enabling works comprising the removal of topsoil and excavation of land for primary external drainage runs, the installation of pile mats, guide walls, site hoardings, temporary accesses and access gates, and

temporary office/accommodation, as well as tree and vegetation removal and other associated works. Received, currently awaiting validation.

## **Pre-application advice and Oxford Design Review Panel**

### *Pre-application advice*

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

- The applicants responded to Officer concerns and moved away from the original enclosed and introverted quad typology to ensure that there is a visual link from Littlemore House to the Catalyst site and TOSP to the east as well as an enhanced public realm. The increase in glazing and removal of blank facades enhances legibility from the future Cowley Branch Line station and Science Park and allows an appreciation of the landscape setting of the site from outside the red line boundary.
- A greater sense of cohesion between Littlemore House, the elevated walkway and Plot 18 has been achieved as requested.
- The extent of the basement has been reduced.
- The once paired back landscaping within the grounds of Littlemore House has been greatly enhanced with spaces designed for all intended users.
- The entrances are more legible with less chance of conflict between users.
- The number of car parking spaces throughout the scheme has been reduced from 288 (40% mode split) to 207 (35% mode split).

### *Oxford Design Review Panel (ODRP)*

6.3. On 19<sup>th</sup> May 2022, an informal workshop was held (please see appendix 2a). The Panel advised that the contextual and biodiversity studies are developed further to help understand the character of the natural and built environments of each site. The Panel were concerned about the viability of the elevated walkway and its potential impact on biodiversity, trees and the burial ground. Clarity of the proposed user groups was requested and how the proposal responds to their needs. An integrated approach to the landscape, topography and buildings was encouraged as well as a wider movement and connectivity strategy.

6.4. A further workshop was held on 18<sup>th</sup> August 2022 (please see appendix 2b). The Panel advised that the basement should be omitted to reduce embodied carbon (Planning Committee should note that Policy RE1 of the Oxford Local Plan 2036 does not make reference to embodied carbon) and that car parking numbers should be reduced. Again, the Panel encouraged that alternatives to the elevated walkway are looked into i.e. a simple ground level path between the two sites. The

Panel advised that the buildings need to express their common purpose and that the Littlemore House buildings should not be an enclosed, inward-looking quad.

- 6.5. On 13<sup>th</sup> October 2022, a formal review was held (please see appendix 2c). The Panel continued to advise that a sustainable design and low carbon footprint should be at the heart of the project. Again, the Panel expressed that the Littlemore House building should have a strong relationship with the plot 18 building whilst both sitting comfortably within their individual plots and that the landscape proposals should serve all users and complement the architecture for health and wellbeing.
- 6.6. It is considered that the applicant has sought to address a number of comments made by the Panel. Whilst the basement has not been omitted, it has been reduced in size which is welcomed and it must be noted that there is currently no local policy to resist basements and their associated embodied carbon. The elevated walkway remains part of the scheme as its viability and potential impact on biodiversity, the burial ground and trees has been mitigated by its re-routing and interrogating its required engineering. The proposals design evolution is set out in further detail throughout this report.

## 7. RELEVANT PLANNING POLICY

7.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents
Design	126-136	DH1 - High quality design and placemaking DH7 - External servicing features and stores	
Conservation/Heritage	189-208	DH2 - Views and building heights DH3 - Designated heritage assets DH4 - Archaeological remains	
Housing	60-77	H14 - Privacy, daylight and sunlight	
Commercial	81-83	E1 - Employment sites - intensity of uses SP9 - The Oxford Science Park (Littlemore and Minchery Farm)	Employment Skills TAN
Natural environment	174-188	G1 - Protection of Green/Blue Infrastructure G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	Green Spaces TAN

<b>Social and community</b>	92-103	RE5 - Health, wellbeing, and Health Impact Assessment	
<b>Transport</b>	104-113	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development M3 - Motor vehicle parking M4 - Provision of electric charging points M5 - Bicycle Parking AOC7 - Cowley Branch Line	Parking Standards SPD
<b>Environmental</b>	152-173	RE1 - Sustainable design and construction RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE6 - Air Quality RE8 - Noise and vibration RE9 - Land Quality	Energy Statement TAN
<b>Miscellaneous</b>	7-14	S1 - Sustainable development RE2 - Efficient use of Land RE7 - Managing the impact of development	

## 8. CONSULTATION RESPONSES

- 8.1. Site notices were displayed around the application site on 9<sup>th</sup> January 2023 and an advertisement was published in The Oxford Times newspaper on 12<sup>th</sup> January 2023. Green notices, with the inclusion of the following text "The proposed development to which the application relates is situated within 10m of relevant railway land", were posted on 15<sup>th</sup> March 2023 and a further advertisement in The Oxford Times newspaper with the above text was published on 16<sup>th</sup> March 2023.

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

#### Oxfordshire County Council (Highways)

- 8.2. The Highways Authority originally objected to the proposal on the grounds that the scheme did not provide sufficient cycle parking in terms of quantity and layout. Following amendments to the cycle parking provision, the Highways Authority confirmed in an email dated 13.03.23 that the objection could be removed. Financial contributions, as set out above, in relation to transport infrastructure improvements were requested.

#### Oxfordshire County Council (Lead Local Flood Authority (LLFA))

- 8.3. The LLFA originally objected to the proposal as a number of technical details were missing from the Drainage Strategy. Following the submission of an amended Strategy, the LLFA retained their objection and requested further minor details to the drainage drawings. However, following correspondence with the applicant's drainage consultant, the LLFA confirmed in an email dated 03.04.23 that they would condition

further details given that the drainage proposals are in the design development phase. Final drainage design drawings, to be conditioned, would include the required level of detail including cover levels, invert levels, pipe diameters/materials/gradients and standard Manhole details. At the time of writing, the LLFA are yet to formally suggest condition wording.

Environment Agency (EA)

- 8.4. At the time of writing, the EA is yet to respond to the proposal (response anticipated by 30<sup>th</sup> May) due to ongoing resourcing issues. It is recommended that Committee delegate authority to the Head of Planning to consider comments received from the EA, resolve any objections and attach recommended conditions to the planning permission. It is considered appropriate to proceed to Committee with comments outstanding so as not to delay development.

Thames Water Utilities Limited

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

Natural England

- 8.6. No objection.

Network Rail

- 8.7. No objection.

Littlemore Parish Council

- 8.8. Support the proposal.

Oxford Preservation Trust

- 8.9. No objection.

Thames Valley Police

- 8.10. No comments received.

Oxford Civic Society

- 8.11. Commends the proposal but raised concern regarding increased traffic through Littlemore.

**Public representations**

- 8.12. Three local people commented on this application from addresses in Oxford Road, Lakefield Road and Sandford Lodge Lawn Upton School.

- 8.13. Concern has been raised by one resident regarding the height of the proposed building and dome proposed at plot 18 and the impact this may have on views from properties on Lakefield Road. One resident raised concern about the increase in

traffic movements in the local area and the impact that the elevated walkway may have on the privacy of neighbours. The school wrote in support of the proposal.

- 8.14. **Officer response:** Views of the proposed buildings and elevated walkway from neighbouring properties to the north of the railway have been assessed and considered acceptable taking into account the distance from neighbours and quality of design – this is discussed in more detail at paragraphs 9.38-9.45 below. Neighbouring amenity has been given much consideration and with specific reference to the dome, a condition would be attached restricting illumination of this space in order to reduce any potential light pollution. With regards to a potential loss of privacy from the walkway, it is considered that the transient nature of the walkway and the minimum distance of 22m between the walkway and the nearest neighbouring property would ensure that privacy is not impacted.
- 8.15. With reference to comments made about increased traffic movements, the Highways Authority consider that the trip rates and traffic generation presented within the submitted Transport Assessment to be accurate. The impact assessments demonstrate that all local junctions would operate well within capacity and therefore, the scheme is considered acceptable in this regard.

## **9. PLANNING MATERIAL CONSIDERATIONS**

9.1. Officers consider the determining issues to be:

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

### **a. Principle of development**

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

- 9.3. The Oxford Local Plan recognises at paragraph 128 that Oxford has *“one of the highest concentrations of knowledge intensive businesses in the UK. It has the fastest growing and one of the best educated workforces in the country and is the main centre of research and spin outs in the country. The Local Plan supports the growth of these sectors and puts in place measures to manage the effects of success”*. The Oxfordshire Strategic Economic Plan (2017) sets out the long term vision and ambitions for economic growth in the County, which is that overall by 2030 *“Oxfordshire will be recognised as a vibrant, sustainable, inclusive world leading economy driven by innovation, enterprise and research intelligence”*. The Oxfordshire Local Industrial Strategy (2019) looks to position Oxfordshire as one of the top 3 global innovation ecosystems highlighting the County’s world leading science and technology cluster.
- 9.4. As above, plot 18 forms part of a Category 1 employment site and as such, under the requirements of policy E1 of the Oxford Local Plan 2036, the site is protected for employment floorspace only. Planning permission will be granted for the intensification, modernisation and regeneration for employment purposes of any employment site if it can be demonstrated that the development makes the best and most efficient use of land and does not cause unacceptable environmental impacts and effects. Further, the Science Park is allocated under policy SP9 for employment uses that directly relate to Oxford’s key sectors of research led employment. The policy requires that development should be designed to enhance the external appearance of the park and to optimise opportunities to enhance the park’s landscape and public realm.
- 9.5. The site also falls within the Cowley Branch Line Area of Change, where high density employment development that makes efficient use of land is expected and it is recognised that taller buildings can positively contribute to increasing density and enabling a more efficient use of land.
- 9.6. It is therefore considered that intensifying development on the site for business (Use Class E(g)) uses within the research led employment sector, as proposed, is acceptable in principle subject to compliance with all requirements of policy SP9 and the Local Plan as a whole.
- 9.7. With regards to Littlemore House, this part of the site is not allocated for development under the current Local Plan but it is prudent to note that the site was allocated in the former 2001-2016 Local Plan for research and development. The site allocation was not rolled forward as the site was not promoted for allocation by the landowner. The planning history of the site for employment space is a material consideration, with the most recent permission being granted in October 2021, as well as the nearby employment uses at TOSP also forming the context of the site. The planned growth in this knowledge economy and its role in the Oxford economy is also of merit. It is therefore considered that the proposal would support the Oxford economy and its planned growth in this sector, and thus the principle of the development can be supported under policy E1 as outlined above, subject to compliance with other development management policies in the Local Plan.
- 9.8. The submitted Economic Statement estimates that during the construction of the proposed development, an estimated 155 full time equivalent (FTE) jobs would be delivered in Oxford with 580 in Oxfordshire and 40 elsewhere. During the operation

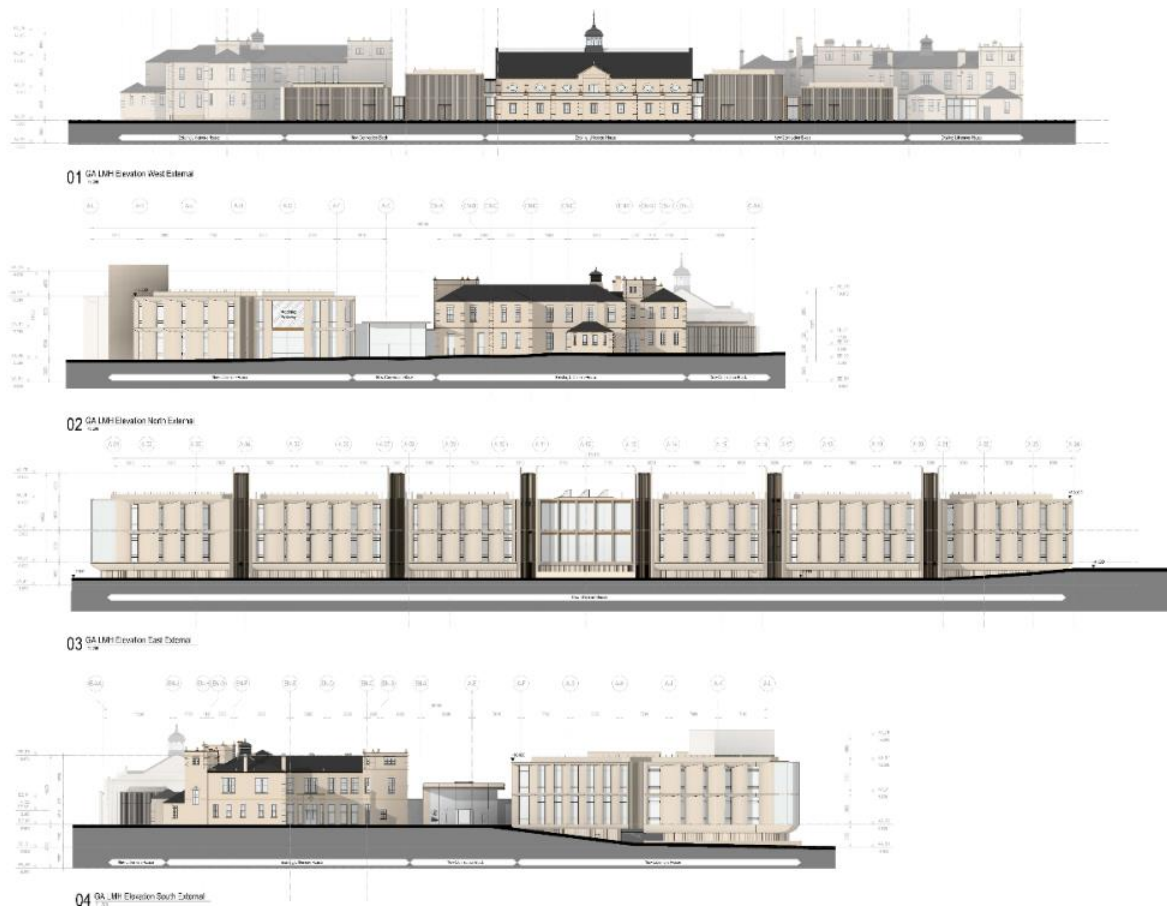
of the development, an estimated 344 FTE jobs would be delivered in Oxford, 223 in Oxfordshire and 98 elsewhere. These figures further support the proposed development in economic terms.

- 9.9. In addition to the above, the applicant has committed to entering into a Community Employment Plan which would ensure that local people are employed during the construction phase, and potentially the operational phase, of the development. This would be secured by legal agreement.

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

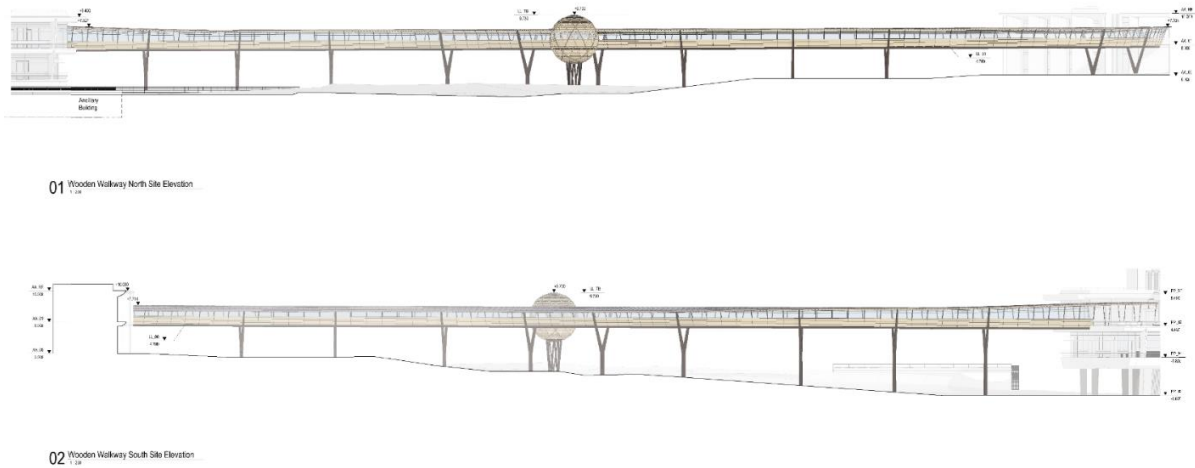
- 9.10. The NPPF makes it clear that the purpose of planning is to help achieve sustainable development (Section 2), and that design (Section 12) and effects on the natural environment (Section 15) are important components of this.
- 9.11. Section 11 of the NPPF notes in paragraph 124 that in respect of development density the considerations should include whether a place is well designed and “the desirability of maintaining an area’s prevailing character and setting...or of promoting regeneration and change”.
- 9.12. Paragraph 130 of the NPPF states that decisions should ensure that developments will a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic in local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place to create attractive, welcoming and distinctive places and e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public open space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 9.13. Local Plan Policy DH1 requires developments to demonstrate high quality design and placemaking.
- 9.14. A key challenge for the Littlemore House site has been marrying the technical needs of a modern R&D building with the scale, articulation and materiality of the non-designated heritage asset. This has however been achieved by incorporating chimneys as a visual link between the old and new and breaking up the massing into smaller blocks more akin to the existing building. While the new building on the Littlemore House site does not, for technical reasons, have as varied a roofline as the existing building, it does add to the variation experienced at street level by stepping the building line which creates apparent variation in the roofline. Please refer to figure 3 below and the proposed block plan at figure 2 above.





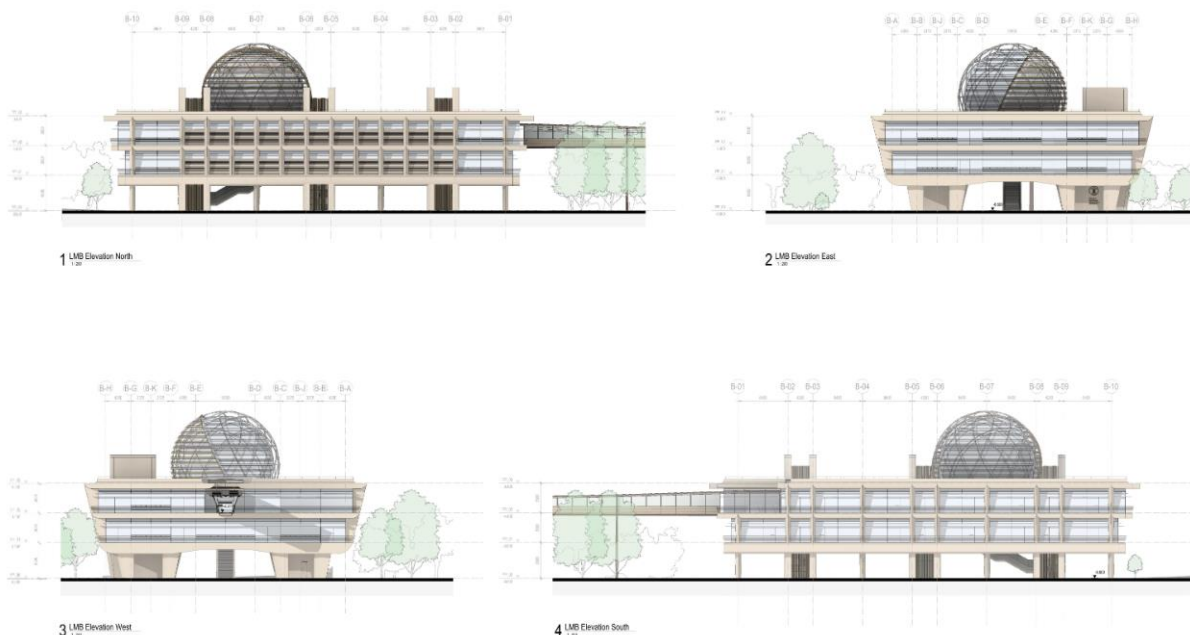
**Figure 3: Littlemore House external elevations**

- 9.15. Further, materiality has been designed to complement Littlemore House with a restrained palette of concrete/stone, bronze coloured metal and timber which is consistent across both buildings.
- 9.16. Following pre-application advice and ODRP feedback which encouraged visual and physical permeability with the streetscape, an atrium was introduced at the eastern elevation to allow views of Littlemore House. A glazed staircase holds the corner of Armstrong Road and the main entrance is mainly glazed to give views into the courtyard. These moments of visual permeability and the revealing of building function inside would contribute positively towards the streetscape.
- 9.17. Littlemore House and Plot 18 of TOSP would be linked in two ways, both of which offer a much improved route than existing which is a long detour through the middle of Sandford. The public ground level footpath crosses the burial ground at the end of Armstrong Road and links around the north of Plot 18. The private timber clad elevated walkway would link the buildings at tree top level with an additional 'nest space' proposed along the walkway. The use of timber here is considered a contextual and imaginative response to the existing woodland. To ensure that the amenity of neighbours is protected, a detailed lighting strategy of the scheme, including the walkway, would be conditioned. Please refer to figure 4 below:



**Figure 4: elevated walkway**

9.18. The building proposed at plot 18, whilst in a more private setting, is intended as more extroverted, providing partial surveillance over the ground level footpath and opening up towards Littlemore Brook. The bulk of the massing sits within the tree canopy of the Science Park with the dome protruding as a design flourish. The raised building design is a positive response to the on-site flooding constraints with its reflecting pool and Iris garden underneath. It is welcome that the vehicular parking on Plot 18 is largely concealed behind the building. Please refer to figure 5 below:



**Figure 5: plot 18 of TOSP**

9.19. As above, the proposal now pursues a 'one campus' philosophy whilst adapting and responding to the characteristics of each site which has generated a slightly different, but successfully complementing, architectural expression on each.

9.20. As required by Local Plan policy DH2, the City Council will seek to retain significant views both within Oxford and from outside.

- 9.21. In long views from Toot Baldon, Nineveh Farm and Kennington Road, the proposals are not highly visible, with the bulk of the massing hidden within the treeline of the Southern edge of Oxford. The proposals are also well screened in closer views from Sandford on Thames, Sandford Road/Cowley Branch Line and Grenoble Road, adjacent to the Priory.
- 9.22. However, it is considered that the addition of the elevated walkway and associated removal of adjacent trees would result in less than substantial harm to the rural setting of the nearby Littlemore Conservation Area, with the proposed development increasing the sense of enclosure of the Conservation Area.
- 9.23. When considering an application affecting the setting of a Conservation Area, Chapter 16 of the NPPF is relevant. Paragraph 199 requires great weight to be given to conserving a designated heritage asset.
- 9.24. Paragraph 200 of the NPPF states that, 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.' Paragraph 202 continues that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'.
- 9.25. As outlined above, the proposed development would lead to far reaching economic benefits within the City and beyond with the applicant also committed to entering into a Community Employment Plan. In addition to this, the purpose of the proposed laboratories and offices is to lead research in cancer prevention and diagnosis as well as hosting lectures, with invites extended to the public when appropriate. Taking this into account, it is considered that the less than substantial harm caused to the rural character of setting of the Littlemore Conservation Area is far outweighed by the public benefits that the proposal would bring with it.
- 9.26. With regards to Littlemore House as a non-designated heritage asset, policy DH5 requires due regard to be given to the impact on the asset's significance and its setting and that it is demonstrated that the significance of the asset and its conservation has informed the design of the proposed development.
- 9.27. The NPPF requires proposals to be based upon an informed analysis of the significance of all affected heritage assets and expects applicants to understand the impact of any proposal upon those assets with the objective being to sustain their significance (paragraph 194). When assessing the impact of a proposal on a non-designated heritage asset the NPPF requires the Local Planning Authority to undertake a balancing judgement having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 203).
- 9.28. The proposed development would result in a loss of the important open space and visual connection from the former hospital buildings with the landscape and surroundings. The proposed demolition would in a loss of the clear visible evidence of the former hospital building, its symmetrical plan form and architectural expression as part of an historic hospital site. Whilst the connection to the original listed hospital buildings has already been partially severed, it is still possible to read at present but

would be further obscured with the addition of the new buildings and the loss of visibility of the existing building.

- 9.29. It is considered that the proposals would result in less than substantial harm being caused to the local heritage asset. This harm would be partially mitigated through a condition requiring recording of the existing building so that those who seek to understand what would be lost are able to do so. Further, it is considered that the benefits of re-using the building, making more efficient use of the site and the economic benefits that the proposal would bring to the City would outweigh the less than substantial harm identified.
- 9.30. In light of the above, it is considered that the proposal accords with policies DH1, DH2 and DH5 of the Oxford Local Plan 2036 and the NPPF.

### **c) Archaeology**

- 9.31. Local Plan Policy DH4 states that where archaeological deposits and features are suspected to be present (including upstanding remains), applications should include sufficient information to define their character, significance and extent of such deposits so far as reasonably practical.
- 9.32. This application is of archaeological interest as it involves groundworks in a location that has potential for Roman, medieval and early modern (late 19th century) remains. The immediate vicinity of the Littlemore House and Plot 18 sites has produced evidence for Bronze Age, Middle Iron Age, Roman and Early Saxon activity, located on the higher ground either side of Littlemore Brook.
- 9.33. The phased evaluation trenching that has been carried out within the Littlemore House part of the application site has only produced evidence for a single Roman ditch containing multiple sherds from a Roman vessel and potentially associated undated ditch, gully and post holes. A second area of the site recorded a ditch containing medieval pottery. Littlemore House is of further interest as the 1st Edition OS map (1876) records a row of likely domestic dwellings and an engine house associated with the Littlemore Asylum. As above, the hospital cemetery is located between the two plots and is to be protected from development. Plot 18 was subject to a watching brief during the removal of peat deposits and surface material in 2001. The submitted geotechnical study confirms the extent of deep modern made ground in this area.
- 9.34. As set out at paragraph 7.1, a separate minor application for enabling works in relation to this development has been submitted that would involve the laying of a pile matt in advance of basement reduction works. This area of potential Roman interest would be subject to a controlled strip and record excavation as part of the enabling works. Given the extent of the proposed basement, it is also considered appropriate to secure an archaeological watching brief by condition.
- 9.36. Littlemore House, as a non-designated heritage asset, would be subject to a photographic record, formatted to Level II standard, prior to its redevelopment. This would be secured by condition.

9.37. With the above mitigation measures in place, it is considered that the proposed development would comply with policy DH4 of the Oxford Local Plan 2036.

#### **d) Impact on neighbouring amenity**

9.38. H14 of the Oxford Local Plan 2036 requires new development to provide reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy RE7 requires the amenity of neighbours to be protected with regards to visual privacy, outlook, sunlight, daylight and overshadowing and impacts of the construction phase. Policy RE8 seeks to control nuisance from noise.

9.39. With regards to the Newman Place residential development, the rear boundaries and the rear walls of dwellings to the east of the application site would sit between approximately 18m and 32m respectively from the proposed development. Dwellings to the south of the application site would sit approximately 42m from the proposed development and neighbours to the north of the railway line would sit approximately 32m from the proposed development.

#### *Privacy*

9.40. Given the significant distances between the proposed development and surrounding residential development, as mentioned above, it is considered that the buildings would not compromise neighbouring privacy.

#### *Overbearing*

9.41. Again, the distance between the plots would mitigate the potential for the buildings to have an overbearing impact on neighbours. Further, the transparency of the proposed eastern elevation and intervening landscaping along the eastern and southern boundaries (please see figure 6 below) would soften the outlook for neighbours within Newman Place. In addition, officers are mindful that the Oxford Science Park has been subject to a long standing allocation for employment use within the current and previous Local Plans and therefore reasonable intensification of plot 18 is expected within this context.



Viewpoint 3: View from Armstrong Road/Littlemore Brook Public Open Space - Photomontage

**Figure 6: View of eastern elevation from Newman Place**

9.42. Within the submitted LVIA, a night time view from the Royal British Legion building on Lakefield Road was provided (please see figure 7 below). Officers are concerned that the illumination of the dome at plot 18 could lead to unacceptable light pollution and impact on neighbours. Therefore, a condition would be attached to the planning permission restricting the hours of illumination in addition to a condition requiring a detailed lighting strategy. In light of the above and subject to the acceptable

discharging of the relevant conditions, the scheme is not considered to have a material impact on neighbouring amenity with regards to light pollution.



Viewpoint 1: View from Lakefield Road/Littlemore and District British Legion - Photomontage (Night-Time)

**Figure 7: View from Lakefield Road at night time**

#### *Daylight/sunlight*

9.43. Overshadowing studies have been submitted, demonstrating the impact of the proposed development on neighbours. In summary, at least half of all the neighbouring gardens would receive at least two hours of sunlight on 21<sup>st</sup> March (equinox) in accordance with BRE guidelines.

#### *Construction phase*

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

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

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

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

9.47. With regards to the proposals impact on healthcare provision, it would essentially provide a private facility which would *'reimagine and redefine cancer treatment, enhance health and transform lives. The facility would be constructed and managed by EITM, an institute which combines interdisciplinary research with the prevention and treatment of cancer.'* To enhance the wellbeing of staff and visitors, the proposal includes landscaped gardens and retains the largely protected woodland. EITM intend on holding events for the public which would also allow access to the landscaped areas. Members of the public would benefit from the ground level foot

and cycle path connecting Newman Place to TOSP and the potential new rail station adjacent to plot 16.

- 9.48. Inclusive design has been considered both internally and externally throughout the scheme with wheelchair accessibility and flexibility available.
- 9.49. As above, the scheme would provide employment locally in both the construction and operational phases and the applicant has committed to entering into a Community Employment Plan.
- 9.50. In light of the above, and the contents of this report as a whole, it is considered that the proposed development would comply with policy RE5 of the Oxford Local Plan 2036.

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

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

#### *Sustainability*

- 9.53. Littlemore is still considered relatively unsustainable in transport terms compared to other parts of Oxford, however there is still a high number of staff within walking and cycling distance from areas such as Sandford-on-Thames, Blackbird Leys, Greater Leys and Cowley. As Planning Committee will be aware, there is a proposal for the Cowley Branch Line (CBL) to be repurposed as a passenger service which would connect Oxford train station with Oxford Business Park, Oxford Science Park and Oxford Parkway train station/Park & Ride. It is currently anticipated that the CBL could operate from December 2026. Within a recent connectivity study by Phil Jones Associates, it was highlighted that active travel improvements to the new Branch Line station at the Science Park were required, and with the high level of staff that would be commuting to the Science Park by active travel, it is considered that these are also required for further development in this area. Some of these are already planned and/or funded and will be implemented in the near future, these include:

- Pedestrian/ cycle link from the Science Park to Armstrong Road as part of this application.
- Improved pedestrian/ cycle permeability and street lighting on Public Right of Way 281/1/40 connecting the Science Park to Minchery Farm.
- New direct pedestrian/ cycle route from Knights Road connecting the Science Park to Blackbird Leys.
- Active travel improvements from Sandford-on-Thames along Church Road and towards Littlemore on Sandford Road.

9.54. It should also be noted that approximately 3,500 dwellings are planned for land south of Grenoble Road 'South Oxford Science Village' which falls with the administrative area of South Oxfordshire District Council. However, should this come forward it would bring with it a large investment in sustainable transport options and increase the viability of schemes such as the CBL passenger rail service.

9.55. It is considered that the below improvements are required in order to make active travel to the area more attractive. Contributions towards these improvements have been requested from this development and others nearby:

- A new pedestrian/cycle crossing on Henley Road to allow easier access to the Science Park from Abingdon, Sandford-on-Thames and Littlemore.
- A new shared use path along Brick Kiln Lane.
- A safer crossing point at the Grenoble Road/Brick Kiln Lane roundabout which would allow pedestrians and cyclists to cross the A4074 slip road to join the shared use path on the northern side of Grenoble Road.
- Upgrading of the cycle route from the Science Park through Littlemore as far as Giles Road.

9.56. As set out above, the proposal includes a new 3m wide pedestrian/cycle link between Armstrong Road and Plot 18 of TOSP, as required by the S106 Agreement attached to the planning permission of plot 12 of TOSP. This connection is greatly beneficial for local residents.

9.57. The sites are currently served by the no. 45 bus which connects the Science Park with Culham, Abingdon, Berinsfield and Cowley and is funded by Culham Science Centre. The sites are also served by the 3A bus which connects the Science Park to the City centre via Littlemore, Rose Hill and Iffley which is soon to be extended to the train station. This service is currently every half an hour but this may change in the future if the proposed traffic filters come in, which will also improve journey time.

9.58. As Planning Committee will be aware, there is a proposal for a new 'eastern arc' bus route which would connect Littlemore and the Science Park with Marston, Headington and North Oxford. This is currently unfunded but should be operational by the occupation of the proposed development. Contributions towards this route have been requested as part of this application.



## Access

9.59. In terms of vehicular access, Plot 18 would be accessed from the existing internal, private Science Park road network with acceptable visibility splays and vehicle tracking. Littlemore House would be accessed from Armstrong Road, the existing access via Mandelbrote Drive. The existing access to the east would be closed up with the footpath reinstated. The two new accesses to be constructed on Armstrong Road would allow for acceptable visibility splays and vehicle tracking with all technical details to be approved with the Highways Authority under a S278 Agreement (secured by legal agreement).

### *Vehicular and cycle parking*

9.60. The proposal would provide 208 car parking bays across the both sites (176 at Littlemore House and 32 at plot 18) which equates to 30-35% of staff (based on 43sq. m. per person). A total of 12 bays would be accessible and 104 would be served with EV charging infrastructure – 50%, in excess of Local Plan requirement.

9.61. During the consideration of the application, the number of cycle parking spaces were increased and the configuration was amended to allow for a high proportion (89%) of single stacked Sheffield stands as preferred by the Highways Authority. The proposal now provides 213 cycle parking spaces (169 at Littlemore House and 44 at plot 18) which is considered acceptable.

### *Traffic impact*

9.62. The submitted impact assessments demonstrate that all local junctions would operate well within capacity and therefore Officers do not consider that the impact from this development on the local highway network would be severe.

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

## **g. Trees and landscaping**

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

9.65. A Tree Preservation Order (TPO) (including both Individual and Area designations) covers much of the original wider Littlemore Hospital estate. At the time the land became available for development, the TPO was created to ensure appropriate consideration of trees as landscape assets in any future development of the site. Three individual Horse Chestnut trees are located within the Littlemore House site; and a protected wooded area runs between the two plots just outside the southwestern boundary of Plot 18. Trees, which have been planted or otherwise established subsequently are not protected; this includes the lime avenue along the Armstrong Road entrance route to Littlemore House, which was planted as part of planning permission 95/01537/NR.

- 9.66. The development at Littlemore House would involve the loss of the lime avenue. Whilst regrettable, their amenity value is largely limited to within the site itself and does not contribute significantly to public views. Taking into account the form and quantum of development proposed, it appears infeasible to retain the limes.
- 9.67. The elevated walkway would be supported from 11 concrete bases with the selected route avoiding the crown and Root Protection Area (RPA) constraints of the principal woodland trees, limiting the implications for existing trees. The positioning of the plot 18 building allows for the retention of most of the important boundary canopy cover with no significant landscape impact from the loss of the trees proposed to be removed; further, the railway embankment would hide any impact from receptors to the north.
- 9.68. In total, 41 individual trees, groups and/or parts of tree groups would be lost as a result of the development. However, given the scale of the site it is more contextual to consider the impacts and mitigations proposed using the tree canopy cover metric as set out at Local Plan policy G7 and the Green Spaces Technical Advice Note (TAN).
- 9.69. The Council's Green Spaces TAN requires a Tree Canopy Cover Assessment to be submitted for various types of applications. For major non-residential developments, it needs to be demonstrated that there would be no net loss in canopy cover compared with a no development baseline scenario + 25 years. It is predicted that the proposed planting would result in a 13% increase in canopy cover after 25 years and a 14% increase in 30 years compared to a no-development scenario.
- 9.70. In light of the above, the proposals are considered to meet the requirements under Local Plan policies G7 and G8 and the Green Spaces TAN.

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

- 9.71. The Council is committed to tackling the causes of climate change by ensuring developments use less energy and assess the opportunities for using renewable energy technologies. As such, policy RE1 of the Oxford Local Plan 2036 requires schemes to incorporate a number of sustainable design and construction principles.
- 9.72. Policy RE1 requires developments for new build non-residential development of over 1,000sq. m. to achieve at least a 40% reduction in carbon emissions from a 2013 Building Regulations (or future equivalent legislation) compliant base case. As the Planning Committee will be aware, the new 2021 building regulations were introduced in June 2022 and form the basis of the submitted Energy Statement. Policy RE1 also requires that non-residential development achieves BREEAM Excellent accreditation.
- 9.73. The submitted Energy Statement has been developed using a 'fabric first' approach with the design seeking to reduce energy demand through passive measures which include the design of the external shading and incorporating natural ventilation to all viable office, meeting and circulation areas.
- 9.74. Air Source Heat Pumps are proposed to heat and cool the building with Ground Source Heat Pumps providing low temperature hot water and chilled water. Energy

would be supplemented by roof mounted solar PV panels across Littlemore House, the elevated walkway and plot 18. Specifications and large scale details of the solar panels would be conditioned to ensure they do not detract from visual amenity.

- 9.75. The scheme would achieve a 41% reduction in carbon emissions at Littlemore House and a 55% reduction at plot 18 when set against Part L of the 2021 building regulations. It is anticipated that the scheme would achieve BREEAM Excellent. Conditions requiring compliance with the approved Energy Statement and certification of BREEAM Excellent would be attached to the planning permission to ensure compliance with local policy.
- 9.76. In light of the above, it is considered that the proposal complies with the requirements of policy RE1 of the Oxford Local Plan 2036.

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

- 9.77. Policy RE6 of the Oxford Local Plan 2036 requires new development to mitigate its impact on air quality and minimise or reduce exposure to poor air quality.
- 9.78. The baseline assessment shows that the application site is located within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council for exceedances of the annual mean NO<sub>2</sub> air quality objective (AQO). Analysis of DEFRA's Urban background maps and of all pollutant concentrations at monitoring locations in the surrounding area of the application site, show clear compliance with all relevant air quality objectives for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations. Therefore, the location of the application site is considered suitable for its intended use without mitigation.
- 9.79. As outlined within the sustainable design and construction section above, the proposed development would be all electric, utilising zero emission technologies. Each building and the walkway would incorporate a PV array. As no combustion sources are proposed during normal operation, no local air quality impacts are anticipated.
- 9.80. The submitted Air Quality Assessment indicates there is a high risk of dust soiling during the demolition and construction phase of development but a low risk of increasing PM concentrations. The risk of dust and increased exposure to PM<sub>10</sub> concentrations impacting on local amenity has been used to identify appropriate dust mitigation measures and provided that these measures are implemented and included within a dust management plan that would be secured by condition, it is considered that the residual impacts are not significant.
- 9.81. The results of the operational phase traffic impact assessment indicate that the impact on NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations at all nearby existing sensitive receptors would be negligible and therefore no mitigation is required. A Site Suitability Assessment of NO<sub>2</sub> concentrations at proposed sensitive receptors at the facades of the proposed buildings and along the site boundary has also been completed. The modelled NO<sub>2</sub> concentrations from the dispersion model are below the annual mean AQO for NO<sub>2</sub>, and the 1-hour mean NO<sub>2</sub> is not predicted to be exceeded at any proposed sensitive receptor, or at the application site boundary. As

such, mitigation measures are not required for the operational phase of the proposed development.

9.82. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE6, subject to suggested conditions set out at section 12 below.

#### **j) Noise**

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

9.84. The submitted acoustic assessment adequately predicts plant noise levels as being below the existing background noise level at the identified receptors taking into consideration distance losses, surface acoustic reflections and, where applicable, screening provided by the proposed buildings. The calculations show that the noise criteria of the proposed plant strategy would meet the Local Plan requirements during the operating period and should not have an adverse impact on the nearest sensitive receptors. Conditions requiring proposed plant noise to fall below existing local background levels and the installation of anti-vibration isolators would be attached to the planning permission to ensure that amenity of occupiers and neighbours is protected.

9.85. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE8.

#### **k) Land quality**

9.86. The Council has a statutory duty to take into account, as a material consideration, the actual or possible presence of contamination on land. As a minimum, following development, land should not be capable of being determined as contaminated land, meaning the contamination poses an unacceptable risk to human health or the environment, under Part 2A of the Environmental Protection Act 1990. In accordance with policy RE9 of the Oxford Local Plan 2036, a Phase 1 Desk Study and contaminated land questionnaire was submitted as part of the application.

9.87. Historical documentation and mapping information indicate that the Littlemore House site has had a previous potentially contaminative use as a hospital and gas works. This could give rise to potential ground contamination risks which could impact future users of the site and surrounding environment.

9.88. The submitted Geo-environmental assessment report and Geo-environmental assessment addendum report confirm the presence of various contamination risks within soils, made ground and groundwater across the whole application site. In terms of mitigation of the identified risks, the submitted site wide Remedial Strategy is considered acceptable on the basis that further testing of groundwater, soils and ground gas is proposed. Results from this further testing is due to be provided within a supplementary briefing note that would be secured by condition.

9.89. It is considered that, subject to conditions set out within section 12 below, the proposed development would comply with Local Plan policy RE9.

## **I) Flood risk and drainage**

- 9.90. Local Plan policy RE3 requires applications for development within flood zones 2 and 3 and sites over 1ha in flood zone 1 to be accompanied by a Flood Risk Assessment (FRA) demonstrating that the proposed development will not increase flood risk on or off site; and safe access and egress in the event of a flood can be provided; and details of the necessary mitigation measures to be implemented have been provided.
- 9.91. As set out above, plot 18 sits within flood zones 2 and 3. The submitted Flood Risk Assessment demonstrates that the site is at a medium flood risk from fluvial and groundwater sources and at low risk from pluvial or artificial sources. To address these risks, mitigation measures are proposed including elevating the more vulnerable uses about the flood level. Additional mitigation measures such as flood doors and basement waterproofing would be employed to manage any exceedance events. The submitted Flood Compensation Report, demonstrates that the proposed development would result in no reduction of the flood storage volume on site.
- 9.92. Littlemore House is located wholly within flood zone 1 and is at low flood risk from fluvial, pluvial, tidal and artificial sources. As such, no flood mitigation measures are proposed.
- 9.93. As set out within this report, the EA are yet to comment on the application with respect to flood risk, therefore Officers reserve judgement on the proposal in this regard and will ensure any concerns or objections are suitably addressed and any suggested conditions are attached prior to issuing a decision notice.
- 9.94. Local Plan policy RE4 requires all development proposals to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. Surface water runoff should be managed as close to its source as possible.
- 9.95. The submitted Drainage Strategy proposes to utilise SuDS such as blue roofs, permeable paving and landscape features such as wetlands and a planted river spur to provide interception, attenuation at source and water quality at plot 18. Discharge from the site would be limited to the greenfield runoff rate for all storms up to the 1 in 100 year storm with a 40% allowance for climate change. Discharge would be via a new outfall that would be created into the Littlemore Brook, which runs along the southern boundary of the site.
- 9.96. At Littlemore House, it is proposed to split the site into two drainage catchment areas. The western existing catchment would retain the foul and surface water drainage networks that currently serve the existing buildings west elevations and parking areas/access roads. SuDS such as permeable paving and landscape planting would be incorporated where feasible. The proposed eastern catchment would collect the drain points from the eastern elevations of the existing buildings to be retained and serve all the other proposed buildings and hardscaping areas. Blue roofs, above basement storage layers, extensive planting/soft landscaping and an attenuation tank would be utilised to allow the discharge rate to be restricted to the greenfield runoff rate for all storms up to the 1 in 100 year storm with a 40% allowance for climate change. A new outfall is proposed into the offsite public surface water sewer, which discharges almost immediately into the Littlemore Brook.

- 9.97. The LLFA objected to the proposed drainage strategy, requiring further details on the drainage strategy drawing and half drain down time calculations. However, given that the drainage proposals are in the design development phase, it is considered that indicating detailed design information requested by the LLFA would be premature and a final detailed drainage design could be secured by condition. Final drainage design drawings would include the required level of detail including cover levels, invert levels, pipe diameters/materials/gradients and standard Manhole details.
- 9.98. In light of the above, and subject to suitably worded conditions, it is considered that the proposal would comply with policy RE4 of the Oxford Local Plan 2036.

#### **m) Ecology**

- 9.99. Local Plan policy G2 states that development that results in a net loss of sites and species of ecological value will not be permitted. On sites where there are species and habitats of importance for biodiversity that do not meet criteria for individual protection, development will only be granted where a) there is an exceptional need for the new development and the need cannot be met by development on an alternative site with less biodiversity interest; and b) adequate onsite mitigation measures to achieve a net gain of biodiversity are proposed; and c) offsite compensation can be secured via legal obligation. Compensation and mitigation measures must offset the loss and achieve an overall net gain for biodiversity of 5% or more from the existing situation and for major development this should be demonstrated using a biodiversity calculator. Section 98 and Schedule 14 of the Environmental Protection Act 2021 that require biodiversity of 10% is not yet in force and the local policy therefore prevails.
- 9.100. The Ecological Assessment (EcA) identified three active and two disused badger setts. The three active setts are located in the woodland linking the plots, with one main/annex sett (S2) and two subsidiary/outlier setts (S1, S3) identified.
- 9.101. Under the Protection of Badgers Act 1992, the ODPM and Defra Circular 06/2005 Biodiversity and geological conservation paragraphs 123 and 124 provides "*The likelihood of disturbing a badger sett, or adversely affecting badgers' foraging territory, or links between them, or significantly increasing the likelihood of road or rail casualties amongst badger populations, are capable of being material considerations in planning decisions*".
- 9.102. There are potential impacts on the three active setts arising from the proposed walkway and cycle path through the woodland. To mitigate any impact, the project ecologist could either follow a non-licenced method statement to avoid impacts or, alternatively, seek to undertake trenching to identify and close any tunnels in the works area under licence. Officers are satisfied a licence could be obtained if required.
- 9.103. The Local Planning Authority (LPA) has a duty to consider whether there is a reasonable likelihood of protected species being present and affected by development at the application site. The presence of a protected species that may be affected by the development is a material consideration for the LPA in its determination of a planning application. The LPA has a duty as a competent authority, in the exercise of its functions, to secure compliance with the Regulation

9(1) The Conservation of Habitats and Species Regulations 2017, which makes it a criminal offence to deliberately disturb a protected species.

9.104. The submitted Ecological Assessment found that foraging bat activity is concentrated around the boundary features of Plot 18, including the woodland. The submitted Ecological Assessment recommends that a sympathetic lighting regime is adopted to retain dark corridors in the woodland and over hedgerows, which is considered appropriate. However, clarification as to how suitable dark corridors would be achieved at appropriate times is required as part of a revised lighting strategy that would be secured by condition to ensure that there is no harm or disturbance to the protected species.

9.105. With regards to bat roosts on site, three were identified in the existing buildings during emergence and re-entry surveys undertaken in June, July and August 2022, including two day roosts comprising small numbers of Brown Long-eared bats and a single day roost comprising an individual Common Pipistrelle in Littlemore House. The Ecological Assessment indicates the two brown long-eared bat roosts would be lost and therefore, the proposed development would only be able to proceed under licence from Natural England. The LPA must consider the likelihood of a licence being granted when determining a planning application. This requires consideration of the “three tests” which development must pass to qualify for a licence, as set out in The Conservation of Habitats and Species Regulations 2017 (as amended). The three tests are as follows:

- a) The purpose of the development must be preserving public health or public safety or another imperative reason of overriding public interest;
- b) There must be no satisfactory alternative; and
- c) The development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

9.106. It is considered that, for the reasons set out within this report, the first two tests would be met. The identified roosts are of low conservation importance and the proposed mitigation would ensure roosting opportunities remain post-development, therefore the third test would also be met.

9.107. All native reptiles are listed as rare and most threatened species under Section 41 of the Natural Environment and Rural Communities Act 2006, and the LPA must have regard for the conservation of Section 41 species in making its decision. Native reptiles are protected under the Wildlife and Countryside Act 1981. The LPA should consider if the developer has taken appropriate measures to avoid, mitigate and, as a last resort, compensate for any negative effects on reptiles in their development proposal.

9.108. A low population of slow-worm is present within the application site. It is proposed these are captured from within the proposed development footprint and translocated to a receptor area within the application site. A reptile mitigation strategy would be conditioned to ensure the approach is feasible.

- 9.109. With regards to water vole and otter, Littlemore Brook has historically been used by both species, although no evidence was recorded by the project ecologist for this application. Notwithstanding this, the precautionary mitigation measures set out within the submitted Ecological Assessment are considered appropriate and would need to be included within a Construction Environmental Management Plan (CEMP), to be secured by condition.
- 9.110. The amended Biodiversity Metric submitted in support of the application indicates the proposed development would deliver an increase in 3.11 habitat units (+15.50%) and 0.87 hedgerow units (+27.36%). The gains are driven by tree planting and woodland enhancement. The biodiversity net gain would be secured via legal agreement in accordance with Oxford City Council practices.
- 9.111. Given the nature and location of the proposed development, the only potential pathway for impacts on the Oxford Meadows Special Area of Conservation (SAC) is through changes in air quality arising from the increase in traffic associated with the development.
- 9.112. It is anticipated that the proposed development would result in a maximum increase of 90 Annual Average Daily Traffic (AADT) on the stretches of the A34 and A40 that pass immediately adjacent to the Oxford Meadows SAC. Previous modelling has been undertaken that indicates the developments at Plot 16, 23-26, and 27 would generate a maximum increase of 784 AADT on the relevant roads. Therefore, the proposed development at Plot 18 and Littlemore House would not, in combination with these projects, exceed 1,000 AADT, which would be a trigger for further assessment. As such, Officers are satisfied that the project would not give rise to any likely significant effects on the Oxford Meadows SAC, either alone or in combination with other projects/plans.
- 9.113. In light of the above, it is considered that the proposal would accord with the requirements of policy G2 of the Oxford Local Plan 2036.

#### **n) Utilities**

- 9.114. Local Plan Policy V8 requires developers to explore existing capacity (and opportunities for extending it) with the appropriate utilities providers.
- 9.115. The applicant is in contract with SSE to meet the proposal's electrical demand and an Independent Distribution Network Operator are engaged to provide the connection. At plot 18, the existing HV cable would need to be diverted in order to avoid the ancillary building – an application to do so would be made to SSE.
- 9.116. Whilst the proposed heating and cooling strategy is all electric, there may be gas requirements for kitchen burners. In the event that this is the case, the applicant intends to install a natural gas line during construction to avoid retro-fitting and as such has sought confirmation from SGN that there is capacity in the network to serve the development.
- 9.117. Thames Water has confirmed that the required flow rate of 1 l/s is achievable in principle. Thames Water will commence further modelling if planning permission is granted or when the applicant underwrites the modelling fees. A storage tank has



been designed to support the building loads, which serves as a buffer store that would meet any peak loads during the day, ensuring that the flow rate from the mains would always remain below 1 l/s.

9.118. Thames Water has also confirmed that there will be sufficient sewerage capacity in their network to serve foul flows from Littlemore House. Plot 18 would be connected to the existing private foul water pump station at TOSP. A pre-development enquiry has been undertaken with Thames Water for an indirect connection as the off-site private pump station ultimately discharges to the downstream public sewers.

9.119. Both Openreach and Virgin Media have capacity to provide sufficient data connections to the proposed development.

9.120. The proposal therefore complies with policy V8 of the Oxford Local Plan 2036.

## **10. PLANNING OBLIGATIONS**

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

- £633,144 towards bus services serving Littlemore.
- £292,800 towards active travel improvements.
- £2,563.00 towards travel plan monitoring.
- Agreement that the footpath/ cycleway linking Littlemore House and Plot 18 of The Oxford Science Park shall remain open 24 hours a day, 7 days a week in perpetuity.
- Agreement to enter into a S278 Agreement with the Highways Authority.
- Agreement to enter into a Community Employment Plan with the City Council.
- Agreement to achieve Biodiversity Net Gain on site.

## **11. CONCLUSION**

11.1. Officers consider that the proposed development would respond appropriately to the site context and Local Plan policies and Oxford Science Park site allocation.

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

11.3. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver sustainable development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due

weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.

- 11.4. Therefore it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.
- 11.5. Officers consider that the proposed development would respond appropriately to the site context, Local Plan policies as a whole and TOSP site allocation.
- 11.6. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out at section 12 of this report and the satisfactory completion (under authority delegated to the Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

## 12. CONDITIONS

### *Time limit*

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

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

### *Approved plans*

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

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

### *Materials*

3. Prior to the commencement of works above ground floor slab level, large scale sample panels (minimum of 1m x 1m) of external materials shall be erected on site and approved in writing by the Local Planning Authority. The external materials to be used shall be in accordance with the details of materials indicated on the following drawings:
  - 'Littlemore House General Arrangement Elevation Overall External' (dwg. no. EITM-FOS-AA-XX-D-A-06100 X02).
  - 'Littlemore House General Arrangement Elevation Internal' (dwg. no. EITM-FOS-AA-XX-D-A -06101 X02).

- 'Walkway Site Elevations Overall External' (dwg. no. EITM-FOS-LL-XX-D-A -06101 X02).
- 'Plot 18 General Arrangement Elevation Overall External' (dwg. no. EITM-FOS-PP-XX-D-A -06100 X02)

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

*Hard landscaping works*

4. Prior to the commencement of hard landscaping works, hard landscaping samples shall be erected on site and approved in writing by the Local Planning Authority. The development shall be completed in strict accordance with the approved sample panels and samples unless otherwise agreed in writing by the Local Planning Authority. Sample panels and samples shall, where feasible, remain on site for the duration of the development works following their approval by the Local Planning Authority.

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

*Signage and lighting*

5. Prior to the installation of any external signage and lighting fixtures, large scale details (1:50), images and specifications shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with approved details unless otherwise approved in writing by the Local Planning Authority.

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

*Balustrading and boundary treatments*

6. Prior to the installation of any balustrading adjacent to the vehicular ramps and boundary treatments, large scale details (1:50) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

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

*Solar panels*

7. Prior to installation, large scale drawn details and specifications of the proposed vertical and horizontal solar PV panels shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details

shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

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

#### *Lighting strategy*

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

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

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

#### *Dome illumination*

9. The 'operating theatre' at plot 18, described as such on dwg. no. EITM-FOS-PP-02-D-A-03100 P02, shall not be illuminated between the hours of 22:00 and 07:00.

Reason: To safeguard neighbouring amenity in accordance with policies RE7 and H14 of the Oxford Local Plan 2036.

#### *Noise emission*

10. Prior to installation, details of the external noise level emitted from any mechanical plant, machinery and equipment along with appropriate mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. Mitigation measures shall ensure that the rating level of the noise

emitted from the proposed installation located at the site shall not exceed the existing background level at any noise sensitive premises when measured and corrected in accordance with BS4142:2014 +A1:2019 “Methods for rating and assessing industrial and commercial sound.”

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

*Anti-vibration isolators*

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

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

*Emergency plant and equipment*

12. Noise emitted from the emergency plant and generators, to be operated only for essential testing except when required by an emergency loss of power, shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10dB one metre outside any premises. Testing of the emergency plant and generators shall be carried out only for up to one hour per calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

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

*Construction Environmental Management Plan (CEMP)*

13. Prior to the commencement of development, a revised Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the complete list of site specific dust mitigation measures and recommendations that are identified on Tables 5.5 and 5.6 (pages 28-31) of the approved Air Quality Assessment. The development shall be carried out in strict accordance with the approved CEMP.

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

*EV Charging points*

14. Prior to the commencement of development, details of the Electric Vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following provisions:

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

The electric vehicle infrastructure shall be formed, and laid out in accordance with these approved details prior to first occupation and shall remain in place thereafter.

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

*Thames Water infrastructure*

15. There shall be no occupation of the development beyond 1l/s demand until confirmation has been provided to the Local Planning Authority, in consultation with Thames Water that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or – a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation of additional floorspace shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no/ low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

*Travel Plan*

16. Prior to first occupation of the development a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

*Cycle parking*

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

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

*Construction Traffic Management Plan (CTMP)*

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

The development shall be carried out in complete accordance with the approved CTMP.

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

#### *Archaeology*

19. Prior to the commencement of development, the applicant, or their agents or successors in title, shall secure the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out and completed in accordance with the approved WSI, unless otherwise agreed in writing by the Local Planning Authority.

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

#### *Historic Building Recording*

20. Prior to the commencement of development at the Littlemore House plot, the applicant, or their agents or successors in title, shall secure the implementation of a programme of historic building recording in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

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

#### *Landscape Plan*

21. Prior to first occupation or use of the development, a landscape plan shall be 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 also include an amended species selection for the proposed new tree planting along the southern boundary, adjacent to the car park ramps. The plan shall correspond to a schedule detailing plant numbers, sizes and nursery stock types.



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

*Landscape proposals – implementation*

22. The landscaping proposals as approved by the Local Planning Authority pursuant to condition 21 shall be carried out no later than the first planting season after first occupation or first use of the development hereby permitted 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*

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

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

*Landscape Management Plan*

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

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

*Landscape surface design – tree roots*

25. Prior to the commencement of development, details of the design of all new hard surfaces and a method statement for their construction shall be submitted to and approved in writing by the Local Planning Authority. The hard surfaces shall be constructed in strict accordance with the approved details unless otherwise agreed in writing beforehand by the Local Planning Authority. Details shall take into account the need to avoid any excavation within the Root Protection Area of any retained tree and where appropriate the Local Planning Authority will expect "no-dig" techniques to be used, which require hard surfaces to be constructed on top of existing soil levels in

accordance with the current British Standard 5837: "Trees in Relation to Design, Demolition and Construction – Recommendations".

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

*Underground services – tree roots*

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

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

*Arboricultural Method Statement*

27. The development shall be carried out in strict accordance with the approved methods of working and tree protection measures contained within the approved details and shown on Tree Protection Plan drawing referenced: Barrell: 22064-6, unless otherwise agreed in writing beforehand by the Local Planning Authority. The Local Planning Authority shall be informed in writing when physical tree protection measures are in place, in order to allow Officers to make an inspection prior to the commencement of development.

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

*Arboricultural Monitoring Programme (AMP)*

28. Prior to the commencement of development, including demolition and enabling works, details of an Arboricultural Monitoring Programme (AMP) shall be submitted to and approved in writing by the Local Planning Authority. The AMP shall include a schedule of a monitoring and reporting programme of all on-site supervision and checks of compliance with the details of the Tree Protection Plan (drawing referenced: Barrell: 22064-6) and/or Arboricultural Method Statement, as approved by the Local Planning Authority. The AMP shall include details of an appropriate Arboricultural Clerk of Works (ACoW) who shall conduct such monitoring and supervision, and a written and photographic record shall be submitted to and approved in writing by the Local Planning Authority at scheduled intervals in accordance with the approved AMP. The development shall be carried out in strict accordance with the

approved AMP unless otherwise agreed in writing by the Local Planning Authority.

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

#### *BREEAM*

29. Prior to first occupation of the development hereby approved, the full BREEAM assessment (or recognised equivalent assessment methodology), confirming the achievement of a level of Excellent shall be provided to and confirmed in writing by the Local Planning Authority.

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

#### *Energy Statement*

30. The development shall be implemented in strict accordance with the approved Energy Statement (Foster + Partners, December 2022, Version 1.0). Prior to the first occupation of the development evidence (including where relevant Energy Performance Certificate(s) (EPC), Standard Assessment Procedure (SAP) and Building Regulations UK, Part L (BRUKL) documents) shall be submitted to the Local Planning Authority to confirm that the energy systems have been implemented according to details laid out in the approved Energy Statement and that they achieve the target performance as approved.

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

#### *Green roofs*

31. Prior to installation, specifications of and a maintenance plan for the proposed green roofs shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation and maintained thereafter.

Reason: To ensure the longevity of this new green infrastructure in accordance with policy G8 of the Oxford Local Plan 2036.

#### *Contamination risk assessment*

32. Prior to the commencement of above ground works, a further contamination risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Land Contamination Risk Management (LCRM) procedures for managing land contamination. The risk assessment, in the form of an updated briefing note, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with approved details.

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

*Land quality – unexpected contamination*

33. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found, remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

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

*Remedial works*

34. Prior to occupation, all approved remedial works shall be carried out and a full validation report shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with approved details.

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

*Protection of roosting bats*

35. Prior to the commencement of any works affecting bats or their roosts, evidence of the receipt of a European protected species licence, or the successful registration of the site under the bat mitigation class licence, from Natural England, specific to this development, shall be submitted to the Local Planning Authority.

Reason: To protect bats in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended) and Wildlife and Countryside Act 1981 (as amended).

*Lighting Design Strategy for Biodiversity*

36. Prior to the installation of any external lighting, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

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

All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy, and these shall be maintained thereafter in strict accordance with the approved strategy unless otherwise approved 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.

*Construction Environmental Management Plan: Biodiversity*

37. No development shall commence, including demolition, 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)*

38. Prior to the occupation of the development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:

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

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The development shall be carried out in strict accordance with the approved LEMP.

Reason: To prevent harm to species and habitats within the development site in accordance with The Wildlife and Countryside Act 1981 (as amended), and to improve the biodiversity in Oxford City in accordance with Policy G8 of the Oxford Local Plan 2036 and the National Planning Policy Framework.

#### *Ecological Enhancements*

39. Prior to the commencement of development, a scheme of ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include specifications of landscape planting of known benefit to wildlife, including nectar resources for invertebrates, in addition to bat roosting devices and bird nesting devices. Details must include the proposed specifications, locations, and arrangements for any required maintenance of the devices. The approved devices and enhancements shall be fully constructed prior to occupation of the approved

buildings and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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

#### *Cotoneaster Eradication Plan*

40. Prior to the commencement of the development, an invasive non-native species protocol shall be submitted to and approved in writing by the local planning authority, detailing the containment, control and removal of Cotoneaster Horizontalis on site. The measures shall be carried out strictly in accordance with the approved scheme prior to occupation.

Reason: It is an offence under the Wildlife and Countryside Act 1981 (as amended) to plant or cause to grow in the wild any plant listed in Schedule 9, Part 2 of the Act. Cotoneaster Horizontalis is included within this schedule.

#### *Badgers*

41. No more than one month prior to commencement of any works, a badger walkover shall be undertaken. Should any new badger activity be recorded within the site, full surveys and a badger mitigation strategy shall be produced and submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the mitigation measures within the mitigation strategy as approved. If necessary, a licence shall be obtained from Natural England for works to proceed lawfully.

Reason: To prevent harm to badgers in accordance with the Protection of Badgers Act 1992.

#### *Time limit on development before further surveys are required*

42. If the development hereby approved does not commence prior to September 2024, or having commenced is suspended for more than 12 months, further ecological surveys shall be commissioned to:
- i. Establish if there have been any changes in the presence and abundance of roosting bats; and
  - ii. Identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures shall be revised and new or amended measures, and a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Works shall then be carried out in strict

accordance with the proposed new approved ecological measures and timetable.

Reason: To protect bats in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended) and The Wildlife and Countryside Act 1981 (as amended).

#### INFORMATIVES:

1. This development is liable for CIL.
2. Construction and demolition works and associated activities at the development, audible beyond the boundary of the site should not be carried out other than between the hours of 07:00 – 19:00 Monday to Friday daily, 08:00 – 13:00 on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer.
3. At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works should be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.
4. All waste materials and rubbish associated with demolition and/or construction should be contained on site in appropriate containers which, when full, should be promptly removed to a licensed disposal site.
5. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he/she will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed online via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

#### **13. APPENDICES**

- 13.1. **Appendix 1** – Site location plan
- 13.2. Appendix 2a-c – ODRP reports

#### **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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## OXFORD CITY PLANNING COMMITTEE

21.11.2023

<b>Application number:</b>	23/02006/FUL		
<b>Decision due by</b>	26th October 2023		
<b>Extension of time</b>	21st November 2023		
<b>Proposal</b>	Change of use from dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4). Provision of bin and bike stores (amended plans)		
<b>Site address</b>	43 Dodgson Road, Oxford, Oxfordshire, OX4 3QS – see <b>Appendix 1</b> for site plan		
<b>Ward</b>	Cowley Ward		
<b>Case officer</b>	Chloe Jacobs		
<b>Agent:</b>	Jim Driscoll	<b>Applicant:</b>	Mr Latif
<b>Reason at Committee</b>	The applicant is a Councillor		

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### 1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

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

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

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

### 2. EXECUTIVE SUMMARY

2.1. This report considers the proposal for the change the use of 43 Dodgson Road from a dwellinghouse (Use Class C3) to a house in multiple occupation (HMO, Use Class C4) along with the provision of bin and cycle stores.

2.2. This report considers the following material considerations:

- Concentration of HMOs
- Internal and External Space
- Parking and Highways

- Bicycle Storage
- Bin Storage

2.3. The report concludes that the development is considered acceptable in principle, complying with the concentration of HMOs allowed in the local area, and it would not result in a change to the character of the area or the community becoming unbalanced. The proposal would provide a good standard of accommodation that would comply with the City Council's Landlord's Guide to Amenities and Facilities for Houses in Multiple Occupation. The site would not give rise to any unacceptable impacts on parking or on public highways. Subject to the recommended conditions, the proposal is considered to comply with Policies S1, H6, H15, H16, DH7, RE7, M3 and M5 of the Oxford Local Plan and the NPPF. Officers therefore support the grant of planning permission.

### 3. LEGAL AGREEMENT

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

### 4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

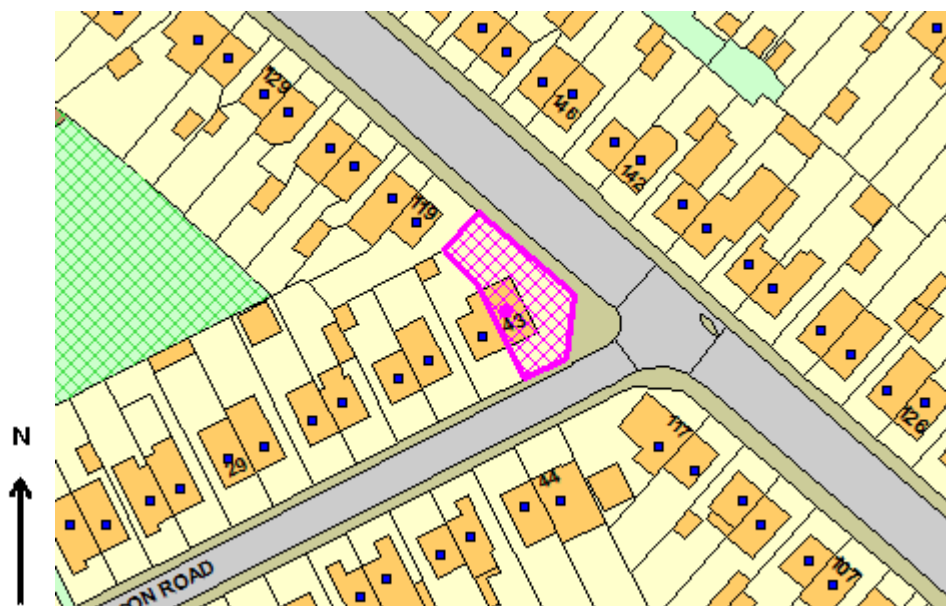
4.1. The proposal is not liable for CIL.

### 5. SITE AND SURROUNDINGS

5.1. The site is located within a residential road located within the Cowley area of Oxford City.

5.2. The application site relates to a two storey, semi-detached property located on the corner of Dodgson Road and Barns Road.

5.3. See block plan below:



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Ordnance Survey 100019348

## 6. PROPOSAL

- 6.1. The application proposes the change of use of the property from a dwellinghouse (Use Class C3) to a house in multiple occupation (Use Class C4).
- 6.2. It also seeks planning permission for the provision of bin and cycle storage.
- 6.3. During the course of the application, amended plans have been received altering the internal layout of the proposed development so that it complies with the space requirements set out in Oxford City Council's Landlord's Guide to Amenities and Facilities for Houses in Multiple Occupation. Given that these alterations were to the internal layout, it was not necessary for the application to be re-advertised and/or re-consulted on. It is these amended plans that this report considers in detail below.

## 7. RELEVANT PLANNING HISTORY

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

81/00523/P - Single storey rear extension. PERMITTED DEVELOPMENT 25th June 1981.

22/01991/FUL - Demolition of existing rear extension. Erection of a two storey side extension and single storey rear extension. Alterations to roof to hip to gable and formation of 1no. rear dormer in association with a loft conversion. Alteration to 1no. window and insertion of 1no, window to rear elevation. Provision of car parking, bin and bike stores.. WITHDRAWN 28th October 2022.

## 8. RELEVANT PLANNING POLICY

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

Topic	National Planning Policy Framework	Local Plan	Other planning documents
Design	117-123, 124-132	<b>DH7</b> – External servicing features and stores	
Housing	59-76	<b>H6</b> – Houses in Multiple Occupation (HMO) <b>H15</b> – Internal space standards <b>H16</b> – Outdoor amenity space standards	
Transport	117-123	<b>M3</b> – Motor vehicle parking <b>M5</b> – Bicycle parking	
Environmental	117-121, 148-165, 170-183	<b>RE7</b> – Managing the impact of development	

Miscellaneous	7-12	S1–Sustainable development	
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## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 6th September 2023.

9.2. Statutory and non-statutory consultees:

Oxfordshire County Council (Highways)

9.3. No comments received.

### **Public representations**

9.4. No letters of public representation have been received at the time of writing.

## 10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Concentration of HMO's
- Internal Space Standards
- Outdoor amenity space
- Highways and Car parking
- Bin Storage
- Bicycle Storage

### **a. Concentration of HMO's**

10.2. As of 24th February 2012 planning permission is required to change the use of any dwellinghouse (Use Class C3) in Oxford City to a House in Multiple Occupation (Use Class C4), due to the removal of permitted development rights under an Article 4 Direction.

10.3. Policy H6 of the Oxford Local Plan states that the change of use of a dwelling to an HMO will only be granted where the proportion of buildings used in full or part as an HMO within 100m of street length either side of the application site, does not exceed 20%. This includes side roads and footpaths.

10.4. Within 100m either side of 43 Dodgson Road, there are a total of 66 buildings, including the host property. There are currently 3 HMOs (Nos. 37 Dodgson Road and 146 and 156 Barns Road) within 100m of the site and the proposal would result in a total of 4 of these buildings being classed as a HMO. The proposed HMO at 43 Dodgson Road, would result in a total of 6%, well within the allowed 20%.

10.5. The proposal would therefore maintain a balanced community and would comply with Policy H6 of the Oxford Local Plan 2036

## **b. Internal Space Standards**

- 10.6. Policy H6 states that the change of use of a dwelling in Use Class C3 to an HMO will only be granted where the development complies with Policy H15 and the City Council's good practice guidance on HMO amenities and facilities. Policy H15 states that planning permission will only be granted for new dwellings that provide good quality living accommodation for the intended use.
- 10.7. 43 Dodgson Road is set over two floors. On the ground floor the site would comprise a dining room, kitchen, living room and a bedroom. On the first floor the site would comprise an additional three bedrooms (one of which is shown as a study), a W.C and a separate shower room.
- 10.8. The original plans for this application showed that the ground floor would comprise a separate kitchen, living room and dining room and a bedroom. However, the proposed kitchen measured 5.3m<sup>2</sup> and was below the minimum requirement for a kitchen as outlined in the Oxford City Council's Landlord's Guide to Amenities and Facilities for Houses in Multiple Occupation which states that kitchens must be a minimum of 7m<sup>2</sup>. In light of this, amended plans were received to show a combined kitchen, dining and living room to ensure that the kitchen would meet the minimum requirements.
- 10.9. 43 Dodgson Road will comprise of three bedrooms measuring 12.1m<sup>2</sup>, 10.6m<sup>2</sup>, and 11.1m<sup>2</sup>. The proposal also includes a study however, this measures 5m<sup>2</sup> and therefore does not comply with the minimum space standards for a single occupancy bedroom (as set out in the Oxford City Council's Landlord's Guide to Amenities and Facilities for Houses in Multiple Occupation). Given its size, this room is too small to be used as a bedroom and this will be controlled under the HMO Licensing regime.
- 10.10. Whilst the proposal provides a shared kitchen/diner/living room this area measures 16m<sup>2</sup> and does not meet the minimum requirement of 18m<sup>2</sup> for a combined kitchen and living room. Notwithstanding this, where there is no additional shared living/communal space or where this space falls below the minimum space requirements, the Oxford City Council's Landlord's Guide to Amenities and Facilities for Houses in Multiple Occupation requires a larger bedroom size. In this case, the lack of communal space is acceptable providing that the bedrooms meet the minimum 8.5m<sup>2</sup> for single occupancy rooms and 14m<sup>2</sup> for double occupancy rooms. In this case, given the size of the bedrooms, the proposal would provide three single bedrooms which could accommodate up to 3 people. Notwithstanding this, the exact number of occupiers would be further controlled and monitored under the HMO licensing regime.
- 10.11. In light of the above, the proposed development is considered to provide adequate internal space in accordance with Policies H6 and H15 of the Oxford Local Plan 2036

## **c. Outdoor Amenity Space**

- 10.12. Policy H16 of the Oxford Local Plan 2036 states that planning permission will only be granted for dwellings that have direct and convenient access to an area of private open space.

- 10.13. Policy RE7 of the Local Plan which states that planning permission will only be granted for development that ensures the amenities of communities, occupiers and neighbours is protected.
- 10.14. To the side and rear of the site is a garden area. The private outdoor amenity space is considered to be of a reasonable size that would be adequate for seating, clothes drying with reasonable circulation etc. It is acknowledged that the site lies on a corner plot and the garden is not overly private. Nonetheless this is the existing situation for the C3 dwelling and such provision for the proposed C4 use is equally acceptable.
- 10.15. Therefore, the proposal is considered to accord with policy RE7 of the Oxford Local Plan 2036.

#### **d. Highways and Car Parking**

- 10.16. Policy M3 states that in CPZs where development is located within a 400m walk to frequent public transport services and within 800m walk to a local supermarket or equivalent facilities, planning permission will only be granted for residential development that is car-free. In all other locations, planning permission will only be granted where the relevant maximum standards set out in Appendix 7.3 are complied with. Policy M3 also states that in the case of the redevelopment of an existing or previously cleared site, there should be no net increase in parking on the site from the previous level
- 10.17. The application site is within the Cowley Centre East Controlled Parking Zone and is situated in a highly sustainable location, benefiting from good access to public transport and local amenities and therefore the proposal does qualify to be a car-free development.
- 10.18. 43 Dodgson Road currently benefits from an area of hardstanding to the rear of the dwelling which is used for off-street parking for one vehicle. The proposal does not include any amendments to the parking arrangement, with one off-street parking space being retained and provided for occupiers. Whilst the site qualifies to be car free, it is noted that the site will retain 1 off-street car parking space. As the proposals are only retaining the existing number of parking spaces, the proposed development would not result in a net gain in car parking and is considered acceptable on this basis. The provision of one parking space is considered to be adequate for a HMO of this size in this location, with the site benefitting from being within walking distance of a local food store and bus stops offering a range of frequent services.
- 10.19. Due to the property being located within a CPZ, to ensure that the proposal does not result in demand for on-street parking, a condition has been recommended to require the Road Traffic Order to be varied to remove any eligibility for future parking permits.
- 10.20. In light of this, the proposals are unlikely to have a detrimental impact on the local highway network in traffic and safety terms. Subject to imposing the condition referred to above, the proposals have an acceptable impact on parking and therefore conforms with Policy M3 of the Oxford Local Plan 2036 and the NPPF.



### **e. Bin Storage**

- 10.21. Policy DH7 states that planning permission will be granted where it can be demonstrated that bin and bike storage is provided in a way that does not detract from the overall design of the scheme or the surrounding area.
- 10.22. Bin storage is proposed in a secure storage area that is proposed to be located to the front of the property. It would measure 2m wide by 1m deep and would consist of a flat roof with a maximum height of 1.5m. The proposed bin store would be constructed using timber weatherboarding attached to a studwork frame with a mineral felt roof.
- 10.23. It is considered that there is enough space at the front of the property to accommodate a bin store which would be convenient and easily accessible for occupants to use and would be an acceptable pull distance for residents. The bin store would be of timber construction and is considered to be of an appropriate design, scale and materials that would not detract from the streetscene or amenities of neighbours.
- 10.24. Officers are satisfied that the proposal would comply with Policy DH7 of the Oxford Local Plan.

### **f. Bicycle Storage**

- 10.25. Policy M5 states that planning permission will only be granted for development that complies with or exceeds the minimum bicycle parking provision as set out in Appendix 7.3. Policy M5 also states bicycle parking should be, well designed and well-located, convenient, secure, covered (where possible enclosed) and provide level, unobstructed external access to the street.
- 10.26. Appendix 7.3 states that for HMOs at least 1 bicycle parking space should be provided per occupant. As discussed previously in this report, the property is large enough to accommodate up to 3 occupants, and therefore the proposed provision of bicycle storage should be for at least 3 bicycles, providing one space per occupant.
- 10.27. Policy DH7 states that planning permission will be granted where it can be demonstrated that bin and bike storage is provided in a way that does not detract from the overall design of the scheme or the surrounding area.
- 10.28. The proposed plans show that the 1no cycle stores would be sited to the front of the property and would provide storage space for up to 4 bicycles. The proposed bicycle store would measure 2m wide by 1m deep and would consist of a lean to/mono pitched roof with a lower eaves height of 1m and overall maximum height of 1.3m. The number of cycle spaces provided is considered to comply with the minimum amount required by policy M5 of the 2036 Local Plan.
- 10.29. The cycle store would be of a metal construction and is considered to be of an appropriate design, scale and materials that would not detract from the streetscene or amenities of neighbours.

10.30. Subject to condition, Officers are satisfied that the proposal would comply with Policy M5 of the Oxford Local Plan.

## **11. CONCLUSION**

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

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

11.3. Therefore it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.

11.4. In summary the proposed development would make efficient use of an existing site to deliver multi-occupancy housing and is supported by the overall objectives of the Oxford Local Plan 2026 and Policies S1 and H6. The development would not result in any harm to the character of the surrounding area and would be in accordance with Policy H6. The proposals would provide a good standard of accommodation in terms of internal space and outdoor amenity space and would comply with Policies H15 and H16. The development would not have any unacceptable impacts in terms of highway safety, including to pedestrians and cyclists, and is compliant with Policies M3, M5 and RE7.

11.5. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions listed below.

## **12. CONDITIONS**

### **Time limit**

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

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

### **Development in accordance with approved plans**

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

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

### **Variation to Road Traffic Order**

3. The development hereby permitted shall not be occupied until the Order governing parking at 43 Dodgson Road; has been varied by the Oxfordshire County Council as highway authority to exclude the site, subject to this permission, from eligibility for resident's parking permits and residents' visitors' parking permits unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development or change of use does not generate an increase in parking demand, restrict existing residents' access to on-street parking and to ensure that the low-car nature of the development is met, in accordance with Policy M3 of the Oxford Local Plan 2036.

### **Bin and Bicycle storage**

4. The bin and cycle storage shown on the approved drawings shall be provided on site and available prior to the first occupation of the property as an HMO in Use Class C4. The bin and cycle storage shall remain on site in perpetuity for the purposes of bin and cycle storage respectively only unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure adequate bin and cycle storage is provided in accordance with policies DH7 and M5 of the Oxford Local Plan 2036.

### **INFORMATIVES :-**

- 1 In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.
- 2 This permission relates only to the granting of planning permission. The use of the property as an HMO in Use Class C4 also requires a separate Houses in Multiple Occupation Licence.

### **13. APPENDICES**

- **Appendix 1** – Site location plan

### **14. HUMAN RIGHTS ACT 1998**

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

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

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

### Appendix 1

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## Minutes of a meeting of the Planning - Oxford City Planning Committee on Tuesday 17 October 2023



### Committee members present:

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

### Officers present for all or part of the meeting:

David Butler, Head of Planning and Regulatory Services  
Tristan Carlyle, Principal Ecology and Biodiversity Officer  
Jane Cotton, Planning Lawyer  
Chloe Jacobs, Senior Planning Officer  
Hayley Jeffery, Development Management Team Leader (East)  
Mike Kemp, Principal Planning Officer  
Emma Lund, Committee and Member Services Officer

### Apologies:

Councillor Rehman sent apologies.

The substitute for Councillor Rehman is shown above.

## 37. 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 any of 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.

### 22/02446/CT3

**Councillors Chapman and Railton** declared that they were precluded from participating in the determination of planning application 22/02446/CT3 because of their respective roles as part of the shareholder group of Oxford Direct Services (the applicant) which could give rise to a public perception of bias should they take part. Both Councillors declared that they would leave the meeting room whilst the application was considered and would not return to the meeting.

### **38. 23/01509/RES: Land Bounded by A34 And A44 And A40, Parcel 1, Woodstock Road, Oxford OX2 8JP**

The Committee considered a reserved matters application (23/01509/RES) for approval of scale, layout, landscaping and appearance for the central landscaping area to include provision of a pond, woodland area and play area at Land Bounded by A34 and A44 and A40, Parcel 1, Woodstock Road, Oxford.

The Planning Officer gave a presentation and highlighted the following:

- Following further discussion, it had been informally agreed with the County Council that the provision of a detailed surface water drainage strategy could be secured by condition. Officers were awaiting a formal response from the County Council confirming their acceptance of this. It was therefore expected that a detailed surface water drainage strategy would become a further condition of approval in the event that committee members were minded to approve the application.
- Two further conditions to secure the provision of a Landscape and Ecological Management Plan and details of ecological enhancements before first use of the development were proposed. This would mean that the measures relating to ecological management which were listed in condition 9 (the Estate Management Plan) would no longer be required within that condition.
- The proposals included the provision of a centrally sited park located to the north-east of the Red Hall, and a new area of public open space located directly to the north of the Red Hall (known as the Market Square) as well as an access road to the south of the Red Hall and the provision of a new access link for pedestrians and cyclists linking the A40 and the A44.
- In total, the combined proposals for the Central Park and Market Square would provide 12,960 sqm of public open space. This equated to 16.8% of the total site area of the central parcel of the Oxford North Site and did not include any public open space which might also be provided in the adjacent plots outside of the application site.
- The Central area would include areas of open amenity space which could be used for events as well as general use; wildflower meadow planting; tree planting; woodland; and a dedicated children's play area. The proposal also included the addition of a new pond, which as well as providing additional storage capacity for site drainage would also provide an attractive, natural looking feature within the public realm. The park would step down toward the pond, forming an amphitheatre type space.
- Officers considered that the space was well-designed and delivered the objectives of providing an attractive area of public realm, contributing towards biodiversity net gain and sustainable drainage and providing extensive additional tree canopy cover across the site. The proposed new 4m wide shared pedestrian and cycle route linking the A40 and the A44 would also be in an appropriate location.
- Officers considered that the location of the Market Square was well-considered and was in a better location than had previously been shown (to the north of Plot G). It was of a sufficient size to accommodate a range of events and activities and would



immediately join the Central Park, providing a connection between the two areas of public open space.

- The proposals to the south of the Red Hall included the provision of a new service road which would extend off the primary street between the A40 and A44. Access to this street would be limited to servicing vehicles and vehicles using the blue badge spaces located along the street. It would be a shared surface, which would also function for pedestrians and cyclists and was therefore considered to prioritise movement for pedestrians and cyclists over vehicle movements.
- The proposal included the provision of 40 cycle parking spaces along the north and south of the road, as well as the provision of two courtyard spaces which would be provided to the north of the Phase 1a buildings.
- Officers considered that the proposals complied with the parameters set out within the hybrid planning permission and complied with the policy provisions of the Northern Gateway Area Action Plan, the Local Plan and the NPPF. The application was therefore recommended for approval.

Ron German (the applicant) spoke in favour of the application.

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

- A committee member recommended that adequate seating should be provided around the play area; that the play equipment provided should be suitable for a range of users; and that the bins provided should be suitable for recycling. The Planning Officer responded that condition 8 required approval of the design and specification of play equipment, and seating may also be considered as part of this. The suitability of bin provision could be considered as Part of condition 9 (the Estate Management Plan).
- A committee member commented that tree shade would be very important in the summertime (given that the area would be paved and therefore absorb a lot of heat) and recommended that the applicant consider planting semi-mature trees (rather than saplings) so that the area would be usable immediately.
- Two committee members questioned whether the wording of condition 4 would allow officers to ensure that the type of crossings which the County Council considered appropriate were provided. Officers clarified that the condition required the Local Planning Authority to approve the details of pedestrian and cycle crossings, and officers would seek to ensure as part of that process that the requirements of the County Council were met.
- The applicant advised that Thames Valley Police had requested that the spaces surrounding the children's play area not be lit; however, CCTV and 24-hour security would be provided.
- The play area was primarily designed for younger children. However, there were some incidental play features south of the Market Square which could be aimed at

older children and used flexibly for independent play. There was also scope for the lawn area to be used for play by various age groups and for various uses. Further amenity space would also be provided within the residential part of the scheme which would be suited to older children.

The Committee was informed that since publication of the officer's report, the role of the Head of Planning Services had changed to include regulatory services and the former Head of Planning Services had become the Head of Planning and Regulatory Services. The delegations shown in the report should therefore now refer to the Head of Planning and Regulatory Services (not the Head of Planning Services).

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 two additional conditions requiring a Landscape and Ecological Management Plan and an Ecological Enhancements Plan and the resolution of the County Council's remaining objections relating to drainage, which was delegated to the Head of Planning and Regulatory 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, an additional condition requiring a Landscape and Ecological Management Plan and an Ecological Enhancements condition and the removal of the measures relating to ecological management from condition 9 (the Estate Management Plan) and grant planning permission.
2. **Delegate authority** to the Head of Planning and Regulatory 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 and Regulatory 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.

**39. 22/02446/CT3: Donnington Recreation Ground, Freelands Road, Oxford OX4 4BT**

Councillors Chapman and Railton left the meeting.

The Committee considered an application (22/02446/CT3) for removal of existing fencing and formation of footpath and cycle path, the installation of staggered timber bollards, timber kissing-gate and associated landscaping and associated signage at Donnington Recreation Ground, Freelands Road, Oxford.

The Planning Officer gave a presentation and highlighted the following:

- The full description of works at the top of the first page of the published report should read: 'Removal of existing fencing and formation of footpath and cycle path, the installation of staggered timber bollards, timber kissing-gate and associated landscaping and associated signage.' The Planning Officer confirmed that the

application had been correctly advertised with this full description, and this was the proposal in front of members.

- Paragraph 10.27 required a minor correction to include the word 'upon' so it reads: '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 upon public amenity or ecological interest, and it must be demonstrated that their retention is not feasible and their loss will be mitigated.'
- The application related to a public open space which was used for sports and recreation and sought planning permission for the formation of a footpath and cycle path and associated landscaping and signage. The site was bound by mature trees, including a strong mature tree line along the western boundary along Meadow Lane, and the surrounding area was predominantly residential.
- The aerial view showed a 'desire line' cutting across the field, which the proposal sought to mitigate and remove through the installation of a 3m wide shared cycle and footpath running along the southern edge of the site connecting Cavell Road to a new proposed entrance along Meadow Lane. This would allow for the grassed area to be repaired and reinstated for uses such as football.
- The proposal included the creation of a new entrance / exit to the south of Meadow Lane. To facilitate this, a number of trees were proposed to be removed.
- There had been a significant amount of public concern about the loss of the mature trees, and an updated arboricultural impact assessment had been submitted which had confirmed that 12 trees and one group of trees would be removed to facilitate the development, along with associated works within the root protection area of a number of trees along the southern boundary.
- It had been demonstrated that the works could not be achieved without the loss of some trees, and officers had assessed the impact in terms of the canopy area which would be lost. It was proposed that approximately 275sqm of tree canopy cover would be removed to facilitate the development. Subject to a condition requiring the works within the root protection area of trees and pruning work to be carried out in accordance with mitigation measures outlined in the Arboricultural Method Statement, officers were of the opinion that these works would be acceptable.
- To mitigate the loss of trees, the proposal included the planting of 7 trees on site. These would be planted in open areas, thereby having space to grow to their full potential size. The exact type and species had not yet been detailed: however, based on the number of trees provided and their location officers were satisfied that there would be a net gain in canopy cover regardless of species. The proposal was considered to enhance the appearance of the park by the placement of trees in locations where there were currently large gaps in the tree cover. The application was subject to a condition requiring further landscaping details to be submitted, which included details of the trees.

- Concern had also been raised about the impact of the loss of the trees on local ecology and biodiversity. The application had been accompanied by an ecological impact assessment which had identified the potential impact on breeding birds and reptiles. It was considered that these impacts could be avoided through sensitive work practices, and that subject to a detailed construction environmental management plan for biodiversity the proposal would not have a significant impact on habitats or protected species.
- The applicant had sought to provide a biodiversity net gain: whilst the NPPF requires planning decisions to minimise impacts on, and to provide net gains for biodiversity the application was not a major development and therefore there was no Local Plan policy requirement for the site to deliver a 5% biodiversity net gain. The requirement for a 10% biodiversity net gain through the Environmental Act has not yet come into force. It would therefore be unreasonable for officers to require the proposed development to demonstrate an improvement of a minimum of 5% from the existing situation. In support of the application, the applicant had provided a biodiversity metric as a means of demonstrating that the project would deliver an increase in biodiversity and therefore comply with the overall aims of the NPPF. The applicant was proposing on-site enhancements as well as off-site enhancements at Greyfriars School which included enhancing a 0.25ha of grassland, a small extent of tree planting, the enhancement of two existing hedges and approximately 300m of new hedge planting. Officers were satisfied that the proposed development would achieve a net gain in biodiversity and therefore would comply with national planning policies, subject to a legal obligation to ensure that the biodiversity net gain was delivered.
- For the reasons set out in the report, the application was recommended for approval subject to the conditions outlined in the report and subject to a S106 legal obligation to secure the off-site planting and biodiversity net gain.

Dominic Woodfield spoke against the application.

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

- The trees which were proposed for removal were healthy. They were all category C trees, which was the lower level of importance within the tree hierarchy.
- The footpath was proposed to be accessible for all users over the existing situation, including those with mobility scooters and buggies, as well as cyclists and pedestrians.
- Two committee members expressed concerns about the proposal, relating particularly to the need for the removal of the mature trees, whether the proposed route represented the best solution to preventing use of the desire line, and whether the application had sufficiently demonstrated compliance with Policy G7 to show that retention of the mature trees was not feasible. Officers advised that the proposal would not have a significant adverse impact as set out in Policy G7.
- The desire line had caused significant damage to the recreation ground and was affecting its use for activities which required a level surface such as football. The new path, which would likely represent a more attractive route for cyclists and

pedestrians, would make it possible for the damaged ground to be re-grassed and incorporated for uses such as a football pitch.

The Committee was informed that since publication of the officer's report, the role of the Head of Planning Services had changed to include regulatory services and the former Head of Planning Services had become the Head of Planning and Regulatory Services. The delegations shown in the report should therefore now refer to the Head of Planning and Regulatory Services (not the Head of Planning Services).

A proposal to refuse the application was moved and seconded as being contrary to Policy G7 as the applicant had not shown that the retention of the trees was not feasible and the proposal would have a significant adverse impact as set out in Policy G7. On being put to the vote the proposal was lost.

A proposal to approve the officer's recommendation was moved and seconded. On being 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 a legal agreement to secure the planning obligations set out in the report.

#### **The Oxford City Planning Committee resolved to:**

1. **Approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission 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 and Regulatory 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 and Regulatory Services considers reasonably necessary; and
  - finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning and Regulatory Services considers reasonably necessary; and
  - complete the legal agreement referred to above and issue the planning permission.

## **40. Minutes**

The Committee resolved to approve the minutes of the meeting held on 19 September 2023 as a true and accurate record.

#### **41. Forthcoming applications**

The Committee noted the list of forthcoming applications.

#### **42. Dates of future meetings**

The Committee noted the dates of future meetings.

**The meeting started at 6.00 pm and ended at 7.27 pm**

**Chair .....**

**Date: Tuesday 21 November 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.*