

Agenda

Planning - Oxford City Planning Committee

This meeting will be held on:

Date: **Tuesday 19 March 2024**

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

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

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Agenda

Pages

Planning applications - background papers and additional information

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

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

1 Apologies for absence and substitutions

2 Declarations of interest

3 23/02114/FUL: John Radcliffe Hospital, Headley Way, Oxford OX3 9DU

13 - 54

Site Address: John Radcliffe Hospital, Headley Way, Oxford

Proposal: Erection of a modular theatre building including associated infrastructure, landscaping and parking

Reason at Committee: The application 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 and subject to:
 - the receipt of a satisfactory landscape plan and updated Tree Canopy Cover Assessment;
 - the satisfactory completion of a legal agreement under

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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 details of the proposed landscape plan and tree planting; and
- agree the scheme for delivery of off-setting biodiversity measures to deliver at least a 5% net biodiversity gain in habitat units compared to the current conditions of the Land either elsewhere on the John Radcliffe Hospital site and/or the purchase of off-setting credits or units from a recognised biodiversity bank or broker; and
- 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 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 Regulatory Services considers reasonably necessary; and
- complete the section 106 legal agreement referred to above and issue the planning permission.

4 23/02506/CT3: South Side, Oxpens Road, Oxford OX1 1RX

55 - 100

Site Address:	South Side, Oxpens Road, Oxford
Proposal:	Construction of pedestrian/cycle bridge across the River Thames from Grandpont Nature Park to Oxpens Meadows (additional information)
Reason at Committee:	The proposal is a major development and the applicant is Oxford City Council
Recommendation:	

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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 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 biodiversity offsetting which is 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 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 (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.

5 23/01198/FUL: Unit 1, Ozone Leisure Park, Grenoble Road, Oxford

101 - 164

Site Address: Unit 1, Ozone Leisure Park, Grenoble Road, Oxford

Proposal: Demolition of existing Bingo Unit (Sui Generis, Classes E (b), (d), (e), (f), and (g) (i, ii or iii)); development of a new part-four/part-five storey (plus roof plant) building comprising laboratory and office space (Use Class E(g)) and a ground floor level commercial unit (Use Class E(a) or E(b)), with associated access road, public realm, hard and soft landscaping, cycle parking, EV charging, service yard, site infrastructure

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

6 23/00516/FUL: The Annexe, Madina Mosque, 2 Stanley Road, Oxford OX4 1QZ

165 - 196

Site Address: The Annexe, Madina Mosque, 2 Stanley Road, Oxford

Proposal: Demolition of existing building. Erection of a three storey building to create a community

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hall (Use Class F2(b)) and 2 x 2 bed flats (Use Class C3). Provision of bin and bike store. (amended and additional information)

Reason at Committee: The application has been called-in by the Head of Planning Services

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.

7 Minutes

197 - 208

Recommendation: to approve the minutes of the meeting held on 23 January 2024 as a true and accurate record.

8 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
22/02954/OUT: Land at Oxpens Road, Oxford OX1 1TB	Major
22/02955/FUL: Land at Oxpens Road, Oxford OX1 1TB	Major
23/01001/CT3: Tumbling Bay, Head of Bulstake Stream, Botley Road, Oxford	Called-in
23/02262/FUL: Churchill Hospital, Old Road, Headington, Oxford OX3 7JT	Called-in
23/02411/FUL: Land North of Charlbury Road,	Major

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Oxford, Oxfordshire	
23/01870/FUL: 113 Wytham Street, Oxford OX1 4TN	Applicant is a member of staff
23/02136/FUL: 111 and 113 Wytham Street, Oxford OX1 4TN	Applicant is a member of staff
24/00318/FUL: Land to the North of Goose Green Close, Oxford	Major
24/00335/FUL: 4200 Nash Court, John Smith Drive, Oxford OX4 2RU	Major

9 Dates of future meetings

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

23 April 2024*

21 May 2024

25 Jun 2024

16 July 2024

20 August 2024

17 September 2024

* This meeting will be held in Committee Rooms 1, 2 and 3 at Oxfordshire County Council, County Hall, New Road, Oxford OX1 1ND).

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

Information for those attending

Recording and reporting on meetings held in public

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

The Council asks those recording the meeting:

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

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

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

Councillors declaring interests

General duty

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

What is a disclosable pecuniary interest?

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

Declaring an interest

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

Members' Code of Conduct and public perception

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

Members' Code – Other Registrable Interests

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

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

Members' Code – Non Registrable Interests

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

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

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

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

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

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

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

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

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

Procedure for dealing with planning applications at the Oxford City Planning Committee and Planning Review Committee

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

The following minimum standards of practice will be followed:

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

Public requests to speak

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

Written statements from the public

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

Exhibiting model and displays at the meeting

Applicants or members of the public can exhibit models or displays of photos and/or pictures at the meeting or a room provided for that purpose as long as they notify the Committee Services Officer of their intention by noon two working days before the start of the meeting so that members can be notified. Applicants or members of the public are not permitted to exhibit photos and/or pictures in any electronic format.

Recording meetings

This is covered in the general information above.

Meeting Etiquette

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

This procedure is detailed in the Annex to part 24 of the Council's Constitution as agreed at Council in March 2023.

Oxford City Planning Committee

19th March 2024

Application number:	23/02114/FUL		
Decision due by	13th December 2023		
Extension of time	30 th April 2024		
Proposal	Erection of a modular theatre building including associated infrastructure, landscaping and parking.		
Site address	John Radcliffe Hospital, Headley Way, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Headington Hill And Northway Ward		
Case officer	Felicity Byrne		
Agent:	Miss Katherine Jones	Applicant:	Oxford University Hospitals NHS Foundation Trust
Reason at Committee	Major development		

1. RECOMMENDATION

1.1. 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 and subject to:

- the receipt of a satisfactory landscape plan and updated Tree Canopy Cover Assessment;
- 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 details of the proposed landscape plan and tree planting; and
- agree the scheme for delivery of off-setting biodiversity measures to deliver at least a 5% net biodiversity gain in habitat units compared to the current conditions of the Land either elsewhere on the John Radcliffe Hospital site and/or the purchase of off-setting credits or units from a recognised biodiversity bank or broker; and
- 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 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 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. This report considers the erection of an extension to the Hospital buildings to provide 7 operating theatres with ancillary facilities together with two new substation and plant enclosures. The theatres are needed to help meet the current demand for operations and also build in future capacity. Approximately 174 additional staff would be employed as a result. The principle of the development is acceptable in accordance with the Local Plan 2036 site allocation. The design of the extension responds to the design and appearance of the existing hospital buildings into which it would connect.
- 2.2. The development would result in a high level of less-than-substantial harm to the setting of the Headington Hill Conservation area and the green setting of Oxford and the Old Headington Conservation Area. The very high level of significant public benefits derived from this development would outweigh the harm in this case. In more localised views from surrounding residential streets, the extension would be mostly glimpsed between buildings and trees and due to distance, topography and screening by existing trees and buildings, the development would not appear overly dominant or visually intrusive.
- 2.3. The development would be built on car park 1 at the Hospital which provides 127 visitor spaces, 20 disabled and 5 staff spaces. Some visitor and disabled spaces would be retained on site. The remaining visitor spaces would be re-provided within the adjacent hospital car parks, therefore there would be no net loss of visitor parking for the hospital. There would be an overall loss of staff parking spaces for the hospital however. Adequate cycle parking would be provided. The County Council as Highway Authority has not objected to the development. Subject to conditions to secure a site wide Framework Transport Strategy, a Travel Plan, a Car Park Management Plan, cycle parking and a S106 legal agreement to secure a contribution towards the Eastern Arc bus route there would be no adverse impact in terms of traffic generation and highway network.
- 2.4. The development would not result in loss of daylight, sunlight, overshadowing or have an overbearing effect on neighbouring residential properties.
- 2.5. The development would result in the loss of trees on site, which have a public amenity value limited to those who work and visit the hospital. Subject to the receipt of a detailed landscape plan, the loss of trees on site could be satisfactorily

mitigated by re-provision elsewhere within the Hospital grounds and mitigate the lost tree canopy cover over 25 years. The potential presence of protected habitats and species has been given due regard and there would be no harm as a result of the development. Subject to the landscape plan and details of tree species and size, the provision of 11 medium trees planted elsewhere on the hospital site (off-site) would provide 5% net gain in biodiversity. The off-site net gain would be secured by a legal agreement.

2.6. Subject to conditions the development would be acceptable in terms of air quality, sustainable design and construction, contamination, lighting, and noise and vibration.

2.7. In conclusion, through the imposition of suitably worded conditions and a completed legal agreement, the proposal would accord with the policies of the Oxford Local Plan 2036, the NPPF and it 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 (as amended).

3. LEGAL AGREEMENT

3.1. This application is subject to a s106 legal agreement to secure contributions to the County Council towards the Eastern Arc Bus route and a Travel Plan monitoring fee, and with the City Council to secure off-site biodiversity net gain. The draft Heads of Terms are as follows:

County Council

- £170,288 towards active travel road improvements to Botley Road in front of the site; and
- £3110 for Travel Plan monitoring

City Council

- Provision of scheme for delivery of off-setting biodiversity measures to deliver at least a 5% net biodiversity gain in habitat units compared to the current conditions of the Land

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for CIL amounting to £475,656.40.

5. SITE AND SURROUNDINGS

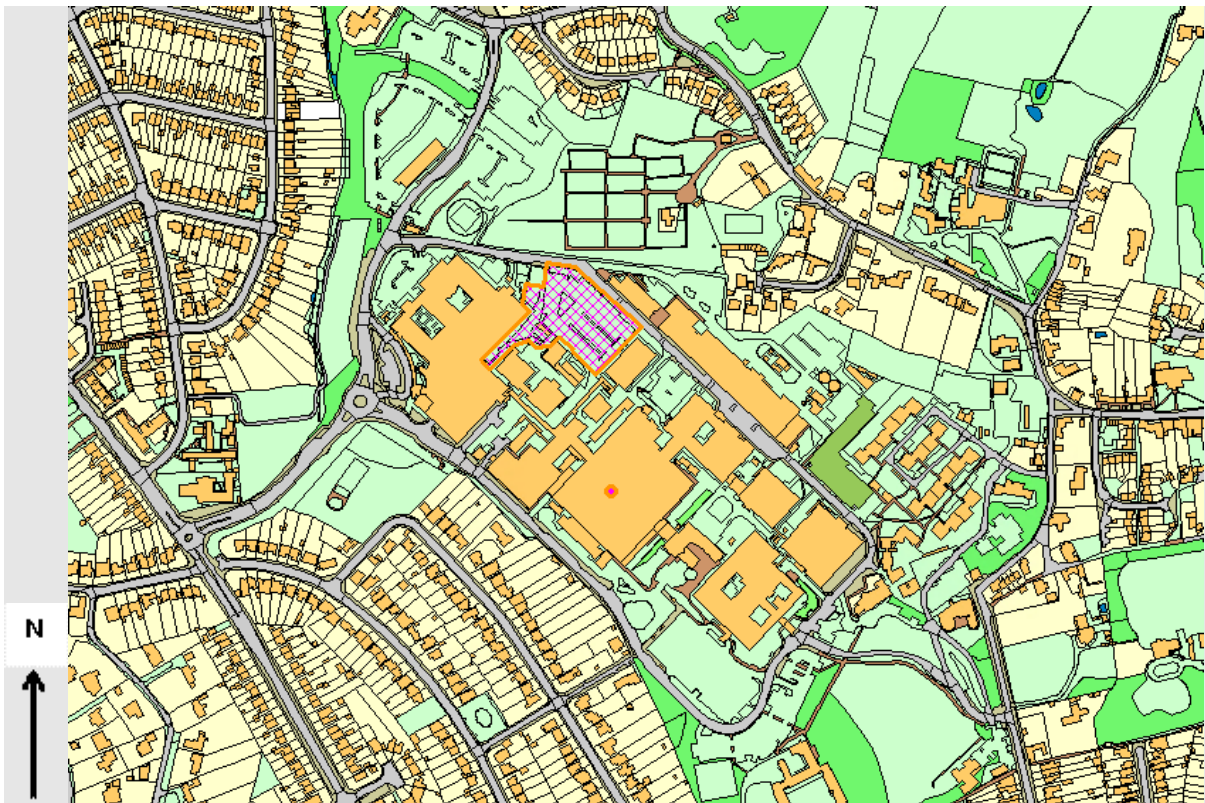
5.1. The site is located within the John Radcliffe Hospital site (JR) which is located in the Headington area of Oxford to the east of the city centre, see Appendix 1 – site location plan. The hospital site sits in an elevated position and due to the scale of existing buildings on the site is visible in local and long range views from inside and outside of the city. The application site is currently a car park, known as Car Park 1 to the northern corner of the Hospital campus. Immediately surrounding the site are various buildings of different heights and size. To the west is the Eye Hospital within the five storey West Wing. To the southwest is the two storey

Oxford Centre for Functional MRI of the Brain and Oxford Magnetic Resonance Department and behind that the Children's Hospital building. To the east is the four storey Trauma Building and Clinical Care Building.

5.2. To the northeast is the three storey Wolfson Centre for Prevention of Stroke and Dementia and beyond that residential properties in Ethelred Court. Finally, to the north is the internal access road and beyond that Headington Cemetery. To the northwest is the rest of the Hospital campus including helipad and car parking, and beyond that the residential suburb of Northway.

5.3. The site comprises hardstanding with a number of trees and areas of grass. An existing sub-station is located in the northwestern corner of the car park and is proposed to be retained. Car Park 1 provides 152 spaces: 127 visitor parking spaces, 20 disabled spaces and 5 staff spaces.

5.4. Figures 1 below shows the site location plan, figure 2 below shows the Hospital site Map:



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Ordnance Survey 100019348

6. PROPOSAL

6.1. The application proposes the removal of Car Park 1 and existing trees, and erection of an approximately 14,433.7m² extension over five storeys (with basement) linked via a dedicated corridor over three floors into the existing West Wing building and Children's Hospital. The building would provide 7 new theatres and recovery rooms, purpose-designed, ringfenced surgical capacity in the form of a new 'Surgical Hub', administration space and ancillary facilities. A smaller car

parking area would be retained for staff and visitors with new landscaping. See Figure 3 below showing the Proposed Block Plan.

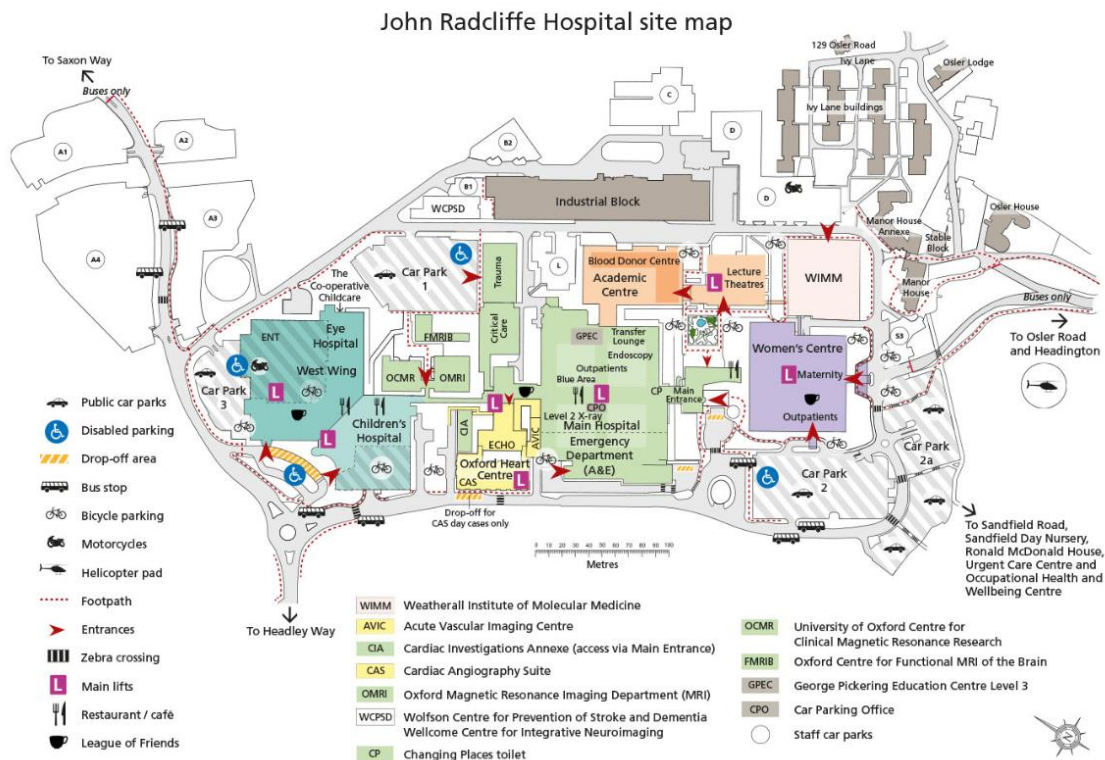


Figure 2: Hospital Site map

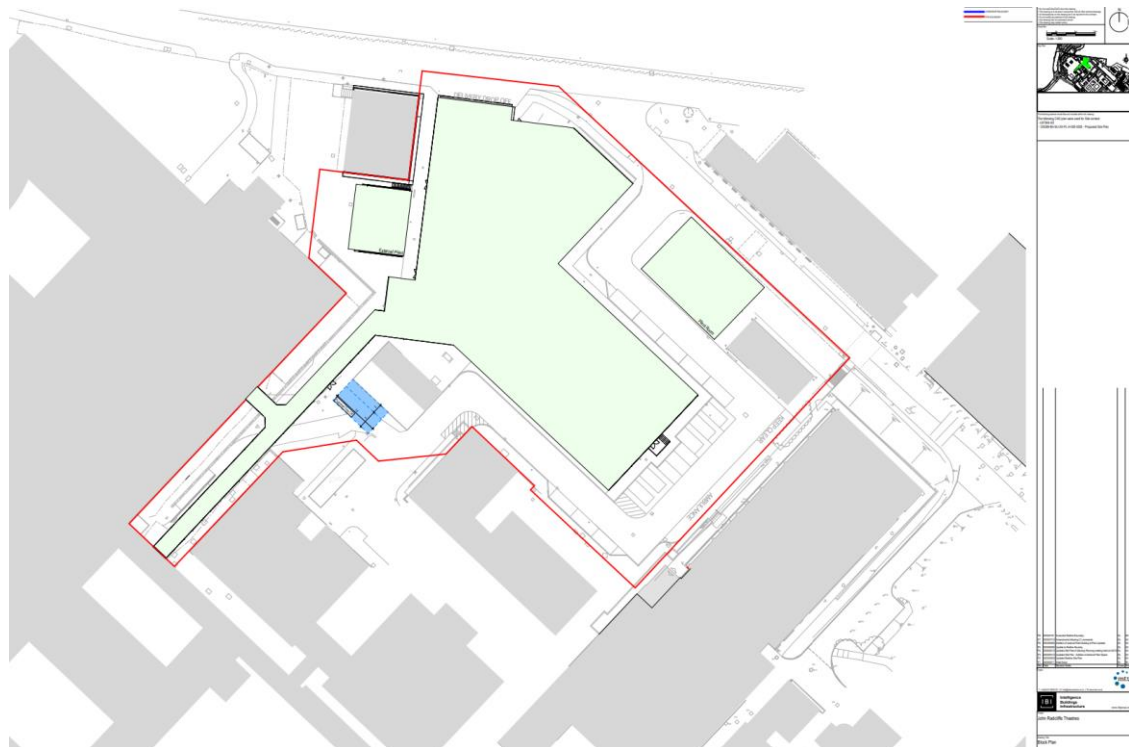


Figure 3: Proposed Block Plan

7. RELEVANT PLANNING HISTORY

7.1. The site has a long planning history, the table below sets out the most relevant recent planning history for the application site:

13/03369/FUL - Erection of an additional storey at Oxford Centre for Magnetic Resonance Research (OCMR) Unit to create new office space, a seminar room, refreshment area, WCs and shower facilities. Refurbishment of the existing entrance area on the ground floor to form a larger waiting and reception area, new changing facilities, new accessible WC and refurbishment of existing WCs. Formation of rooftop plant and installation of solar panels. PERMIT 14th February 2014.

13/03369/NMA - Non-material amendment of planning permission 13/03369/FUL to accommodate MRI equipment within the lower ground floor of the building, with the installation of MRI system quench duct at roof level and the removal of double doors and replacement with a panel of brickwork to match existing.. PER 1st August 2016.

16/00859/FUL - Application for Ronald McDonald House to provide 62 bedrooms including communal areas, admin facilities, plant and store rooms along with associated landscaping and drop off area.(amended plans). PER 17th August 2016.

16/02485/FUL - Erection of theatre unit with link corridor and enclosed screened compound to be located outside of the Women's Centre in Car Park 2 for a temporary period of 28 weeks (Part retrospective). PER 15th November 2016.

17/00984/FUL - Erection of single storey rear extension to Centre for Occupational Health and Wellbeing to allow re-location of Marston Medical Centre to the John Radcliffe Hospital.. PER 15th September 2017.

17/02010/FUL - Erection of a Neuroscience research building. PER 22nd December 2017.

17/02010/NMA - Non-material amendment to planning permission 17/02010/FUL to allow alterations to parking and cycling layout which include; reconfiguration of parking bays and erection of a larger cycle shelter and omission of stairwell from level 2 to the roof.. PER 19th April 2018.

17/02010/NMA2 - Non-Material Amendment to 17/02010/FUL to allow changes to roof level layout, provision of bin stores and cycle storage and external alteration to level 1 (north elevation).. PER 1st March 2019.

17/02350/FUL - Erection of two modular units outside the minor injuries entrance to provide as assessment facility to reduce waiting times.. PER 6th November 2017.

18/01851/FUL - The expansion of the Emergency Department of the John Radcliffe Hospital through to the provision of a two storey extension to A and E unit and refurbishment of existing space to provide, resuscitation bays, paediatric resuscitation bays, enhanced resuscitation room and isolation room. The provision over ancillary works such as external plant and other associated landscape works including revised land layout and dedicated ambulance parking bays.. PER 16th November 2018.

18/03362/FUL - Erection of a temporary sub-station and formation of enclosure on roundabout.. PER 28th February 2019.

19/00937/FUL - Removal of the existing ticket and barrier parking system and installation of an automatic number plate recognition system (ANPR system). Installation of 5no. new car parking signs. PER 27th June 2019.

19/01567/FUL - Erection of 2 no. single-storey buildings for meeting room and office use. PER 15th August 2019.

18/01851/NMA - Non-Material Amendment to planning permission 18/01851/FUL to allow enlargement of the first floor window to the south west and North East Elevations, replacement of white cladding to ground floor entrance area with engineering brickwork and 100mm increase in height of the approved extension.. PER 4th October 2019.

19/01950/CPU - Application to certify that the proposed replacement of facade panels on the West Wing and Children's Hospital at the John Radcliffe Hospital is lawful development. PER 12th September 2019.

19/02247/VAR - Variation of condition 2 (Develop in accordance with approved plans) of planning permission 16/00859/FUL (Application for Ronald McDonald House to provide 62 bedrooms including communal areas, admin facilities, plant and store rooms along with associated landscaping and drop off area.(amended plans)) to allow a change of proposed tree species at the site boundary, alterations to cladding, addition of handrail and maintenance access door to rooftop terraces and addition of plant area compound to rear of the building with air conditioning units and compressors to service the building (amended plans).. PER 26th November 2019.

19/02595/VAR - Variation of condition 2 (Deemed in accordance with approved plans) and 3 (Sample materials) of planning permission 18/01851/FUL (The expansion of the Emergency Department of the John Radcliffe Hospital through to the provision of a two storey extension to A and E unit and refurbishment of existing space to provide, resuscitation bays, paediatric resuscitation bays, enhanced resuscitation room and isolation room. The provision over ancillary works such as external plant and other associated landscape works including revised land layout and dedicated ambulance parking bays.. PER 10th March 2020.

20/02983/FUL - Demolition of existing Barnes Unit and link corridor and relocation of tissue building; erection of new Adult Intensive Care Unit over 5 floors to connect to the existing Trauma Building across 4 floors; new replacement link corridor

within the AICU building connecting the Trauma Building with the main hospital entrance and ancillary works at the John Radcliffe Hospital, Oxford (part retrospective).. PER 5th August 2021.

21/01004/FUL - Replacement of cladding to the Trauma Building. PER 7th June 2021.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:
Design	96-101, 123-130, 131-141,	DH1 - High quality design and placemaking DH7 - External servicing features and stores		GSP4 - Protection of the setting of the site CIP1 - Development respect existing local character CIP4 - Protecting important assets
Conservation/ Heritage	195-214	DH2 - Views and building heights DH3 - Designated heritage assets DH4 - Archaeological remains		
Housing	60-81			
Commercial	85-87 90-95	E1 - Employment sites - intensify of uses		
Natural environment	102-107, 157-175, 180-182, 185-194	G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure		GSP3- conserving and enhancing biodiversity

Social and community	118-122	V7 - Infrastructure, cultural and community		
Transport	108-117	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	Parking Standards SPD	TRP1 - Parking at major employment sites TRP3 - Travel plans TRP5 - Promotion of cycling
Environmental	157-175	RE1 - Sustainable design and construction RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE5 - Health, wellbeing, and Health Impact Assessment RE6 - Air Quality RE8 - Noise and vibration RE9 - Land Quality	Energy Statement TAN	
Miscellaneous	7-12 123-130, 152-156,	S1 - Sustainable development S2 - Developer contributions RE2 - Efficient use of Land RE7 - Managing the impact of development V8 - Utilities	External Wall Insulation TAN,	

		SP41 - John Radcliffe Hospital Site		
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9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 26th September 2023 and an advertisement was published in the Oxford Times newspaper on 21st September 2023. Further site notices were displayed on 24th January 2024 and an advertisement was published in the Oxford Times newspaper on 18th January 2024.

9.2. Comments received from both rounds of consultation are summarised below.

Statutory Consultees

Oxfordshire County Council (Highways)

9.3. No objection subject to conditions (Travel Plan, Construction Traffic Management Plan, Site-Wide Cycle Parking Arrangements, Car Parking Management Plan, and Framework Transport Strategy) and contributions of £170,288 towards the new Eastern Arc bus route and £3110 towards Travel Plan Monitoring. Key issues:

- The proposal seeks to erect a new 7,541sqm modular theatre building at the John Radcliffe (JR) Hospital.
- The scheme results in the loss of Car Park 1 which currently holds 127 visitor bays, 20 disabled bays and 5 staff bays. The Transport Assessment (TA) states that 136 bays will be lost in total with staff bays being reallocated around the site to ensure no loss of visitor bays. Paragraph 8.2.3 of the TA states that Car Park A3 has 142 bays which will all be reallocated as visitor bays and controlled using ANPR cameras.
- The principle of a reduction in car parking is accepted but there are concerns over the impact of this with car parking at the hospital already over-subscribed.
- There are currently 1543 staff parking bays on site and 3523 staff permits, there are also 655 on the waiting list. The proposal will result in 174 additional staff plus patients so when factoring in the reduction in car parking this could have a significant impact on the operation of the site and the Local Highway Network.
- The County Council feel that the site needs to be looked at holistically to determine why so many members of staff need to drive to the site and how this number can be reduced through providing better options to travel using active and sustainable modes.
- The proposal will provide an additional 35 cycle parking bays for the new theatre, but no information has been provided on where this will be located or in what form. It needs to be acknowledged that existing cycle parking at the hospital is insufficient in terms of numbers and quality. Most cycle parking is uncovered which makes cycling to the site unattractive for large

parts of the year and there is a high number of bike thefts. Improving cycle parking across the site would greatly help modal shift for staff and visitors and would mitigate the impact from the reduction in car parking.

- Contributions have been requested towards the proposed Eastern Arc Bus Route, this will connect the site with Redbridge, Thornhill & Oxford Parkway Park & Rides along with areas of Cowley, Marston, Headington and Cutteslowe. This will likely replace and improve existing bus services to the site and again will help modal shift away from private car journeys for staff and will mitigate the impact from the loss of car parking.
- Travel Plan specific comments have been made by the County Council's Travel Plan Team.

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

9.4. No objection subject to two conditions requiring a detailed surface water drainage scheme and provision of a record of the installed SuDS and site wide drainage scheme.

Active Travel England

9.5. Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application.

Thames Water Utilities Limited

9.6. Thames Water (TW) recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. However care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. The developer should liaise with the Lead Local Flood Authority to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. With regards to the foul water sewerage network infrastructure capacity and surface water network infrastructure capacity, TW does not have any objection based on the information provided.

9.7. Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water has been unable to agree a position on water networks with the Developer at this time and therefore requests a condition requiring evidence that all water network upgrades required to accommodate the additional demand to serve the development have been completed or an infrastructure phasing plan is agreed.

Natural England

9.8. No objection: Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

9.9. In relation to the New Marston Meadows Site of Special Scientific Interest, the development will not damage or destroy the interest features for which the site has been notified.

Historic England

9.10. No advice to offer in this case. Seek the views of your specialist conservation and archaeological advisers.

Thames Valley Police

9.11. No objection

Oxfordshire Fire and Rescue Service:

9.12. It is taken that suitable fire service access will be provided in line with B5 of Building Regulations and that these works will be subject to a Building Regulations application and subsequent statutory consultation with the fire service, to ensure compliance with the functional requirements of the Building Regulations 2010. It is recommended that early engagement with the Fire and Rescue Service is undertaken should there be any issues or queries in relation to fire safety.

Public representations

9.13. Headington Heritage commented on this application. Their first consultation response summary:

- Will exacerbate housing need by creating demand for an extra 174 staff and their families, approximately 60-80 new households. The basement, fourth and fifth floors, approximately 50% of the total floorspace will increase this yet further, this is unaddressed in the application.
- Will increase the need for travel for staff, patients, relatives who cannot afford to live in Oxford and is therefore contrary to policy even with car park space reduction.
- Will exacerbate Oxford's environmental and pollution issues by generating more traffic from above and suppliers and ancillary staff.
- The Transport Assessment (TA) does not follow the methodology given in the Local Plan 2036 and only considers staff and outpatients, not by additional ancillary services.
- The proposal marginally reduces parking, but this is offset by extra demand, to be satisfied by Just Park, Park on my Driveway and illegal parking in Headington which is unenforced.
- A vapourware "medium to long term" OUHT Framework Transport Strategy (FTS) for the JR cannot be accepted.
- OUHT sent a team of five to the Inspector's examination to successfully block Oxford City Council's Local Plan Site Plan to "reduce parking" on the site, and has stated in the TA in this application "the FTS is referred to within this document to provide an overview of the how the overall parking at the

hospital will broadly be retained over the next 5 years”.

- The lack of clarity about the usage of the top two floors and basement means the application cannot be determined, specified uses and impacts must be robustly indicated in the grant of permission.
- Cycling provision at the JR is already very poor, (or very heavily used) The provision of 1:5 is far too small, as many out-patients and relatives will be able to cycle.
- The scheme will downstream flooding especially as it appears a SUDS is not considered feasible, this is in the Headington Hill Tributary catchment where the taxpayer has spent £3 to mitigate flooding already caused by runoff from the JR hard surfaces.
- Marston and Oxford Flooding is not even recognised, and the two attenuation tanks(19m*6*1.8) are far too small to stop flash flooding.
- The application is muddled, referred to as emergency department in one document, and for elective surgery in others, stating staff parking removed, but then indicating the expected travel by car in another.
- No attempt to use the new roofspace to generate power to tackle climate change.

Second consultation response summary:

- Fundamentally, the OUHT is the major contributor in Oxford to housing need and the environmental, health and social disaster of endless traffic jams induced by hospital traffic (staff and patients) and parking (4646 spaces at the JR, Churchill and Nuffield), yet clearly will not contribute to the solutions, despite clear undertakings underpinning the Allocation Policies for the OUHT Sites agreed to in COM.11(Nov2019) which would be resolved at the Planning Application Stage i.e. NOW.
- If health demand and the provisions for it are increasing, then so are housing and transport pressures, so this must be offset by converting the football fields of parking at the JR and other OUHT hospitals to provide housing for staff and reduce the need to travel to make this acceptable in planning terms (Efficient Use of Land and Reduction of the Need to Travel, environment)

Officer response

9.14. In determining planning applications, only policies relevant to the development proposed can be applied. Therefore specific housing policies are not applicable in this case as it is not a proposed housing development. Neither does the site allocation Policy SP41 for the John Radcliffe Hospital require any provision of housing to counterbalance any increase in staff numbers. Other issues raised are dealt with later in the report.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- a. Principle of development

- b. Design and Heritage
- c. Transport Highways/parking
- d. Neighbouring amenity
- e. Flood risk and drainage
- f. Sustainable Design and Construction
- g. Air Quality
- h. Land quality
- i. Trees and Landscaping
- j. Biodiversity
- k. Archaeology
- l. Noise
- m. Obligations

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 means that development proposals that accord with the development plan 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 would be 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 newly adopted Oxford Local Plan 2036 (OLP) and the Headington Neighbourhood Plan (HNP).

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 John Radcliffe Hospital site is an allocated development site under policy SP41 of the OLP. This states that further hospital related uses will be supported

on the site to provide improved facilities subject to bus routes through the site not being compromised and a drainage strategy being agreed. The policy also encourages a reduction in car parking spaces to ensure people use more sustainable modes of transport. This is echoed by policy TRP1 of the Headington Neighbourhood Plan. The John Radcliffe Hospital Site is also a category 1 protected employment site under policy E1. Policy V7 also allows for new healthcare facilities where they are in a sustainable location, the proposal meets an existing deficiency and there would not be unacceptable environmental impacts.

10.6. The John Radcliffe Hospital (JR) is Oxfordshire's main site for accident and emergency services. It provides acute medical and surgical services including trauma, intensive care and cardiothoracic services. The JR has been specifically identified within the South East Integrated Care Systems (ICS) region as requiring increased capacity. Over the last two years, the demand for emergency surgical services has increased: a new theatre is urgently required to address the growing number of patients waiting for routine elective surgery and the clear and unprecedented levels of waiting list backlog following the Covid-19 pandemic. The development would meet the primary need for additional elective theatre capacity to cater for patient demand. In addition, the basement shell space has potential for a new sterile services facility if required in future and the top two floors for increased clinical capacity, all of which have been taken into account within the assessment of staff numbers and transport implications for the development.

10.7. The development would support and improve existing facilities on site by providing a modern community/healthcare facility. It would be built on an existing staff and visitor car park, resulting in a reduction in car parking spaces. Bus routes would not be compromised. The development would result in an additional 174 jobs and as such would not result in a loss of employment or employment floorspace. It is therefore considered that the proposed development accords with Policies SP41 and E1, subject to other relevant material considerations which are set out below.

b. Design and Heritage

10.8. 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. 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.

10.9. Paragraph 205 of the NPPF states that 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. Paragraph 206 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.

- 10.10. Paragraph 207 of the NPPF states that 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 or loss.
- 10.11. Paragraph 208 of the NPPF states that 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.
- 10.12. Section 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. The Courts have found that decision makers must give considerable importance and weight to any finding of harm to a designated heritage asset 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.
- 10.13. Policies DH1 and DH3 of the OLP are consistent with the NPPF. DH3 includes the balancing exercise identified in paragraphs 207-208 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. Policy GSP4 of the HNP seeks to ensure development responds appropriately to the site and surrounding area and Policy CIP1 that development responds to and enhances the distinctive local character areas. CIP4 supports high quality and innovative design that takes account of its context and heritage. Development should enhance the distinctive identity, character and setting in terms of scale, layout, density, orientation and massing.
- 10.14. 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. Where a proposed development 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. Policy CIP2 of the HNP seeks to protect important views within Headington itself, and out of the HNP area. Policy CIP4 seeks to protect important designated and non-designated assets.

- 10.15. 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.
- 10.16. 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.
- 10.17. 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.

Heritage significance

- 10.18. The Old Headington Conservation (OHCA) area adjoins the northern boundary of the JR Hospital. It lies within the ancient bounds of the royal forest of Shotover and Stoward and has its origins in a royal manor belonging to the Saxon Kings. The boundaries of the present village are clearly defined; on the south by Cuckoo Lane; on the west by the grounds of the former Manor House estate, now John Radcliffe Hospital; on the north by open agricultural land (and of course the A40), and on the east by Bury Knowle Park. The development site within the JR site close to the Dunstan Road character area. Dunstan Road provides an important approach to the core area of the historic village from Northway and Marston but provides a contrasting character to the historic core. Its leafy green nature contributes to its rural and sylvan character. Although the cemetery itself is not in the CA, the chapel is noted as a positive public building and the cemetery provides a buffer of green open space, which separate the village from the surrounding urban development with wide open long distant views northwest over the Oxfordshire countryside.

10.19. Headington Hill Conservation Area (HHCA) forms part of the green landscape setting of Oxford which is considered to make an important contribution to its historical significance. Elevated viewpoints from designated and non-heritage assets within the historic centre contribute to heritage significance by providing opportunities to experience and appreciate the historic character of central Oxford and the architecture of individual historic buildings in views and by illustrating the historic relationship between the city and its rural setting.

Design and appearance and Heritage impact

Design

- 10.20. The height, scale, and massing of the proposed five storey (plus basement) extension has been designed to respond to the topography and existing hospital buildings, in particular the four storey Trauma Building and the five storey West Wing building. The extension is an irregular shape, as a result of the car park layout and adjacent buildings and linked into Trauma and West Wing by a long corridor. It measures approximately 27m high (max) and 42m wide adjacent to the internal road and 22m high and 27m wide across the rear part, the link corridor approximately 68m long and 3.5m wide and 14m high (plus basement). The extension has a flat roof with parapet and would sit approximately 3m lower than the adjacent West Wing. It would be approximately 8m taller than Trauma Building and the same height as the Critical Care building which sits behind Trauma.
- 10.21. The development has been designed to offer flexibility for the future phasing of in-patient accommodation based on the demands and needs across the hospital and the wider Integrated Care Systems (ICS) South East region, and the quantum of floorspace proposed is considered appropriate and realistic to meet the demand.
- 10.22. Materiality proposed is a mixture of light and dark grey terracotta cladding, standing seam cladding, a Staffordshire blue grey engineering brick plinth, powder coated aluminium windows and doors and louvres and glass balustrade. It would utilise prefabricated modular construction. The colour and appearance would match in with the existing buildings. It is a modular prefabricated design to speed up construction and minimise disruption.
- 10.23. The submitted rapid Health Impact Assessment demonstrates the development has been designed to promote and contribute to a healthy living environment within the existing site context. In accordance with RE5 of the OLP
- 10.24. Externally there would be two associated external plant room/ enclosures; an enclosed two storey building to the eastern side and an open enclosure to the western side. Information has been submitted setting out the needs and requirements for plant as part of the development. This provides sufficient justification for the buildings in their proposed locations and size, particularly in view of the fact that the eastern plant building would necessitate the removal of two trees. The materiality of the building would match the proposed extension. Details of the external plant enclosure have not been provided but could be secured by condition.

10.25. External lighting is proposed and would be controlled based on external ambient light, time and movement. External lighting will be provided to the new building perimeter by column/building mounted LED lights. All column mounted would have downward light distribution only and any new columns would be limited to 6 metres tall. The installations would provide illumination levels required for security of the buildings, moving traffic, parked vehicles and for the safety of personnel. Lighting to pedestrian walkways around the new building would be provided by building mounted lights. All carpark and roadway lights would have integral photocell and movement sensor and would all be linked to operate in groups or as one in line with an agreed external lighting control strategy. External lighting is to have an initial luminous efficacy of no less than 70 lm/W. Details of the manufacturer and location could be secured by condition to ensure appropriate appearance and no adverse impact on amenity.

10.26. It is considered that the development is of an appropriate design and appearance that responds to its context in accordance with Policies DH1 of the OLP and GSP4 of the HNP.

Impact on Heritage Significance and views

Conservation Area (CA)

10.27. The existing hospital buildings already form a visual distraction and juxtaposition to the rural edge of the graveyard and Dunstan Rd due to the height and massing of the buildings which sit at a higher level on the rise of the hill. There is therefore already a degree of harm to the setting of the OHCA. The new development would sit within the collection of buildings and would be screened to some extent from the CA by the Wolfson Building and industrial block that sit in front. It would nonetheless add to the massing of hospital buildings and increase the visual distraction and juxtaposition. The impact would be mitigated to some extent by the overall distance to the CA and Dunstan Road. However, it is considered that less than substantial harm would result and be of a high level.

Views

10.28. Whilst the site is outside the designated view cones in Policy DH2, the development would be visible from Raleigh Park, Elsfield View Cone and in the long-range views looking east from St Marys Tower high view point within the City Centre and from closer views within the surrounding streets. A Visual Impact Assessment has been submitted as part of the application. This demonstrates that from Elsfield view cone the new extension would sit within the mass of the existing building. It would marginally rise above the lowest of the existing buildings and fill in some of the gap between the highest buildings. The existing buildings form a visual distraction within the green landscape setting of Oxford in views out sitting prominently on/above the line of the wooded escarpment or hills at Headington in the HHCA. The present level of harm is a high level of less than substantial harm. It is considered that the new extension would add to this visual distraction and cause some additional harm as a result. This would still be less than substantial harm and of a high level.

10.29. Members of the public commented that the potential impact of the development in views from Raleigh Park was not assessed within the LVIA. Officers have made an assessment using the View Cones Assessment for Oxford and recent photos and maps. The new extension would sit within the mass of the existing buildings which are visible on the skyline within the green landscape setting in this view within the HHCA. It is considered that it would likely be partially seen above and between existing Hospital buildings in some views from Raleigh Park and thus cumulatively add to their visual impact. It is considered that the new extension would add to this visual distraction and result in some additional harm. This would still be less than substantial harm and of a high level.

10.30. Elsewhere within views from the surrounding area and streets, the new extension would be behind houses, buildings and trees due to the topography of the area and the steep gradient of the land down towards Marston. It would be most visible from Conniston Avenue glimpsed behind the houses and trees on Ambleside Drive. From further away, the extension would be visible above the existing hospital buildings when viewed from Oxrad Sports and Leisure Centre. Given the distance between the development and the neighbouring streets together with existing buildings and trees, it is considered that the extension would not be overly dominate within these views and as such there would be no significant adverse impact.

Public Benefits

10.31. Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. In terms of considering the planning balance of public benefits against harm to designated heritage assets, paragraph 206 states that there should be a clear and convincing justification for the harm. Paragraph 208 states that where a proposal will lead to less than substantial harm, that harm should be weighed against the public benefits including, where appropriate, securing the optimum viable use.

10.32. In terms of public benefits, National Planning Practice Guidance states that public benefits that flow from a development could be anything that delivers economic, social, or environmental objectives. They need to flow from the development and should be of benefit to the public at large and not just a private benefit, although benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

10.33. Officers consider that the development would result in the following public benefits:

- Social benefits derived from the improved public health facilities for the whole of Oxfordshire and Oxford City and the South East Region (through the Integrated Care Systems region) by providing an increase in number of theatres and ancillary facilities that would reduce the waiting list back log and also provide increased capacity for the future. A very high level of weight is afforded to this;
- Economic benefit from increased employment opportunities and a moderate

level of weight is afforded this;

- Environmental benefits through sustainable design and construction and connection into the existing district heating system. A low to moderate level of weight is afforded to this;
- Increased biodiversity through new planting. A low level of weight is afforded to this;

10.34. In accordance with Historic England's 'Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment', it is considered that clear and convincing justification for the need and design of the building has been provided and the less-than-substantial harm to the setting of the Central Conservation Area and Old Headington Conservation Area would be outweighed by the overall significant high level of public benefits derived from the development.

Summary

10.35. The development would result in a high quality development that responds to the existing hospital buildings. It would not be significantly visible from the public realm and where it is it would sit within the existing hospital complex. In assessing the impact of the development, officers have attached great weight and importance to the desirability of preserving the setting of the Conservation Area and important protected views. Any harm caused has been clearly and convincingly justified. It is considered that the level of less than substantial harm that would be caused by the proposed development would be outweighed by the high level of public benefits that would result. As such the development would in accord with the NPPF, Policies DH1 and DH3 of the OLP and Policies GSP4, CIP2, CIP3 and CIP4 of the HNP, and the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990.

c. Neighbouring amenity

10.36. Policy RE7, as referred to in paragraph 10.17 above, seeks to ensure a standard of amenity and make sure that development protects amenity and would not result in an unacceptable impact on neighbours.

Overbearing/light/privacy

10.37. The proposed main building is located within the John Radcliffe Site and away from the boundaries with the nearest neighbouring residential properties in Sandfield Road to the south-west (around 160 metres) and Ethelred Court (about 125 metres) to the north-east. The proposed development would sit against the backdrop of existing hospital buildings. Due to the distance from neighbouring properties, together with the topography, mature trees and hedging screening the development would not appear overbearing, or would result in an adverse impact on light or privacy in accordance with policy RE7 of the Oxford Local Plan 2036.

Noise

10.38. Policy RE8 of the OLP provides that planning permission will only be granted for development proposals which manage noise to safeguard or improve amenity,

health, and quality of life. Planning permission will not be granted for development that will generate unacceptable noise and vibration impacts. Conditions will be used to secure mitigation measures and operational commitments.

10.39. A noise assessment has been submitted with the application which follows appropriate noise guidelines. Mechanical services plant will also be installed as part of the development, although the exact location(s) is unknown at this stage. The nearest noise sensitive receptors to the proposed site are residences on Ethelred Court and Sandfield Road, to the north-east and south-west of the site, respectively. The Assessment states that based on the measured background noise levels, it is recommended that the free-field rating level from all new building services plant associated with the development should be controlled to no greater than 32dB_{L_A,Tr} external to the windows of the existing noise sensitive properties (Ethelred Court) to comply with the proposed planning noise limit. However, to meet this standard design/mitigation measures would be required to be incorporated. The main plant items can be controlled to not exceed the planning limit, provided the isolation room extract fans are in an acoustic enclosure, and AHU's are attenuated to not exceed approximately 64dBA at 1m. It should be noted though that these levels are indicative at this stage. The emergency plant has also been attenuated to ensure the proposed limit of +5dB above is not exceeded. Furthermore, testing will only take place on weekdays between 9am and 6pm.

10.40. On the basis of the information submitted, Officers are satisfied that there would not be an adverse impact on adjoining residents, subject to the appropriate mitigation measures being installed. Details of the proposed plant and mitigation measures could be secured by condition, together with anti-vibration isolators and isolated fan motors from the casings. A further condition should be imposed to ensure noise emitted does not exceed the background noise.

10.41. Subject to the conditions, the development would accord with RE of the OLP.

d. Transport Highways/parking

10.42. 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 there is no unacceptable impact on highway safety and the road network and that 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.

10.43. Policy M3 sets out the Council's policy for motor vehicle parking. 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. Policy TRP1 of the HNP seeks to combat Headington's congestion by only supporting any increase in employee parking on major employment sites that is robustly demonstrated. Policy TRP3 requires travel plans for employees on major development.

- 10.44. Policy M5 and Appendix 7 sets out minimum cycle parking standards and for Hospitals this would be 1 space per 5 members of staff. 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.
- 10.45. A Transport Assessment together with a draft Travel Plan and Delivery and servicing details have been submitted in support of the application. The development would result in the loss of Car Park 1 which currently has a total of 152 spaces: 127 visitor parking spaces, 20 disabled spaces and 5 staff spaces.

Car parking

- 10.46. The TA states that 16 visitor spaces would be retained on site (10 disabled and 6 drop-off visitor spaces). 121 visitor spaces would be re-provided within Car Park A3 and the remaining 10 disabled spaces in Car Park L to ensure no overall loss of visitor spaces for the whole hospital site but consequently there would be an overall reduction in staff car parking spaces within those car parks and for the hospital site. Parking would be controlled using ANPR cameras.
- 10.47. The development would also result in an increase of 174 staff numbers to facilitate the new theatres. There is currently a high demand for staff parking spaces which are allocated via an eligibility permit scheme and enforced by a parking monitor. The Trust has acknowledged that whilst parking is a necessary requirement for the JR, a concerted effort is required to encourage staff to travel by sustainable modes of travel in order to alleviate congestion. Therefore the Trust is preparing a wider Framework Transport Strategy for the whole JR site to manage staff parking across the site. The Strategy will comprehensively review the current situation and identify and implement measures to encourage uptake of sustainable modes of travel for staff and meet their own targets for Net Zero. This will include measures such as a review of staff car parking permit eligibility criteria and discussions with local transport operators to review the provision of public services at the site. By reviewing staff car parking permit eligibility criteria, limiting permits to those in most need and discussing with local transport operators to review the provision of public services at the site, the Trust believes it can reduce the demand for staff parking on site.
- 10.48. The reduction in parking on the JR site is supported by policy S4P1 of the Oxford Local Plan 2036 and TRP1 of the Headington Neighbourhood Plan in order to encourage more sustainable modes of transport to and from the site. The County Council as Local Highways Authority (HA) has raised no objection to the development (see paragraph 9.2 above) but has raised the issues of site wide car parking management and quality of cycle parking. Whilst the car parking proposed would maintain the level of existing visitor car parking spaces, the staff parking permit scheme is under pressure and needs reassessing holistically for the whole site. Cycle parking is generally poor quality, not sheltered and unsafe which is a deterrent to use.
- 10.49. The HA has requested conditions be imposed requiring the submission of the Framework Transport Strategy (FTS) and revised site wide Travel Plan to encourage modal shift and help to mitigate and address these issues. Furthermore, in order to mitigate the impact of the JR as a whole and then

encourage and enable staff to use sustainable travel, the HA considers that a financial contribution towards the new Eastern Arc bus route is required.

10.50. The proposed Eastern Arc bus route will replace the existing 700 route which is currently unviable long-term. In addition to serving Redbridge, Oxford Parkway and Thornhill Park & Rides, it will also serve the larger residential areas of Cowley, Headington, Marston and Cutteslowe (also supporting growth in the south and north of the city). It is expected to be more frequent and run later than most services currently serving the JR and as such will help in achieving the modal shift away from private car which will mitigate the impact from the development. The provision of this bus route is therefore relevant to this application and necessary to make the application acceptable in planning terms. A sum of £170,288 has been requested which is considered relevant to the site and reasonable and proportionate in scale and kind to the proposed development in accordance with Regulation 122 of the Community Infrastructure Level Regulations 2010.

10.51. A contribution is also required towards monitoring of the Travel Plan.

10.52. The Trust has agreed to these contributions which would be secured via a S106 agreement.

Cycle Parking

10.53. The TA states that the development proposals would provide 35 cycle parking spaces. In line with Policy M5 35 cycle spaces are required for 174 staff based on 1 space per every 5 staff. These are shown to the rear of the site and further details could be secured by condition. Showers would be provided on the fourth floor. The provision of these spaces would meet the Policy requirement for additional spaces for this development. The site wide FTS would deal with the site wide cycle parking again secured by condition.

10.54. In conclusion, it is considered that subject to conditions and the contributions secured by a legal agreement the development accords with Policies M1, M2, M3 and M5 of the OLP and Policies TRP1 and TRP3 of the HNP.

e. Flood risk and drainage

10.55. 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.

10.56. 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.

10.57. Policy SP41 requires a drainage strategy to be produced by the developer in liaison with the City Council, Thames Water and the Environment Agency, to establish the appropriate drainage mitigation measures for any development.

Planning permission will only be granted if sufficient drainage mitigation measures are incorporated into the design of proposals.

- 10.58. The application site falls within Environment Agency Flood Zone 1 and is therefore not at a high risk of flooding.
- 10.59. The proposed Sustainable Drainage Scheme (SuDS) strategy is comprised of attenuation tanks for surface water runoff. Surface water will discharge to the existing surface water drains, subject to confirmation of the presence, location and capacity of nearby private surface water sewers. On site infiltration testing confirms that discharge to ground is not feasible due to very low infiltration rates. There are no surface water features within 100 m to discharge to. The proposed SuDS strategy would ensure surface water runoff is stored on-site in SuDS features for the 1 in 100 year event including a 40% allowance for climate change and will not cause flooding to the proposed development in accordance with DEFRA's non-statutory technical standards (DEFRA, 2015). Proposed SuDS features comprise an attenuation tank to attenuate a minimum of 285 m³ of surface water runoff.
- 10.60. Thames Water has raised no objection to this in terms of potential connection or infrastructure capacity in relation to surface water and connection to the existing infrastructure. The LLFA has also raised no objection to the SUDS Strategy subject to conditions requiring submission of the detailed SUDS scheme and SuDS Monitoring, and record of the SUDS once installed.
- 10.61. Concerns have been raised regarding the development and surface water runoff. The existing site is a hard surfaced carpark. The development would attenuate the existing surface water before releasing it at a controlled rate. By doing so the impact would be a betterment over the current situation where water collects and runs off uncontrollably. Whilst the concerns of residents are understood, Officers are satisfied that the development would not worsen the situation and in the absence of any objections from the statutory consultees, and subject to the suggested conditions, the development is considered to be acceptable.
- 10.62. Subject to conditions, the proposal is therefore considered acceptable in relation to policies RE3 and RE4 of the Oxford Local Plan 2036.

f. Sustainable Design and Construction

- 10.63. Policy RE1 states that planning permission will only be granted where it can be demonstrated that sustainable design and construction principles have been incorporated. The policy requires for major developments involving new buildings that at least a 40% reduction in carbon emissions from a 2022 Building Regulations compliant base case.
- 10.64. The proposed development is an extension of the existing Trauma buildings and utilises the existing building services system from the existing building. As it is an extension it is therefore not required to comply with the 40% target of reducing carbon emissions from 2013 Building Regulations compliant base case. However, the extension will need to achieve minimum Part L building regulation compliance in any event. It is proposed that development would also be designed to reduce

energy consumption and carbon emissions and would meet BREEAM Excellent rating. This would be achieved through low air permeability, LED lighting (sensor controlled where possible) low specific fan power air handling equipment, heat recovery to air handling units where appropriate and decentralised domestic hot water storage. It would connect to the existing site district heating LTHW system which includes a CHP engine and Air Source Heat Pumps. Electricity would be provided via the existing steam generation plant which is more energy efficient than gas fired steam boilers within the energy centre given carbon emissions associated gas and distribution losses. It would also connect to the existing chillers. Implementation of the energy strategy and attainment of BREEAM Excellent could be secured by condition. It is considered that the development meets Policy RE1 of the OLP.

g. Air Quality

- 10.65. Policy RE6 of the OLP has regard to air quality and states 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 NO₂ air quality objective (AQO). Policy M4 (Provision of Electric charge points) of the OLP 2036 requires a minimum of 25% of parking spaces to be provided with charging points on non-residential developments, and adequate ducting should be provided to all spaces to enable additional charging points in the future as demand requires.
- 10.66. The application has been accompanied by an Air Quality Assessment (AQA) to address policy RE6 of the Oxford Local Plan 2036. This assesses the potential for future users/residents of the proposed development to be exposed to poor air quality.
- 10.67. The baseline assessment shows that the application Site is located within the Oxford city-wide Air Quality Management Area (AQMA) for exceedances of the annual mean NO₂ air quality objective (AQO).
- 10.68. The AQA shows air quality conditions for future residents of the proposed development have been shown to be acceptable, with concentrations measured at the façade of a neighbouring building and at nearby roadside monitors consistently below the air quality objectives in recent years, including those before the pandemic. Therefore, the location of the application site is considered suitable for its intended use.
- 10.69. According to the site's energy report, the proposed development would connect to the hospitals existing heat network which utilises heating and power from an existing Low Temperature Hot Water (LTHW) district heating system consisting of a combined heat and power (CHP) system supported by air source heat pumps (ASHP). It would also introduce three new standby generators in case of mains failure emergency. As the site is not introducing a new combustion system that would operate regularly the development proposals would not introduce further emissions from combustion processes.

- 10.70. An overall net loss of parking from the campus, would further assist with managing and improving levels of air quality as fewer members of staff would be able to travel by car. The new theatre, when in operation, would result in additional patients and outpatient trips to the hospital per year. The increase in traffic movements is considered to be small and would not cause a significant impact in terms of traffic impact on the local highway network. The AQA has used a worst-case scenario for traffic data and emissions. Overall air quality is predicted to improve in future.
- 10.71. The impacts of demolition and construction work on dust soiling and ambient fine particulate matter concentrations have been assessed on the AQ Assessment, which identified that the development is a medium risk site for dust soiling as a result of earthworks. The sensitivity of the area to human health impacts is medium. However, it is considered that the use of good practice control measures would provide suitable mitigation for a development of this size and nature and reduce potential impacts to an acceptable level. Provided these measures are implemented and included within a management plan, the residual impacts are not significant. The site specific dust mitigation measures could be secured via a Construction Environmental Management Plan condition.
- 10.72. In conclusion predicted air quality impacts as a result of traffic generated by the development would not be significant at any sensitive location in the vicinity of the site. The results of the assessment also indicate that pollution levels are below the relevant criteria at all locations across the development. As such, the site is considered suitable for the proposed use from an air quality perspective. Subject to the condition, the development accords with Policy RE6 of the OLP.

h. Land quality

- 10.73. 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.
- 10.74. The application has been accompanied by a Site Investigation Report.
- 10.75. The former and current use of the land is as a Hospital and this has the potential to cause ground contamination risks at the site. There is also mapping information which suggests the presence of made or filled ground at the site.
- 10.76. The submitted Site Investigation Report also contains a desk study phase 1 summary which outlines previous site uses and the potential contamination risks that could be present on the site as a result of previous use.

- 10.77. The site investigation report provides information on ground gas, groundwater and soil contamination risks following an intrusive site investigation that have been carried out across the site. No significant risks were identified following the investigation and no specific remedial measures were considered necessary at the site.
- 10.78. However due to the relatively limited extent of sub-surface investigation at the site and low number of samples taken of made ground, there may be undiscovered areas of contaminated ground in areas of the site not investigated. Whilst the overall ground contamination risk at the site is expected to be low, it is considered prudent to undertake a careful watching brief for unexpected ground contamination risks during site re-development. This could be secured by condition.
- 10.79. 5. It is considered that the existing made ground at the site is likely to be unsuitable for re-use in landscaped areas of the site due to potential anthropogenic inclusions and phytotoxic contaminants. Suitable pre-tested clean soil should be utilised in any landscaped areas of the site to support plant growth, again secured by condition.
- 10.80. Subject to these conditions, the development accords with Policy RE9 of the OLP.

i. Trees and Landscaping

- 10.81. 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 public amenity or ecological interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated.
- 10.82. 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.
- 10.83. 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.
- 10.84. The scheme involves the removal of 5 individual trees (three moderate quality 'B' category trees and two low-quality 'C' category) and one 'C' category group of trees. The trees amenity value is limited to those who work and visit the hospital due to the site's location within the hospital and high hedge screening to the along

the northern boundary with the cemetery Elsewhere in and around the car park are areas of low-quality grass.

- 10.85. Two of the larger moderate quality trees to the northwest of the site adjacent to the internal road (opposite the Wolfson Building) would be lost to allow construction of a two storey plant associated room building. In order to justify the loss of these trees, the Applicant has provided information and justification for the size and quantum of plant for the development, and considered any other locations . The plant room would comprise generators on the ground floor and further generators and switch rooms plus circulation/landing space on the upper floor. The size and scale of the external plant room is driven by the electrical load and demands for the development. A large amount of infrastructure is required to generate the energy needed to meet the demands of the theatre building, but the electrical demand is even greater in this instance due to the steam generation of electricity adopted due to its energy and sustainability credentials when compared with more traditional means of energy production, which generate more significant levels of carbon emissions. There are no other locations or existing buildings that could accommodate the infrastructure required. Officers consider that the loss has been justified in this case.
- 10.86. Due to the constraints of the site, the trees lost cannot be re-provided on the application site or close by. It is therefore intended to plant replacement trees elsewhere within the hospital grounds. A detailed landscape plan was not submitted with the application but the submitted Tree Canopy Cover Assessment (TCCA) indicates that the trees could be re-provided to the south of the hospital site around the listed Manor House, within its parkland setting and the Old Headington Conservation Area, and also around residential blocks to the southwest of the site.
- 10.87. Whilst this is acceptable in principle, a detailed landscape plan including species and size/ girth, has been requested in order to ensure that the proposed trees are of appropriate species, size and in the right location to mitigate the tree loss and also be appropriate to the parkland setting of the Listed Manor House.
- 10.88. It is noted that the TCCA lists some indicative species that could be used and shows the general placing of trees around the JR site. However, it is considered that this is insufficient and some species and locations inappropriate (for example Goat willow (*Salix caprea*) is not appropriate for a parkland setting). A cohesive landscape design needs to be provided that takes into account, species, location, canopies and other aspects such as proximity to building, existing tree belts, the temporary helipad and heritage assets. At the time of writing the report, the plan is still awaited and therefore Committee will be verbally updated.
- 10.89. The TCCA shows that replacement trees could mitigate the tree canopy lost over 25 years. However, it does not show this with the existing tree canopies together. Therefore, Officers have requested the plans are updated to show existing and predicted tree canopy (which reflects the landscape plan) to ensure that the new tree canopies can grow as predicted and would not be compromised by existing canopies.

10.90. Subject to receiving a satisfactory landscape plan and the amended TCCA, it is considered that the development would accord with Policies G7 and G8 of the Oxford Local Plan. The landscape plan could be secured by condition.

j. Biodiversity

10.91. 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. Policy GSP3 Conserving and enhancing biodiversity of the HNP seeks to protect and enhance biodiversity on both designated and non-designated sites in Headington. It should be noted that the relevant provisions of the Environment Act 2021 requiring a minimum of 10% net gain on major developments came into effect in February this year. However, applications submitted before this time, as in this instance, are not required to meet 10% net gain and therefore Policy G2 still applies in this case.

10.92. 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 (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 '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, both in and out of European sites.

10.93. Officers have reviewed the submitted Preliminary Roost Assessment and Ecological Walkover, Preliminary Ecological Appraisal (PEA) and revised Biodiversity Metric Report

10.94. No protected species constraints were identified in the ecological survey work undertaken in support of the planning application. A precautionary working method statement has been recommended to address the potential for constraints to arise prior to works commencing, which is appropriate. Officers are therefore satisfied a robust assessment has been undertaken in this regard. The development should be implemented in accordance with the measures within the PEA and ecological enhancement measures provided as part of the development. Both secured by condition.

10.95. In terms of biodiversity net gain (BNG), the updated Biodiversity Metric 4.0 submitted indicates that the proposed development would result in a net gain of +10.59% (0.20 habitat units). It is not possible to provide this gain within the application site due to the site constraints and so off-site provision is required (off-site is taken to mean outside the red line of the application site). The BNG would

take the form of 11 medium sized trees (18-20cm girth) which would be planted elsewhere within the hospital grounds and within the Applicant's ownership.

- 10.96. In order to ensure that the proposed medium trees achieve the required biodiversity gain over 30 years, Officers have requested a landscape plan that details species, stock size and justification for their locations. At the time of writing the report this information is awaited and committee will be verbally updated.
- 10.97. On the basis that this landscape plan demonstrates the net gain can be achieved, Officers consider that the development would provide a minimum 5% BNG and meet the requirement of Policy G2 of the OLP and Policy GSP3 of the HNP. The off-site provision could be secured via a s106 legal agreement.
- 10.98. If, however, the information does not sufficiently demonstrate this, then other off-site provision on land outside the Hospital would need to be secured. In this instance, Officers request that delegated authority is given to the Head of Planning and Regulatory Services to agree with the Applicant the off-site provision elsewhere via another provider to meet the minimum 5% BNG requirement and secured via the s106 legal agreement.

k. Archaeology

- 10.99. 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.
- 10.100. 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.
- 10.101. 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.
- 10.102. This application is of interest because it is a sizable development within a zone of dispersed Roman pottery manufacturing activity orientated on the Dorchester-Alchester Road. The site also has moderate to low potential for

prehistoric activity and activity related to the nearby mid/late Saxon and medieval settlement of Headington. In 2004 a sherd of medieval pottery and animal bone was recovered from a service trench cut through the application site.

10.103. In view to the potential for archaeology and bearing in mind the character of the site and the scale of the proposed works, the development should be subject to a condition to secure an archaeological trial trenching followed by further mitigation if required. Subject to the condition, the development would accord with Policy DH4 and the NPPF.

I. Utilities

10.104. Policy V8 seeks to ensure there is sufficient existing utilities capacity to support the development and that the capacity will be delivered to meet the needs of the development. The siting and appearance of utilities infrastructure should be designed to minimise impacts on amenity and to be as unobtrusive as possible.

10.105. A Utilities Statement has been submitted with the application.

10.106. Heating and Gas: The development would connect into the existing hospital district heating system and therefore no natural gas supply would be needed.

10.107. Drainage: The development would connect into the existing drainage system, using attenuation tanks and reducing peak flows from the site, accounting for climate change. This would be a betterment over the existing situation where surface water from the impermeable car park surface is discharged into the network unrestricted and without attenuation. Thames Water has confirmed that the proposed development would not materially affect the sewer network and that they have no objection.

10.108. Electricity: There is sufficient electrical capacity on the site to accommodate the development. The development would be connected to the existing substation located adjacent to development.

10.109. Telecoms: The development would have two new separate fibre connections via diverse routes and points of connection, linked to the main John Radcliffe Hospital building.

10.110. Water: The site would be supplied through a dedicated 12-inch main located to the northwest of the site on Dunstan Rd, running adjacent to the Old Headington Village Hall. Mains connect to two 140,000 litre sectional tanks from where mains cold water is distributed around the site using cold water booster pumps. A normally closed emergency supply is positioned on Sandfield Road, southeast of the site. A number of cold-water sectional cisterns will be strategically positioned in the building plant rooms to provide uninterrupted 24-hour storage, even during outage. This would be used to feed to domestic water system and the fire suppression system. This design ensures that the flow rate requirements remain within site limits, aligning with the predefined capacity already allocated by Thames Water (TW). Whilst TW has indicated a lack of infrastructure capacity for clean potable water, the Applicant has contacted TW to resolve this concern. The

2 large existing water tanks at the JR mean that the proposed development would not be reliant on Thames Water's incoming water feed directly for supply. The Grampian condition suggested by TW would ensure that no development could commence until any necessary upgrades have been undertaken to accommodate the needs of the development or a phased development and infrastructure plan agreed with them.

10.111. As such it is considered that the development accords with V7 of the OLP.

11. CONCLUSION

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

11.1. 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.

11.2. Therefore in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.

11.3. Officers would advise members that having considered the application carefully, the proposal is considered acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Local Plan 2036 and the Headington Neighbourhood Plan, when considered as a whole, and that there are no material considerations that would outweigh these policies. On the basis of the above, Officers recommend that the Oxford City Planning Committee resolve to grant planning permission for the proposed development for the reasons set out at the beginning of this report subject to the satisfactory completion (under authority delegated to the Head of Planning and Regulatory Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990 to secure contributions and BNG and the conditions set out in Section 12 below.

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 other conditions which require amended plans and updated information, the development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the Local Planning Authority.

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

Materials

3. Notwithstanding the materials listed on the submitted plans, samples of the exterior materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority prior to their installation on site and only the approved materials shall be used.

Reason: In the interests of visual amenity in accordance with policies DH1 of the Local Plan 2036 and CIP1 and GSP4 of the Headington Neighbourhood Plan.

Transport

4. Prior to commencement of development including demolition and enabling works a Construction Environmental Traffic Management Plan (CTEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works, and the works of demolition and constructions shall be carried out in accordance with the approved plan. This approved plan shall include:
 - The CTEMP must be appropriately titled, include the site and planning permission number.
 - Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
 - Details of and approval of any road closures needed during construction.
 - Details of and approval of any traffic management needed during construction.
 - Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
 - Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
 - The erection and maintenance of security hoarding / scaffolding if required.
 - A regime to inspect and maintain all signing, barriers etc.
 - The site-specific dust mitigation measures and recommendations that are

identified on Table 19 (pages 30 and 31) of the Air Quality Assessment that was submitted with this application (AQA New Theatre Block Oxford John Radcliffe Hospital -28th June 2023),

- Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided and undertaking to address complaints in a timely manner.
- 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.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times 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 in accordance with Policies M1, M2, RE6 and RE7 of the Oxford Local Plan 2036.

5. Within 6 months of the decision or other timeframe as maybe approved in writing by the Local Planning Authority, a Framework Transport Strategy (FTS) for the whole of the hospital site shall be submitted to and approved in writing by the Local Planning Authority. The FTS shall include the following details:-
 - Staff, visitors and other transport user survey findings;
 - Measures to encourage sustainable modes of transport other than the car;
 - Details of a scheme of new cycle parking for the whole hospital site that is secure, sheltered and accessible (including provision for tricycles and electric powered cycles);
 - Provision of increased staff changing/shower facilities to latest current standards;

- Electric vehicle charging infrastructure and spaces;
- Timescales for implementation of these measures and cycle parking scheme.

The FTS shall be implemented in accordance with the approved details and timescales therein and retained and maintained thereafter.

Reason: To promote sustainable modes of transport 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.

6. Notwithstanding the draft Travel Plan submitted, prior to first occupation a revised Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be given to every employee and the development shall be occupied in accordance with the Travel Plan at all times thereafter.

Reason: To promote the use of sustainable transport and to ensure all employees and visitors 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.

7. Prior to occupation of the development details of the additional 35 covered/ sheltered and secure cycle parking spaces required for the development hereby approved and staff changing/shower facilities to current standards shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be installed prior to first occupation 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 and mitigate the impact of the proposed development in line with policy M5 of the Oxford Local Plan 2036.

8. Prior to commencement of development a Car Parking Management Plan for the whole of the hospital site shall be submitted to and approved in writing by the Local Planning Authority. This should stipulate the number of spaces and areas available on the hospital site for both staff and visitors and how parking will be managed and enforced. The hospital site shall be operated in complete accordance with the approved car parking management plan at all times thereafter.

Reason: To ensure adequate car parking provision is made, but that does not cause an increase in the trip rate approved as part of the planning permission.

Contamination

9. Throughout the course of the development, a watching brief for the identification of unexpected contamination shall be undertaken. Any unexpected contamination that is found during the course of construction of the approved development shall be reported immediately to the Local Planning Authority.

Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued. Proposed landscaped areas must include the addition of clean, pre-tested soils that are suitable for use and will support plant growth.

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

Noise

10. The external noise (rating) levels emitted from the air source heat pump equipment shall not exceed the existing background level at any noise sensitive premises when measured and corrected in accordance with BS4142:2014 +A1:2019 "Methods for rating and assessing industrial and commercial sound.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with Policies RE7 and RE8 of the Oxford Local Plan 2036.

11. Prior to installation, details of all the proposed plant, including mechanical, servicing and emergency plant and air handling units, shall be submitted to and approved in writing by the Local Planning Authority. The plant (including installation and ducting) 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. The approved details shall be installed and retained at all times thereafter.

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

Archaeology

12. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work comprising 1) trial trenching and 2) further mitigation in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. This shall be undertaken by a professionally qualified archaeologist working to a brief issued 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: 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 Roman remains in accordance with Policy DH4 and the NPPF.

Lighting

13. Prior to installation, details of the site lighting strategy including locations (elevations and floor plans), technical specification and light spill shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed and thereafter maintained.

Reason: in the interest of amenity and good design in accordance with Policies DH1 and RE7 of the Oxford Local Plan 2036.

Sustainable Design

14. The development shall be constructed in complete accordance with the submitted Energy strategy and evidence of the attainment of BREEAM Excellent shall be submitted to the Local Planning Authority prior to first occupation.

Reason: to ensure sustainable development in accordance with RE1 of the Oxford Local Plan 2036.

Trees and Landscaping

15. Notwithstanding the submitted Landscape Plan, a detailed Landscape Plan shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved. The plan shall show details of treatment of paved areas, and areas to be grassed or finished in a similar manner, existing retained trees and proposed new tree, shrub and hedge planting. The plan shall correspond to a schedule detailing plant numbers, sizes and nursery stock types. Details of tree pits within hard surfaced areas shall be provided.

Reason: In the interests of visual amenity and residential amenity in accordance with policies DH14, RE7, G7, G8 and DH1 of the Oxford Local Plan 2036.

16. The Landscape Plans approved by the Local Planning Authority under condition 15 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 2036.

17. 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.

18. Prior to first occupation or first use of the development hereby approved a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules and timing for all

landscape areas shall be submitted to and approved in writing by, the Local Planning Authority. The approved landscape management plan shall be carried out from the date of implementation of the approved landscape scheme under condition 16 above.

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.

Biodiversity

19. The development hereby approved shall be implemented strictly in accordance with the measures stated in Section 4 of the report ‘Preliminary Ecological Appraisal Report’ by E3P and dated June 2023, or as modified by a relevant European Protected Species Licence.

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.

20. Prior to occupation of the development, details of ecological enhancement measures including at least one bat roosting device and one bird nesting device shall be submitted to and approved in writing by the local planning authority. Details must include the proposed specifications, locations, and arrangements for any required maintenance. The approved devices shall be fully constructed under the oversight of a suitably qualified ecologist prior to occupation of the approved development. Any new fencing will include holes suitable for the safe passage of hedgehogs. The approved devices and fencing holes shall be maintained and retained in perpetuity unless otherwise approved in writing by the local planning authority.

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

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

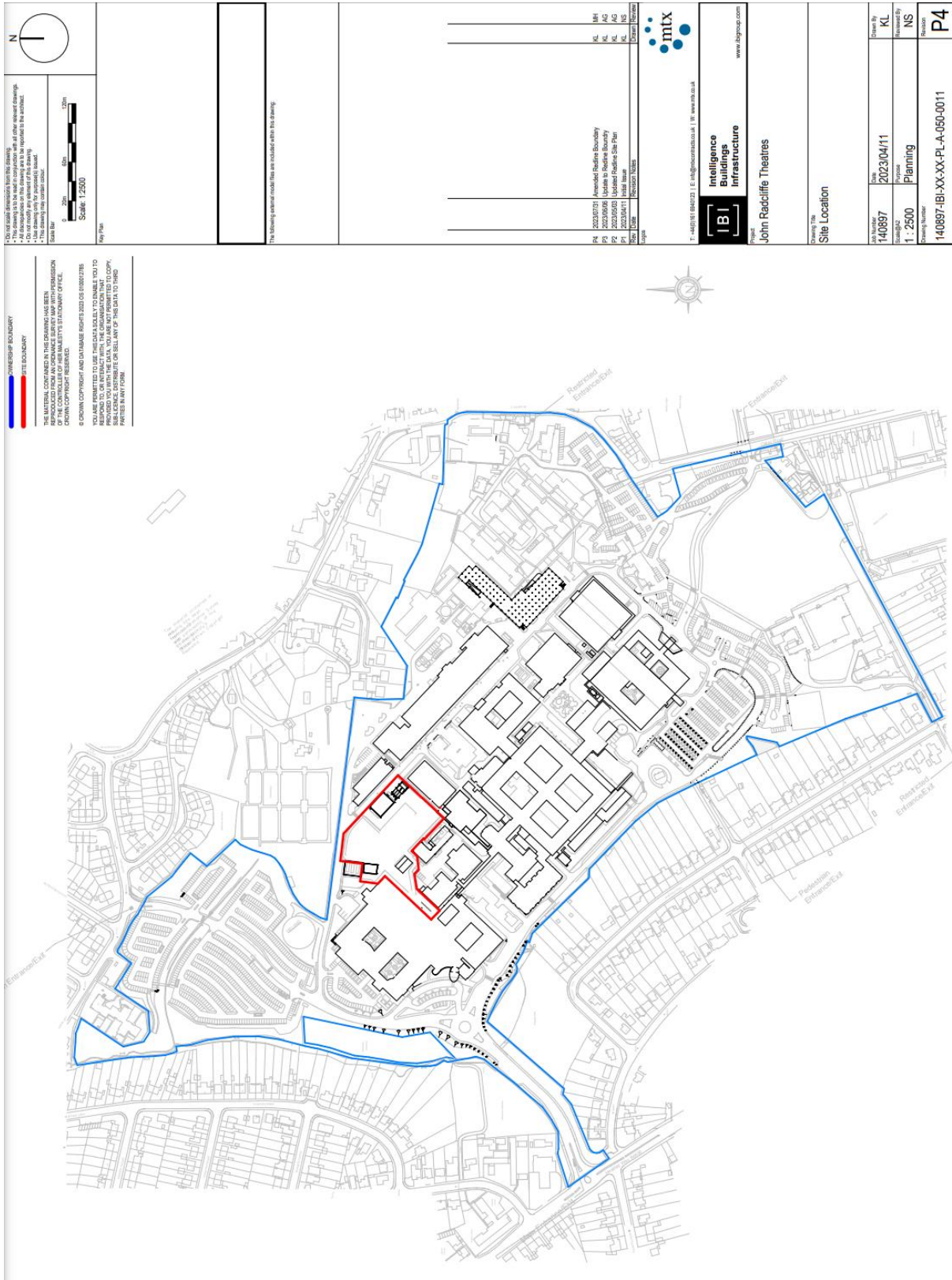
15.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In

reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

APPENDIX 1 – SITE LOCATION PLAN

JR Hospital Modular Theatre Extension

23/0214/FUL



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Oxford City Planning Committee

Application number:	23/02506/CT3		
Decision due by	19th March 2024		
Extension of time	N/A		
Proposal	Construction of pedestrian/cycle bridge across the River Thames from Grandpont Nature Park to Oxpens Meadows (additional information)		
Site address	South Side, Oxpens Road, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Osney And St. Thomas Ward		
Case officer	Sarah De La Coze		
Agent:	Mr Paul Comerford	Applicant:	Oxford City Council
Reason at Committee	Major Application and applicant is Oxford City Council		

1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission 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 biodiversity offsetting which is 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 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 (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. This report considers the installation of a new cycle and foot bridge across the River Thames from Grandpont Nature Park to Oxpens Meadow. In addition the proposal seeks to provide improvements to the existing surrounding footpath/cycleway connections.
- 2.2. The application site is located in the West End of Oxford. The bridge is proposed be sited on land in Oxpens Meadow a non-designated heritage asset which is an area of open publicly accessible meadow adjacent to Oxford Ice Rink and Grandpont Nature Park.
- 2.3. Policy AOC1 of the Oxford Local Plan (OLP) designates the area in which the bridge is proposed as an 'Area of Change' and sets out the principles for development in the area, setting out its suitability to enhance connectivity throughout the area, including along and across waterways and enhance the pedestrian and cycling experience. Policy SP1 of the OLP States that planning permission will be granted for development that "*enhances connectivity to Osney Mead including future proofing the proposals so they do not prevent the landing of a foot/cycle bridge across the Thames and has regard to the Oxpens SPD.*" The West End Supplementary Planning Document also identifies the Oxpens River Bridge as a key infrastructure priority in relation to movement.
- 2.4. The proposed bridge has been designed and located to respond to its setting and surroundings as well as taking into account other allocated sites in the vicinity namely the Oxpens and Osney Mead allocation (referred to in the aforementioned policy, SP1). Officers consider that the bridge will sit comfortably within its setting and will not have an adverse impact on the visual amenity of the area.
- 2.5. The application was subject to pre application discussions and was reviewed by the Oxford Design Review Panel in September 2022 who were broadly in support of the proposal.
- 2.6. Officers consider that the development would be acceptable with regard to principle, design, impact on the heritage assets, highways, environmental health, biodiversity, trees and impact on neighbouring amenity.

3. LEGAL AGREEMENT

- 3.1. This application is subject to a legal agreement to secure the delivery of a minimum of 5% biodiversity net gain and a Landscape and Ecological Management Plan (LEMP) outlining the long-term ecological management of the site for a period of 30 years.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

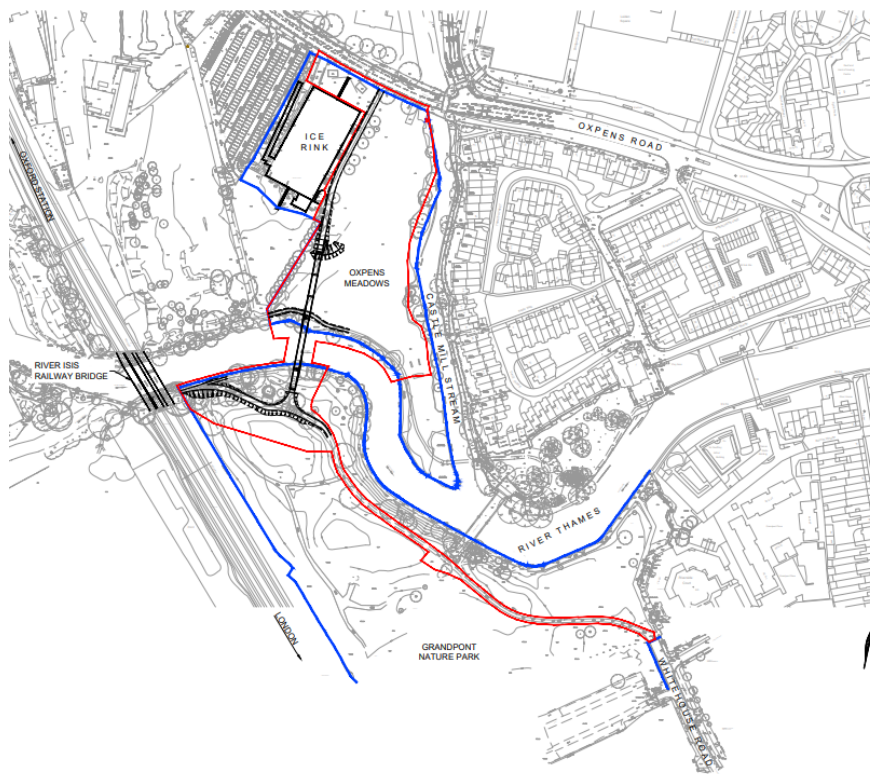
5.1. The site is located to the south west of the City Centre.

5.2. The bridge landing site north of the Thames sits between Oxpens Meadows and the Oxpens allocation site. Oxpens Meadows is bounded by Oxpens Road to the north, Castle Mill Stream to the East with St Ebbes beyond. To the south of the Thames is the pedestrian and cycle towpath which connects to Osney Mead and Osney Island. The Ice Rink and Oxpens allocation is to the west.

5.3. The landing site south of the Thames includes land part of Grandpont Nature Park, it also includes a pedestrian and cycle footpath.

5.4. The site is not located within a Conservation Area but sits within close proximity to the Osney and Central Conservation Areas.

5.5. See site plan below:



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Ordnance Survey 100019348

6. PROPOSAL

6.1. The application seeks permission for the construction of pedestrian/cycle bridge across the River Thames from Grandpont Nature Park to Oxpens Meadow comprising:

- i. a steel bridge structure with a total span of 98.90m with a river span of 23.39m;

- ii. associated access points;
 - iii. improvements to existing footpath/cycleway connections;
 - iv. ecological enhancements ; and
 - v. ancillary development including hard and soft landscaping.
- 6.2. The improvement works include addressing the gradient of the path to the south of the river, within the application boundary, where the pathway to the west will be realigned to provide a gentler gradient to facilitate walking and cycling. The path adjacent to the ice rink that leads on to the Oxpens Road will be widened to allow more space for pedestrians and cyclists to pass.
- 6.3. The bridge has been designed to be a shared space between pedestrians and cyclists and will have a deck width of 3.5m. The bridge will allow for a dry route over Oxpens Meadows to be created when the meadows are flooded.

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	135-141	RE1 - Sustainable design and construction RE2 - Efficient use of Land G5 - Existing open space, indoor and outdoor DH1 - High quality design and placemaking DH2 - Views and building heights	
Conservation/ Heritage	195-214	DH3 - Designated heritage assets DH4 - Archaeological remains DH5 - Local Heritage Assets	
Natural environment	180-194, 157-175	RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface 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	
Transport	108-117	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development	
Environmental	189-194	RE6 - Air Quality RE9 - Land Quality	
Miscellaneous	7-12	S1 - Sustainable development RE7 - Managing the impact of development AOC1 - West End and Osney Mead SP2 - Osney Mead SP1 - Sites in the West End	West End SPD

8. CONSULTATION RESPONSES

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

Statutory and non-statutory consultees

Oxfordshire County Council

Highways

- 8.2. The bridge will provide improved east west connections between the city centre and Osney Mead as well as improving connections from the south where the current connections to Gasworks Bridge are poor quality.
- 8.3. The structure width is a balance of proposed use and both financial and environmental costs.
- 8.4. Details of the measures to manage the potentially significant construction impacts will be required.
- 8.5. No objection subject to conditions

Drainage

- 8.6. No objection subject to conditions

Environment Agency

8.7. No objection subject to conditions

Thames Valley Police

8.8. I have concerns with the parapet and railing/lean rail design, in that they appear to potentially provide a foothold for climbing up and over the side of the bridge.

8.9. It appears this bridge will create a formal and very well used connection to Osney Mead with a lot of footfall. There may be a number of more vulnerable users of the bridge, particularly students or those using the bridge at night. For this reason I would recommend the bridge is lit to enhance surveillance and aid in observation of people crossing the bridge from surrounding development. Lighting should be extended to include the footpath leading to Osney Mead and down the side of the ice rink connecting to Oxpens Road.

8.10. I strongly recommend this bridge is covered by additional formal CCTV surveillance that has a full view along the length of the bridge. This CCTV should be integrated into the existing city centre monitored network.

Natural England

8.11. No objection

Network Rail

8.12. No objection subject to informatives

Historic England

8.13. No comment

Cyclox

8.14. The cross sections now reveal that the designer has added internal lean rails (drg OXPEN-KNA-XX-ALL-DR-A-0005). These rails have semi-vertical supports which present a clash hazard for cycle handlebars. It appears that the designer by adding these rails has inadvertently reduced the available bridge width by 500mm on each side. This reduces the usable bridge width from 3.5m to 2.5m and the semi-vertical stanchions supporting the lean rails could cause accidents. In September 2022 we stated "Where there are vertical barriers greater than 600mm high (essential on the approaches and on the bridge itself) an additional 500mm needs to be added to the path width to avoid handlebar clashes with the barrier. (LTN 1/20 Table 5.3). We understand there is an intention to flare the barriers outward which may avoid the need for the buffer zone, but any and railing at or above handlebar height will be the determining criterion." We would be grateful if you could alert the design company of the DfT's LTN 1/20 Table 5.3 requirement for additional clearance where there are vertical projections and request a design change for this detail.

Oxford Preservation Trust

- 8.15. The proposed new bridge across the Cherwell at Oxpens, is a wonderful opportunity to connect the south and west of the city in a way that could act to integrate some of the wider and under-developed and used areas of the city into the centre for pedestrians and cyclists.
- 8.16. OPT would have liked to see a greater analysis of the wider connectivity the additional route could deliver, and how the bridge will link into other existing networks.
- 8.17. "One key concern that OPT would like to raise is lighting. Whilst we understand the decision to keep the bridge unlit due to its "transitional" location between an urban centre and a more rural setting, we believe a lack of lighting has the potential to dissuade pedestrians and cyclists from using the bridge, particularly during the Winter months where daylight hours are reduced, and paths can become treacherous.

9. Public representations

- 9.1. 3 letters of support and 23 letters of objection/comments were received from addresses in West Street, Marlborough Road, East Street, St Cross Road, Pixey Place, Oxford Road, Walton Bridge Moorings, Harley Road, Cowley Road, Campbell Road, South Street, Norreys Avenue, Buckingham Street, Stratfield Road, St Ebbe's New Development Residents' Association
- 9.1. The comments can be read in full on the Oxford City Council planning website. In summary, the main comments/objections/issues raised are:
- Ground will take ages to recover
 - Meadows will be unusable for a long period of time
 - Will adversely impact on biodiversity in the area
 - Other useable Bridges already exist in the locality
 - No requirement for this bridge
 - Unnecessary addition of infrastructure during a climate emergency
 - Who is paying for the bridge?
 - Who is maintain the bridge?
 - Footprint is enormous
 - Minimal effort made to blend in to the existing location
 - Trees will be lost
 - There will be a bottle neck under the railway bridge
 - There will be a conflict between pedestrians and cyclists
 - There should be transparency around the carbon footprint of the bridge
 - Will create anti social behaviour
 - Only able to meet the BNG requirements by providing offsite credits

- Only providing 5% biodiversity net gain
- Assessment of the grassland, meadow etc seems unlikely
- Aquatic survey is inadequate
- High loss of trees should be looked at as a group
- How does it fit in to the Council's commitment to addressing the climate emergency
- Bridge is too narrow
- Route under the bridge regularly floods
- The guide rail narrows the bridge
- Will require a large detour to get to bridge
- Already frequent clashes between pedestrians and cyclists on the footpath this will make it worse
- It is using public money for the benefit of a private developer
- This bridge is surplus to requirements and a waste of taxpayers money
- We should not be building in the floodplain
- Full support of the bridge
- Relieved that bridge will not be lit
- Any lighting will impact on biodiversity
- Increase in cycle traffic
- How will graffiti be managed
- Meadows is only access to green space for some
- New trees will take a long time to grow
- Not clear why this bridge is needed
- No consultation as to whether people wanted the bridge only on design
- City needs affordable housing not a bridge
- Will allow a safe route for cyclist and pedestrians
- Another bridge is unnecessary
- Bridge is too narrow for cyclists
- Bridge will be a positive contribution to the area
- Bridge will facilitate the success of the West End
- Will be a good alternative route to Botley Road
- Will provide a safe, direct and high quality route
- Will benefit the businesses in Osney Mead
- Bridge is elegant
- Does not comply with LTN1:20 – the width should be increased

- Trees have been removed prior to permission being granted
- Footpath works will further impact on the meadows

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- a. Principle of development
- b. Design and Impact on the Historic Environment
- c. Neighbouring amenity
- d. Highways
- e. Sustainability
- f. Biodiversity
- g. Drainage and Flooding
- h. Environmental health
- i. Other matters

a. Principle of development

10.2. The principle of a new foot/cycle bridge over the Thames is set out in policies SP1, AOC1, M1 of the OLP as well as the West End SPD.

10.3. Policy SP1 of the OLP states that development coming forward in Oxpens should not prevent a new foot/cycle bridge coming forward. Policy SP2 further reiterates the requirement for a foot/cycle bridge to be delivered in order to provide better connectivity between sites such as Osney Mead with the city centre. Policy AOC1 further reiterates this desire to link the south west corner of the city with the west end and city centre.

10.4. Policy M1 of the OLP 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”. The West End SPD sets out that the bridge is one of the key infrastructure priorities in relation to movement.

10.5. Policy M1 of the OLP also refers to new pedestrian and cycle routes which are detailed on the local plan policies map. The policy sets out that proposals will be expected to deliver these links and where opportunities arise to secure improvements. The proposal seeks to improve the neighbouring paths alongside delivering the bridge. The improvement works include addressing the gradient of the path to the south of the river, within the application boundary, where the pathway to the west will be realigned to provide a gentler gradient to facilitate walking and cycling. The path adjacent to the ice rink, to Oxpens Road, will be widened to allow more space for pedestrians and cyclists to pass. Works also include improvements to surfacing of the paths to the north

and south with asphalt to create a smoother surface again increasing accessibility. This will also improve usability of paths.

- 10.6. Comments have been received asking why a bridge is required given that there are other bridges in the vicinity namely the Gasworks Rail Bridge and the Gasworks Pipe Bridge. The application sets out that repairs to the nearby Gasworks bridge were considered as an alternative route but were not taken forward due to the alterations required to the bridge and connecting paths to make them suitable for cyclists. The application sets out that the bridge would not offer a suitable dry route and the height of the parapets would need to be raised. The connecting path to the north would need to be increased in width and it would need a new raised path through Oxpens Meadow to make the bridge suitable for cyclists. In addition the existing bridges do not offer the same direct benefits in terms of access to the nearby allocated sites.
- 10.7. The principle of a new river bridge in this location is therefore supported in policy and is acceptable in principle subject to compliance with the other policies set out in the local plan.

b. Design and Impact on the Historic Environment

- 10.8. Policy DH1 of the OLP states that planning permission will only be granted for development which shows a high standard of design, and which respects the character and appearance of an area and uses materials appropriate to the site and surroundings.
- 10.9. Policy DH3 of the OLP refers to heritage assets and states that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset and locality. For all planning decisions 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.
- 10.10. Policy DH5 of the OLP refers to local heritage assets and states that planning permission will only be granted for development affecting a local heritage asset or its setting if it is demonstrated that due regard has been 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.
- 10.11. Oxpens Meadows is a non-designated heritage asset. The location and alignment of the bridge has been selected due to the site opportunities and constraints, together with the desire to provide a bridge that would correspond to natural desire lines as well as providing a dry route over the meadows. The proposed alignment crosses the river and lands to the side of the ice rink where the footpath then joins Oxpens Road. The location of the bridge seeks to integrate into any future development of the Oxpens allocation site whilst also being successful as a standalone piece of infrastructure.

- 10.12. The design of the bridge seeks to maximise transparency at mid span, the asymmetrical structural 'waves' have been designed to direct and guide views of the river and beyond for users of the bridge. Not only do the asymmetrical structures frame views, they also form part of the primary structure of the bridge.
- 10.13. The bridge has been designed with a slender deck with curved soffits. This allows for a softness to the bridge and allows for maximum light, encouraging people to cross under it on the towpath. The 'waves' allow for lean rails to be included which allow people the opportunity to rest and take in the views. The parapet comprises vertical posts with a railing to maintain transparency.
- 10.14. The inside of the bridge will have a darker grey painted finish and the outside will feature a lighter painted finish to allow for the inside and outside of the bridge to be legible in views. The bridge will be steel with concrete piers with steel railings and timber lean rails. A condition will be included requiring samples of the materials to ensure that an appropriate colour and finishes are selected for the bridge to ensure they are appropriate for the area.
- 10.15. The bridge has been designed to allow for a lightweight structure with a life span of 120 years. Comments have been received as to who will maintain the bridge in the future. The bridge is to be adopted by Oxfordshire County Council and therefore the materials selected have been done in consultation with the county to ensure its long term maintenance.
- 10.16. Officers consider that the design of the bridge responds positively to the character and topography of the site and context. The low and refined profile of the bridge, combined with the aim to allow for transparency through the bridge together minimises negative impact on landscape setting. The structural design has led the form of the bridge which reflects a response to the site context. The design team have employed 'approach spans' rather than large 'embankments'. This has the benefit of minimising the physical impact of the bridge where it lands on either side of the river, as well as allowing structure to be distributed away from the centre of the deck, achieving a more open section in the middle. By removing the structural mass from the middle of the bridge, a slender bridge deck is achieved directly over the river. Therefore, the sense of openness when looking down the river is retained as far as possible.
- 10.17. Shifting the structural mass to either end of the bridge, allows it to line up with the tree growth at which point views through are already much reduced. In addition, this structural mass is situated on opposite sides of the bridge so there is always one section that is open which maintains openness and outlook on one side or the other, when passing over the bridge and avoids a tunnel effect for users. Thames Valley Police have raised concerns with the design of the bridge which centre around people being able to use the lean rails and parapet to jump over the bridge. In addition, comments have been received with regard to the bridge attracting anti-social behaviour. Officers understand the concern relating to this but are of the opinion the lack of lean rails would not in itself stop people potentially from jumping from the bridge. In addition the

bridge has been designed to include some transparency and visibility which should help deter anti-social behaviour.

- 10.18. The bridge has been designed to achieve a clear deck width of 3.5m. A number of comments and concerns have been received regarding the decision to have a bridge of this width and the potential conflict between cyclists and pedestrians. Officers consider this is to be an acceptable width as it meets the minimum requirements set out in the design manual CD 353 Design criteria for footbridges. Officers understand people's desire to widen the bridge, but not only would this increase the bulk and impact of this bridge on this particularly sensitive site, it would also likely increase the speed of cyclists which, as well as on the bridge itself, would be particularly problematic at the ends of the bridge where the bridge path intersects with narrower footpaths and cyclists travelling at any significant speed would pose a high risk of clashing with pedestrians.
- 10.19. Furthermore, the applicant has put forward justification that the proposed width of the bridge allows for it to be built in full width sections. Allowing it to be fabricated in fewer sections and transported to site as single pieces minimises the overall embodied energy of the proposal.
- 10.20. The bridge is not proposed to be lit. There have been a number of comments both supporting this approach and objection to a non-lit bridge. The rationale for not lighting the bridge is that given the location, a lit bridge would still result in the bridge leading into unlit footpaths which could in itself be problematic for users of the bridge as well as impacting on the local wildlife. Officers are therefore satisfied that the bridge does not include lighting. Notwithstanding this, if a suitable lighting scheme comes forward in the future there would still be an option to retrofit lighting in to the bridge.
- 10.21. The application was supported with verified views which show that the bridge would sit comfortably within its setting and would not be highly visible in longer range views. Whilst the application site is located in close proximity to the setting of the neighbouring Osney and Central Conservation Area, the bridge is not considered to impact on them due its low profile and slender appearance.
- 10.22. The improvements to the surrounding footpaths would allow for a wider path alongside the ice rink whilst also creating smoother surfaces, these improvements are not considered to adversely impact on the visual amenity of the area.
- 10.23. The design of the bridge and associated works is therefore considered to sit comfortably within the site forming a visually appropriate relationship with its setting. The proposal would therefore comply with policies DH1, DH3 and DH5 of the Oxford Local Plan.
- 10.24. **Archaeology**
- 10.25. Policy DH4 of the OLP relates to Archaeological remains. NPPF paragraph 209 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the

application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. NPPF Paragraph 211 states that where appropriate local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

- 10.26. This application is of interest because it involves groundworks in a location that has general potential for prehistoric, medieval, post-medieval and Victorian remains. The site is located within the Thames floodplain on the first gravel terrace where there is general potential for Neolithic and Bronze Age activity on gravel islets located between the braided channels of the Thames. The bank of the Thames has general potential for water management features and Oxpens Meadow is known to contain Victorian and Edwardian bottle dumps.
- 10.27. Previous targeted evaluation for the Oxpens scheme suggests limited/moderate potential for the construction area, however the area of temporary works overlies the projected extent of the Civil War sconce (recorded as 'Harts Sconce on the 1644 De Gomme Map of the Royalist defences around Oxford). The sconce is part of a system of defences around the Royalist Civil War capital that can as a whole be assessed as of national significance.
- 10.28. The sconce has not been precisely located, a faint ditch recorded by geophysical survey may be the outline of the sconce however an evaluation trench by Oxford Archaeology placed across the north eastern boundary of the suggested location of the sconce did not identify a definitive outer ditch but instead features that produced 17th century pottery including two possible pit falls or man traps that may be related to the Royalist defensive scheme. These features were located approximate 300mm below the modern ground surface. As part of the construction of the bridge a crane support will be required which requires topsoil to be removed, this alongside flood compensation requirements means that archaeological monitoring and recording will be required. A condition has therefore been included to secure a methodology to protect the Civil War Sconce.
- 10.29. **Landscaping**
- 10.30. Policy G1 of the Oxford Local Plan states that planning permission will not be granted for development that would result in harm to the Green and Blue Infrastructure network, except where it is in accordance with policies G2- G8.
- 10.31. Policy G7 of the Oxford Local Plan requires that any unavoidable loss of tree canopy cover should be mitigated by the planting of new trees or introduction of additional tree cover. Policy G8 continues that development proposals affecting existing Green Infrastructure features should demonstrate how these have been incorporated within the design of the new development where appropriate.

- 10.32. A number of comments received refer to the loss of trees associated with the development as well as the fact that the development would make the meadows unusable for a prolonged period of time. A number of trees have been removed prior to this application being determined. The applicant has set out that the trees have been removed in advance of any planning permission in order to avoid bird nesting season. The trees that were removed were not subject to a tree preservation order and were not located within a Conservation Area therefore planning permission was not required for their removal.
- 10.33. As part of the application 21 B grade tree features, 9 C grade trees, and 1 U grade trees will require removal in order to facilitate the development proposals. The trees are to be removed in order to accommodate the improvements to the footpaths, landing of the bridge and landscaping. The alignment of the bridge has been informed by the natural environment and is situated in a position which would limit the number of trees required to be removed. In order to mitigate the loss of the trees additional tree planting is proposed. These include 6 native trees to the north and 3 to the south of the Thames, in addition 40 feathered trees will be integrated into the wider landscaping works.
- 10.34. In order to be compliant with Policy G7 of the OLP, there should demonstrably be no net loss in tree cover after 25 years from development versus a no development, as compared through analysis of counterfactual scenarios. An assessment outlining the retention and removal of trees at the time of construction is provided within the Arboricultural Impact Assessment. Proposals for new tree planting are provided in the Soft Landscape Design Plan. In order to satisfy policy G7 further information relating to the methodology of the submitted canopy cover assessment is required, which will be secured through a condition to ensure that the canopy cover requirements will be met.
- 10.35. With regard to the meadows being unusable, the meadows will be closed for the construction period in order to ensure that there is not a conflict between construction vehicles and people during construction and in order to carry out the required improvements. As with any construction project some level of disruption is inevitable. The meadows will be reseeded after the bridge is constructed and will then be open to the public, therefore officers consider that the closure will be temporary and is therefore acceptable.
- 10.36. As part of the development there will be some level changes to the meadows specifically in the location where the bridge lands due to the requirement for flood compensation. The change will be limited to this area and is not considered to adversely impact on the appearance of the meadows or its usability once the remedial work has taken place.
- 10.37. The landscaping design has been created to improve legibility around the new bridge and its landing position as well as helping identify different route options for users of the bridge. Officers are therefore of the opinion that whilst the proposal will see the loss of some trees, this would not include any category A trees and the proposed planting would be acceptable in terms of mitigating against the loss of the trees. Conditions will be included to secure tree

protection, canopy cover and any mitigation requirements. The proposal is therefore considered with the inclusion of these conditions to comply with policies G2, G7 and G8 of the Oxford Local Plan.

c. Neighbouring amenity

- 10.38. Policy RE7 of the Oxford Local Plan states that planning permission will only be granted for development that ensures that standards of amenity are protected. This includes the amenity of occupiers and neighbours is protected in addition to not having unacceptable, unaddressed transport impacts and provides mitigation measures where necessary.
- 10.39. The proposed bridge will be located more than 85m from the rear of the closest residential property. Either side of the bridge will be the connecting paths. Whilst the bridge may be visible from the neighbouring properties, it is considered that the bridge is sufficiently distanced from the neighbouring properties so not to have an adverse impact. The bridge is not proposed to be lit at this point, but provision has been made so it could be lit in the future. Notwithstanding this, it is considered that any lighting that may come forward in the future would be designed in a way to focus light on the bridge. Given the separation distance of the bridge and neighbouring properties the bridge is not considered to have an unacceptable impact.
- 10.40. The indirect amenity impacts arising from the development is associated with temporary construction activities, most notably construction traffic, noise disturbance and dust generation. To address matters arising from the construction phase of the development a Construction Environmental Management Plan (CEMP) is recommended to be required as a condition. With regard to traffic a construction traffic management plan (CTMP) would be required as a condition which would deal with construction traffic. The development is therefore considered to accord with Policies RE7 of the Oxford Local Plan.

d. Highways

- 10.41. Policy M1 of the Oxford Local Plan 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”. The supporting text further reiterates the Local Plan’s role in promoting sustainable travel. It recognises that cycling and walking contribute towards reducing carbon emissions and improving air quality.
- 10.42. Policy M2 of the Oxford Local Plan relates to assessing and managing development. The supporting text recognises that development will bring with it transport impacts and these must be considered and where appropriate include measures to mitigate development impacts. The Local Plan policies map also sets out where new or improved pedestrian and cycle routes should be delivered. The policy map highlights the area around the Oxpens site as well as Osney as locations where improvements to the routes should come forward.

- 10.43. Policy RE7 of the Oxford Local Plan states that planning permission will only be granted for development that ensures that standards of amenity are protected. This includes the amenity of occupiers and neighbours is protected in addition to not having unacceptable unaddressed transport impacts and provides mitigation measures where necessary.
- 10.44. The local plan promotes sustainable travel and encourages high quality connections. Both the City Council and County Council recognise that Oxford needs to shift away from people relying on the use of private cars towards more sustainable modes of transport. Oxfordshire County Council has been consulted on the application and raises no objection. In their consultation response they state *“The County Council’s Local Transport and Connectivity Plan (LTCP) sets out ambitious targets including, reducing 1 in 4 car trips by 2030 and delivering a net-zero transport network by 2040. Supporting this the council’s Oxford (Local Cycling and Walking Infrastructure Plan (LCWIP) sets out to increase the number of all cycle journeys in Oxford by 50%. The Central Oxfordshire Travel Plan (COPT) identifies a number of transport interventions including measures like the trial traffic filters and enhancing and delivering new active travel routes with the aim of meeting these targets. A new pedestrian/cycle bridge at Oxpens would complement wider improvements to off road routes across South and West Oxford over recent years enhancing sustainable accessibility to key destinations like the city centre and train station. It would also support identified development opportunities across the wider West End, helping to unlock sustainable travel routes and development locations in the heart of the city which alongside other measures can help to address some of the congestion and wider accessibility issues that are currently challenges”*.
- 10.45. On the south side of the river the bridge works include addressing the gradient of the path to the south of the river, within the application boundary, where the pathway to the west will be realigned to provide a gentler gradient to facilitate walking and cycling.
- 10.46. On the north side, the path adjacent to the ice rink leading to Oxpens Road, will be widened to allow more space for pedestrians and cyclists to pass. The County Council recognises that the proposed bridge will be a significant improvement over the existing connection which is provided by the Gasworks Bridge.
- 10.47. Comments have been received setting out concerns with the proposed width of the bridge deck which is proposed to be 3.5m. As set out previously the width of the bridge is in compliance with the National Guidance on the design of infrastructure (CD 353 Design criteria for footbridges). Cyclox has queried the choice of width given the inclusion of handrails and the guidance that is available.
- 10.48. The applications sets out that *“The proposed 3.5m footpath width and vertical elements (handrails and/or other) on opposite sides is compliant with the*

Design Manual for Roads and Bridges (DRMB) CD353 design standard. Whilst the project team acknowledges LTN 1/20 is a good guidance to strive for, LTN1/20 is a guidance document rather a design standard. Additionally, separate requirements from the LTN1/20 guidance note should not be applied in addition to a minimum as specified for shared facilities on bridges specified within the DRMB standards.”

- 10.49. Comments have been received with regard to existing bottleneck areas such as under the railway bridge and the potential further conflict the bridge will cause. LTN1/20 sets out that *“Research shows that cyclists alter their behaviour according to the density of pedestrians – as pedestrian flows rise, cyclists tend to ride more slowly and where they become very high cyclists typically dismount. It should therefore rarely be necessary to provide physical calming features to slow cyclists down on shared use routes”*
- 10.50. The bridge will allow for good visibility and for those on the bridge and those approaching the bridge allowing for users to adjust their speed accordingly. Officers understand the desire for a wider bridge, but the proposed width is policy compliant and Oxfordshire County Council raise no objection to the proposal. The bridge and associated works are therefore considered acceptable in compliance with policies M1 and M2 of the Oxford Local Plan.

e. Sustainability

- 10.51. Policy RE1 of the Oxford Local Plan relates to sustainable design and construction and states that planning permission will only be granted where it can be demonstrated that sustainable design and construction principles have been incorporated, where relevant. The planning statement sets out how the application seeks to comply with these principles.
- 10.52. A predominantly steel bridge is proposed due to its span as well as ensuring it can be adequately maintained and managed by Oxfordshire County Council.
- 10.53. Its main overall impact is to encourage a shift towards walking and cycling, linking key sites and areas to the city centre. The application states that *“The bridge design seeks to limit the use of concrete which reduces the embodied carbon associated with it. Prioritising steel for the bridge form over concrete also maximises the opportunity for recycling of the bridge structure at the end of its working life, as well as supporting ease of management and maintenance which would extend its working life. Where concrete is proposed, alternatives within the content of the concrete to cement will be considered to reduce embodied carbon”*.
- 10.54. The use of steel allows for the bridge to be more easily recycled at the end of its life as well as allowing for easier maintenance which may then have the potential to extend its working life. The design and materials of the bridge allow for larger proportions of the bridge to be fabricated offsite within a factory minimising waste. The chosen width of the bridge also reduces its carbon

footprint over a wider bridge, therefore allowing for a balance between competing design considerations.

- 10.55. During the construction the repurposing of topsoil will be encouraged as well as exploring the potential to recycle any organic clearance materials for mulching and repurposing ecological features where feasible. The construction of the bridge incorporates flood resilience measures, in addition it seeks to adapt to future user needs in compliance with local plan policies such as the Osney allocation.
- 10.56. Officers acknowledge that the fabrication and construction of a steel bridge is an energy intensive process. Whilst other materials could have been considered, there are benefits to having the bridge in steel such as cost, maintenance and durability. These factors combined must be weighed against the carbon impact. The proposed bridge in this design, using these materials allow for a bridge to come forward in line with the local development plan aspirations to deliver a foot and cycle bridge over this part of the river. In addition it will allow for better connectivity and more importantly improve alternative routes to those that require a private motor vehicle in line with promoting sustainable modes of travel. The development is therefore considered to accord with policy RE1 of the Oxford Local Plan.

f. Biodiversity

- 10.57. 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 also identifies 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.
- 10.58. The application is accompanied by an Ecological Impact Assessment and a Biodiversity Net Gain Report. The report sets out *“The proposed development will result in the loss of some areas of woodland within the Grandpont Nature Park area and areas of grassland to the north of the Thames, with the bridge crossing over the River Thames. The landscape design for the proposals have sought to enhance the areas of retained woodland and grassland and the bankside habitat of the River Thames, through additional tree planting, woodland planting and removal of non-native invasive species as set out within the proposed landscape design”*.
- 10.59. The revised biodiversity metric indicates that proposed development would result in a net loss 0.33 habitat units on-site (-3.86%), a loss of 0.47 hedgerow units (-73.13%), and a loss of 0.01 watercourse units (-0.14%). The applicant is proposing to deliver the required offsetting to reach a net gain of 5% in all unit types through a third-party provider such as the Trust for Oxfordshire’s Environment (TOE). Government guidance sets out biodiversity net gain. *“For*

the purposes of BNG, biodiversity is measured in standardised biodiversity units. A habitat will contain a number of biodiversity units, depending on things like its size, quality, location and type. Biodiversity units can be lost through development or generated through work to create and enhance habitats. There is a statutory (official) biodiversity metric, which is a way of measuring how many units a habitat contains before development and how many units are needed to replace the units of habitat lost and to achieve the 5% BNG”.

- 10.60. The applicant stated that they wished to register the site under the District Level Licence held by the planning authorities in Oxfordshire and administered by NatureSpace (WML-OR112). The applicant has submitted a NatureSpace report to this end in support of the application that confirms the proposed development would be eligible for this.
- 10.61. Regarding protected species, the site was assessed to have the potential to support great crested newts (GCN) due to the presence of suitable waterbodies within 500m and suitable terrestrial habitat on-site. GCN are a European protected species. The species is protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).
- 10.62. The local planning authority must consider the likelihood of a licence being granted when determining a planning application. This requires consideration of the “three tests” development must pass to qualify for a licence, as set out in The Conservation of Habitats and Species Regulations 2017 (as amended):
- 10.63. a) The purpose of the development must be preserving public health or public safety or another imperative reason of overriding public interest (including those of a social or economic nature);
- 10.64. b) There must be no satisfactory alternative; and
- 10.65. 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.
- 10.66. According to the NatureSpace report, the application site contains both a green zone and a white zone, which are respectively defined as an area where GCN may be present, and where there is a low probability of presence. This indicates there is a relatively low risk of an impact arising as a result of the proposed development, which the applicant is seeking to address through registration of the site under the District Level Licence.
- 10.67. Officers are satisfied that the development meets the 3 tests. For the first test, it complies with planning policy and provides public benefits in the form of a new sustainable route being provided linking allocated sites with the city centre, with regard to the second test there would be no alternative than to deliver this bridge in this location given the specific reference and requirements of the

bridge that is set out in the local plan with regard to the location. In addition, based on the findings of the NatureSpace report, officers are satisfied that the third test would be met. The NatureSpace report requires a condition to be included which specifies the requirement for the development to take place in accordance with the licence.

- 10.68. Comments have been received suggesting that the scheme should deliver more than 5% and that offsetting would not benefit the scheme locally. 5% net gain is required for developments submitted prior to 12 February 2024 therefore the 5% net gain proposed is acceptable in policy terms. In addition policy allows for offsetting to be provided. Offsetting has been proposed due to the site conditions given as it is a grassed area. A number of conditions will be included to ensure that the development secures ecological enhancements and accords with policy G2. Officers are therefore satisfied that the proposal complies with policy G2 of the Oxford Local Plan and the net gain can be secured through offsetting through a S106 agreement.

g. Drainage and Flooding

- 10.69. Oxford Local Plan Policy RE3 requires applications for development within flood zones 2 and 3 and sites over 1ha in Flood Zone 1 to be accompanied by a Flood Risk Assessment (FRA) demonstrating that the proposed development will not increase flood risk on or off site; and safe access and egress in the event of a flood can be provided; and details of the necessary mitigation measures to be implemented have been provided.
- 10.70. Local Plan Policy RE4 requires all development proposals to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. Surface water runoff should be managed as close to its source as possible.
- 10.71. The land north of the Thames is in Flood Zone 3 but the bridge landing location is at the edge of Flood Zone 2 with the section between the landing to Oxpens Road within Flood Zone 1.
- 10.72. Any new development located in the vicinity of a watercourse should be constructed such that it does not detrimentally impact on flow routes or reduce the available floodplain storage over a site; either of which could potentially cause an increase in flood levels on-site or elsewhere.
- 10.73. The associated Flood Risk Assessment sets out that *“The proposed bridge is an open span structure across the Thames channel and open floodplain on the north side of the channel, with the impacts within the floodplain area limited to the modifications to existing footpath levels and the bridge support pillars – the effect of which is negligible to flood flows. The north bridge abutment encroaches into the floodplain at severe events, but lies on the edge of this floodplain in an area utilised for storage, rather than as a flow route.”*

- 10.74. The FRA identifies three locations within the red line boundary where local land scrapes are required to provide flood compensation. The areas being where the bridge lands on the north side, an area of the towpath near the bridge pier and an area of footpath on the south side.
- 10.75. The Environment Agency have been consulted on the application and raise no objection subject to conditions. The proposal is therefore considered to accord with policies RE3 and RE4 of the Oxford Local Plan.

h. Environmental Health

Contaminated Land

- 10.76. Policy RE9 of the Oxford Local Plan relates to land quality. The submitted Phase 1 Ground Condition Assessment acknowledges that the site has had several previous potentially contaminative uses, including as gasworks and railway sidings. The Phase 1 Ground Conditions Assessment has identified the above contamination risks and recommends that an intrusive site investigation is completed to ensure that all potential contamination risks at the site are risk assessed appropriately. This is considered an acceptable approach and the results will determine whether or not contamination risks require mitigation. Conditions will therefore be included requiring a phased risk assessment to be completed to ensure that any contaminated risks can be mitigated.

Air Quality

- 10.77. Policy RE6 of the Oxford Local Plan refers to air quality in a development's operation and construction phases. The bridge itself is not considered to adversely impact on air quality. There would be an increase in construction traffic associated with the development. During the construction phase of the proposal the development may give rise to dust impacts during earthworks and construction. Therefore a condition has been included requiring them to follow the specific dust mitigation measure for a "Low Risk" site, as identified on the IAQM Guidance on the assessment of dust from demolition and construction, which is considered an acceptable approach.

i. Other matters

- 10.78. *Integration with the Oxpens development*
- 10.79. There are currently two other planning applications in for consideration that relate to land affected by this proposal and which share a red line application boundary.
- 10.80. An outline application for the redevelopment of Oxpens;
- 10.81. ***Outline application (with all matters reserved except for access) for a mixed-use scheme comprising residential and student accommodation (Class C2, Class C3 and Sui Generis), commercial, business and service (Class E), and Hotel (Class C1) uses, with public realm, landscaping,***

associated infrastructure and works, including pedestrian and cycle routes ref: 22/02954/OUT ;

- 10.82. and a full application for the:
- 10.83. **Implementation of flood mitigation scheme and the reinstatement of the Oxpens Meadow, demolition and installation of interim boundary treatments including fencing, alongside ground works and installation of sheet piling to regrade areas of public realm, including works to the existing towpath to allow for outfall pipes ref: 22/02955/OUT.**
- 10.84. All three applications share the same red line application boundary. They have all been designed to integrate with each other but also allow for consideration and determination on their own merits. There is an aspiration that if planning permission was achieved for all the developments, then they would be built out in a coordinated fashion in order for them to minimise disruption for the shortest time possible. Notwithstanding this, each application is considered and determined on its own merits.
- 10.85. Other comments relate to where, how and who is paying for the bridge. These comments are not considered material to this planning application.
- 10.86. The red line area of the application is not all solely in the ownership of the applicant, therefore an updated application form has been provided and the applicant has served notice to all other landowners. Any decision therefore cannot be issued until the required notice period has passed.

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 but also makes clear that it is a material consideration in the determination of any planning application. The main aim of the NPPF is to deliver Sustainable Development, with paragraph 11 detailing 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 NPPF. The relevant development plan policies are considered to be consistent with the NPPF.

Compliance with Development Plan Policies

- 11.3. Therefore in conclusion it is necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are

inconsistent with the result of the application of the development plan as a whole.

- 11.4. The proposal is considered to comply with the development plan.

Material considerations

- 11.5. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.
- 11.6. National Planning Policy: The NPPF has a presumption in favour of sustainable development. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.
- 11.7. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, Paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 11.8. The proposals submitted under this full application comprise the erection of a new cycle and foot bridge and associated footpath improvements. The proposal will not have an unacceptable impact on flooding, highways, neighbouring amenity, the historic environment, biodiversity or trees as well as the other matters discussed in the report and conditions have been included to ensure this remains in the future.
- 11.9. It is therefore recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 below and to the prior completion of a legal agreement made pursuant to 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.

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 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 installation of the bridge, a schedule of materials together with samples exterior materials to be used shall be submitted to and approved in writing by the Local Planning Authority and only the approved materials shall be used unless otherwise agreed in writing 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.

Contaminated Land 1

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

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

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

Phase 3 requires that a remediation strategy, validation plan, and/or monitoring plan be submitted to and approved in writing by the Local Planning Authority to ensure the site will be suitable for its proposed use.

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

Contaminated Land 2

5. The development shall not enter into first use until any approved remedial works have been carried out and a full validation report has been submitted to and been approved in writing by the Local Planning Authority.

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

Construction Traffic Management Plan (CTMP)

6. A Construction Traffic Management Plan (CTMP) shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of development. This should identify as a minimum;
 - The CTMP must be appropriately titled, include the site and planning permission number.
 - Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site and should account for the proposed traffic filter trial.
 - 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.
 - Arrangements for delivery of abnormal loads
 - Detailed drawings of temporary construction access points and their reinstatement

The approved CTMP shall be adhered to during the carrying out of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times in accordance with policy M2 of the Oxford Local Plan 2016-2036.

Oxpens Road connection

7. Prior to work commencing on the bridge structure full details of the junction of the connecting path and Oxpens Road shall be submitted to and approved in writing by the Local Planning Authority. This should include proposals for dropped kerbs, tactile paving requirements and measures to prevent

unauthorised vehicle access. The works shall be completed in accordance with the approved details prior to the bridge being opened to public use.

Reason: In the interests of highway safety and in accordance with policy M1 of the Oxford Local Plan 2036.

Landscape Proposals

8. Prior to commencement of development a landscaping proposals plan and canopy cover assessment shall be submitted to and approved in writing by the Local Planning Authority. The approved landscape proposals plan shall then be implemented no later than the first planting season after first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

Landscape Proposals Reinstatement

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

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

Landscape Management Plan

10. Prior to first use of the development hereby approved a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules and timing for all landscape areas shall be submitted to, and approved in writing by, the Local Planning Authority. The landscape management plan shall be carried out and adhered to as approved in writing by the Local Planning Authority following implementation of the approved landscaping proposals plan.

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

Landscape Surface Design – Tree Roots

11. No development shall take place until details of the design of all new hard surfaces and a method statement for their construction shall first have been submitted to and approved in writing by the Local Planning Authority and the hard surfaces shall be constructed in 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 "nodig" techniques to be used, which require hard surfaces to be constructed on top of existing soil levels in accordance with the current British Standard 5837: "Trees in Relation to Design, Demolition and Construction – Recommendations".

Reason: To avoid damage to the roots of retained trees in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

Underground Services Tree Roots

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

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

Tree Protection Plan (TPP)2

13. The development shall be carried out in strict accordance with the tree protection measures contained within the planning application details shown on drawing number **OXPEN-STN-GEN-ALL-DR-J P04** , unless otherwise agreed in writing beforehand by the Local Planning Authority. The Local Planning Authority shall be informed in writing when physical measures are in place, in order to allow Officers to make an inspection prior to the commencement of development. No works or other activities including storage of materials shall take place within designated Construction Exclusion Zones unless otherwise agreed in writing beforehand by the Local Planning Authority. Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

Arboricultural Method Statement (AMS) 1

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

compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with of the approved AMS unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

Arboricultural Monitoring Programme (AMP)

15. Development, including demolition and enabling works, shall not begin until details of an Arboricultural Monitoring Programme (AMP) have been submitted to and approved in writing by the Local Planning Authority (LPA). The AMP shall include a schedule of a monitoring and reporting programme of all on-site supervision and checks of compliance with the details of the Tree Protection Plan and Arboricultural Method Statement, as approved in writing by the Local Planning Authority. The AMP shall include details of an appropriate Arboricultural Clerk of Works (ACoW) who shall conduct such monitoring and supervision, and a written and photographic record shall be submitted to the LPA at scheduled intervals for approval in writing in accordance with the approved AMP. The development shall then be carried out in 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 2016-2036

CEMP

16. A Construction Environmental Management Plan (CEMP) for the development shall be submitted to and be approved in writing by the Local Planning Authority prior to construction works commencing on site. The CEMP shall detail and advise of the measures, in accordance with the best practicable means, to be used to minimize construction noise, vibration and dust. The development shall be carried out in accordance with the approved CEMP.

Reason: To minimise the impact of construction works on neighbouring amenity in compliance with policy RE7.

Method Statement

17. No development shall take place until the applicant, or their agents or successors in title, has submitted a detailed method statement for the construction and removal of temporary works in compliance with the Balfour Beatty method parameters (February 2024) All works shall be carried out and completed in accordance with the approved 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 post medieval remains in accordance with Policy DH4 of the Oxford Local Plan 2016-2036

Archaeology

18. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved 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: 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, medieval, post medieval and early modern remains in accordance with Policy DH4 of the Oxford Local Plan 2016-2036

Great Crested Newts

19. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR112, or a 'Further Licence') and with the proposals detailed on plan "Oxpens Bridge: Impact plan for great crested newt District Licensing (Version 1)", dated 14th February 2024.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR112, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

Great Crested Newts 2

20. No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR112, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved in writing by the Local Planning Authority and the Authority has provided authorisation for the development to proceed under the district newt licence. The delivery partner certificate must be submitted to this Local Planning Authority for written approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts, and in line with section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006. In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full

compliance with the Organisational Licence (WMLOR112, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

Compliance with existing detailed biodiversity method statements

21. The development hereby approved shall be implemented strictly in accordance with the measures stated in Section 4 of the report 'Ecological Assessment Report' by Stantec and dated 1st March 2024, or as modified by a relevant European Protected Species Licence.

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.

Construction Environmental Management Plans (Biodiversity)

22. No development shall take place (including demolition, ground works, 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 on the River Thames and surrounding habitats.

b) Identification of "biodiversity protection zones".

c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on the River Thames and surrounding habitats during construction (may be provided as a set of method statements).

d) The location and timing of sensitive works to avoid harm to biodiversity features.

e) The times during construction when specialist ecologists need to be present on site to oversee works.

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.

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 comply with the Wildlife and Countryside Act 1981 (as amended) and Conservation of Habitats and Species Regulations 2017 (as amended).

Ecological Enhancements

23. Prior to occupation of the development, details of ecological enhancement measures including at least four bat roosting devices and three bird nesting devices 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 under the oversight of a suitably qualified ecologist prior to occupation of the approved development, and evidence of installation provided to the Local Planning Authority. The approved devices shall be maintained and retained in perpetuity 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.

Limitation of Lighting

24. No lighting shall be installed in association with the consented development without prior written consent from the Local Planning Authority. For clarity, this would include lighting on the bridge or in association with the footpaths.

Reason: To prevent impacts on bats arising from illumination of the riparian corridor or proposed roosting devices, and to comply with the Wildlife and Countryside Act 1981 (as amended) and Conservation of Habitats and Species Regulations 2017 (as amended).

Flood Risk Assessment

25. The development shall be carried out in accordance with the submitted flood risk assessment (ref OXPEN-STN-GEN-ALL-RP-C-0001-P03, dated 29th February 2024) and the following mitigation measures it details:

- The soffit height of the bridge shall be set at a minimum height of 58.20 metres above Ordnance Datum (mAOD), in accordance with section 6.1.2 of the submitted flood risk assessment.

- 84.6m³ of compensatory storage shall be provided, in accordance with section 6.2.6 of the submitted flood risk assessment and detailed in the flood compensation scheme in Appendix D (drawing reference OXPEN-STN-GENALL-DR-L-3001-P04, dated 26th February 2024). At no point during the construction of the proposed development result in a temporary loss in floodplain storage.

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.

Reasons: In accordance with paragraph 170 of the NPPF: • To prevent an increase in the risk of flooding elsewhere by ensuring that compensatory storage of flood water is provided. • To prevent an increase in flood risk elsewhere by ensuring that the flow of flood water is not impeded, and the proposed

development does not cause a loss of floodplain storage. • To prevent obstruction to the flow and storage of flood water, which would lead to an increase in flood risk elsewhere. This condition is supported by local plan policy NE3 of the Oxford Local Plan 2036.

Dust Mitigation

26. The development shall be constructed in accordance with the specific dust mitigation measures as identified on the IAQM Guidance on the assessment of dust from demolition and construction.

Reason: To minimise the impact of construction works on neighbouring amenity in compliance with policy RE7 of the Oxford Local Plan

Informatives

1. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels – if altered, to be such that water flows away from the railway. Drainage does not show up on Buried service checks.
2. Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basic Asset Protection Agreement, if required, with a minimum of 3 months notice before works start. Initially the outside party should contact assetprotectionwestern@networkrail.co.uk
3. 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.
4. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place: • on or within 8 metres of a main river (16 metres if tidal) • on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal) • on or within 16 metres of a sea defence • involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert • in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

13. APPENDICES

- **Appendix 1** – Site location plan
- **Appendix 2** – ODRP letter

14. HUMAN RIGHTS ACT 1998

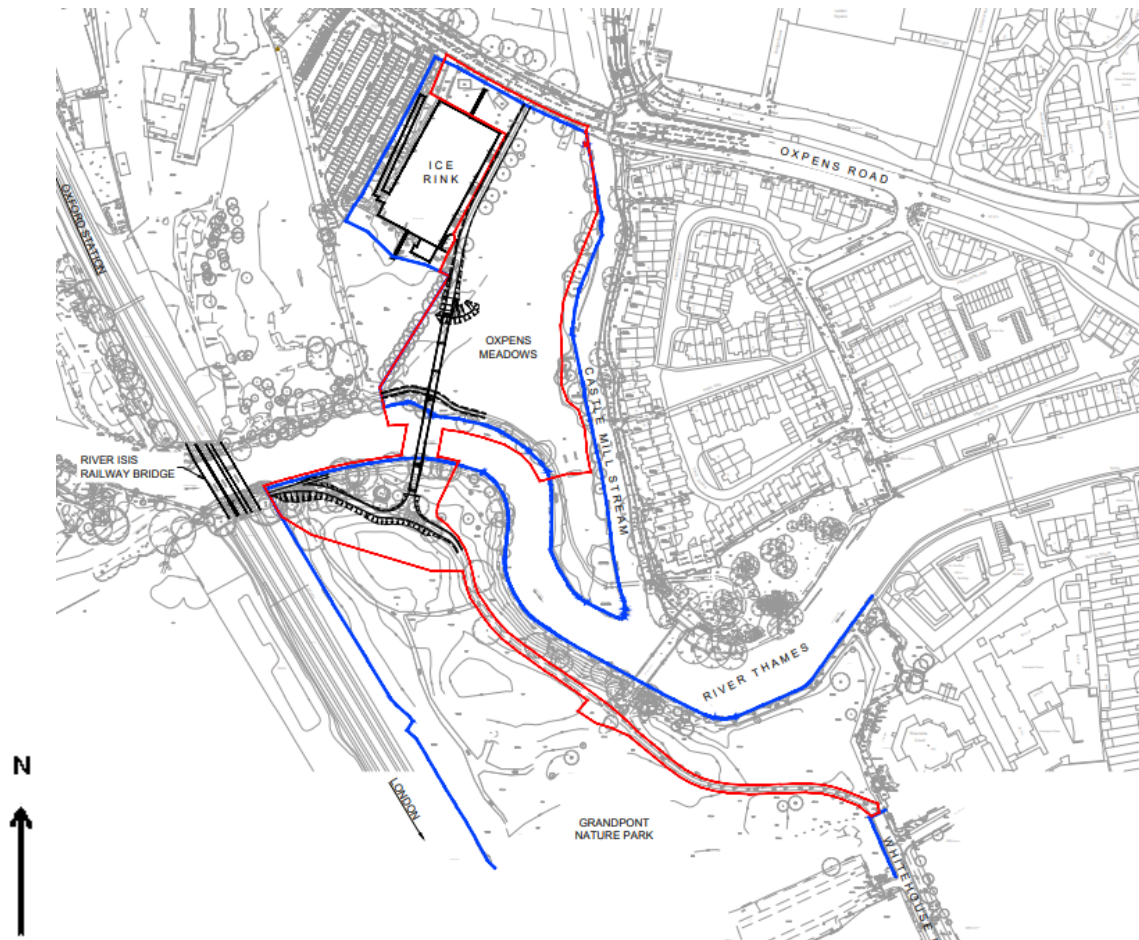
14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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Appendix 1 – Site Location Plan



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Report of the Oxford Design Review Panel

Oxpens Bridge

15 September 2022

Introduction

This report reflects the design workshop held in Oxford on 1 September 2022, following a site visit and presentation by the design team.

The proposal is for a new pedestrian and cycle bridge over the River Thames, between Oxpens and Grandpoint.

A summary of the Panel discussion is provided below, highlighting the main items raised. We then provide the key recommendations aimed at improving the design quality of the proposal. Detailed comments are presented under headings covering the main attributes of the scheme and we close with the details of the meeting (appendix A) and the scheme (appendix B).

Paragraph 133 of the National Planning Policy Framework (2021) states that “local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for a Healthy 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 principle and location of the new bridge at Oxpens has been agreed for some time. The Panel has been invited to advise on its siting, design and relationship to its surroundings.

The Panel sees the case for a bridge in this location, connecting two communities with a year-round, dry route that will encourage walking and cycling into the town centre or to the railway station. The bridge should also be seen as a destination in itself, and a place to linger and enjoy the Thames. More importantly, it will form part of a larger network for walkers and cyclists so the whole of the route into the city centre and to the station needs to be addressed. The design of the bridge should also go hand-in-hand with the emerging Oxpens masterplan, especially its landscape design.

The appearance of the bridge is striking, with its asymmetrical, wave design. To succeed, these wave elements should be structurally integral, and for visual consistency all the principal bridge elements should take on the same flowing lines where practicable.

Particular attention should be given to the handling of the underside areas of the bridge, in terms of their appearance and their function, and to the places where bridge users may want to sit and enjoy the view.

Key recommendations

- 1. Work closely with the Oxpens masterplan team, especially the landscape architects, to ensure that both projects meet their potential and serve a common purpose.**
- 2. Look at the landscape holistically, harnessing natural engineering of plants and trees to strengthen the riverbank and assist flood management. Avoid the extremes of a 'designed' landscape on one side, and a 'natural' appearance on the other.**
- 3. In refining the bridge design, consider ways of taking the flowing lines of the upstands (the waves) into the whole form, including the width of the deck, the profile of the piers and the shape of the soffit, so there is a consistent expression.**
- 4. Look for other positions for seating or resting places on the bridge, perhaps in the middle, where people will want to pause.**
- 5. Give thought to the underside of the bridge and how it might be used by different users, including children.**

Detailed comments and recommendations

1. Design strategy and sustainability
 - 1.1. **The principle of a new bridge across the Thames connecting the communities at Grandpont and Oxpens has been agreed. The bend on the river and the changes in level limit the options for crossing places, but the proposed location seems logical and is supported by the analysis of desire lines. The bridge still needs to justify its existence, not just in transport and energy terms, but by making the experience of seeing and using the bridge wholly pleasurable. The site is sensitive, environmentally and visually, and the bridge should be a place to linger and enjoy nature.**
 - 1.2. **One difficulty is that the adjacent Oxpens masterplan is not fixed and big decisions, such as the future of the ice rink, have yet to be taken. At present, the back of the ice rink has an unprepossessing appearance, yet it will be prominent for the bridge and meadow users. The design of the bridge needs to allow for a range of development scenarios, but close working with the masterplan team is essential. The bridge has the potential to be an important contribution to placemaking and community development.**
 - 1.3. **The height of the bridge and the ramps to it are determined by the need to secure a dry route year-round for the communities on both sides, to encourage its regular use.**
 - 1.4. **The bridge has been designed as an efficient, lightweight construction to minimise its carbon footprint. Sustainability calculations are complex and the embodied energy in the construction can be factored against a reduction in car journeys, assuming the bridge is located in the right place. It would be instructive to calculate the saving in car journeys. We also think it would be useful to assess the whole life cost of the bridge including its lifespan and maintenance.**
 - 1.5. **We agree with the design team that the bridge should be a shared space, with no segregated cycle path. The design should accommodate gentle cycling amongst pedestrians, slowing speeds rather than obliging riders to dismount.**

2. Open spaces, landscape and biodiversity
 - 2.1. **The bridge has a most attractive setting amongst the treelined banks of the Thames, with meadow on one side and mainly woodland on the other. The bridge should respond to this context, not so much by hiding itself in the trees but by taking a cue from nature in its design. Harnessing the green assets for natural engineering, including the use of trees and vegetation to manage flooding or stabilise the river banks, should also be part of the project. In this regard we suggest that thought is given to the stability of the river at times of drought, spate or flood and the design is influenced accordingly.**
 - 2.2. **The proposal should be submitted with landscape and ecological information to allow the planning authority to assess how the combination of engineered and natural foundations and below ground structures contributes to climate resilience and improved biodiversity. More attention should be paid to the species and size of trees and shrubs specified, and their role in natural flood and drought defences.**
 - 2.3. **The spaces underneath the bridge need careful treatment. Rather than encouraging grass to grow in these shaded areas, gravel might be better, and would support a wide array of plants through self-seeding.**
 - 2.4. **It will be essential to work closely with the landscape architects for the Oxpens masterplan, to ensure a shared vision about the relationship between the planned public realm (such as the amphitheatre), the bridge and the meadow. There is no need for an abrupt contrast between designed to natural landscape, and each side of the river should have both qualities.**
 - 2.5. **The team should be clearer in their final submission about the specimens and species of tree losses. The alder proposed for removal could be older than stated, and suckering/pollarded species such as this do much to aid bank stabilisation. The alder could be propagated now so new plants of the same genetic stock are returned to site in due course;
<https://www.treesforcities.org/stories/intreeducing-the-alder-a-super-hero-tree-pioneer>**

3. Character, architecture and placemaking
 - 3.1. **The structure of the bridge with its Vierendeel trusses forming an asymmetric pair of 'waves' and a delicate middle section is an appealing concept. The design as a whole is intended to be light and elegant, with the waves as an essential part of the structure. They are not intended as decorative elements mounted on a conventional beam construction.**
 - 3.2. **The visual appeal of the bridge would be strengthened if all the main elements – the width of the deck, the profile and alignment of the piers, the balustrades – were to relate more closely to the flowing form of the waves. The team should present a design which delivers a more consistent, organic appearance, whilst maintaining a low carbon footprint.**
 - 3.3. **If the bridge is to be a destination as well as a point on a journey, particular attention should be given with the Oxpens landscape architect to the use of the spaces at both ends and underneath the bridge. This extends to the soffit treatment, lighting design, colours and materials. These spaces suggest themselves to a variety of uses, including river-based activity and children's play. Shade and shelter will also have a role. The team should pursue the multifunctional benefits of the bridge and show how they would be achieved.**
 - 3.4. **Materials, colours and surface textures are still under consideration. The location lends itself to an informality and warmer tones, perhaps natural wood finishes, in combination with the structural steelwork. Equally important is the lighting design; even if it is only to be installed later, it should not be an afterthought. Subtle, solar-powered illumination on the bridge underside could be attractive.**

Reference number	Ref: 1864/220901
Date	1 September 2022
Meeting location	St Aldates Room, Oxford Town Hall, St Aldate's, Oxford OX1 1BX
Panel members attending	Joanne Cave (chair), urban design and planning (Oxpens Panel) Andrew Cameron, urban design and transport planning (Oxpens Panel) Deborah Nagan, landscape architecture and architecture (Oxpens Panel) Dan Jones, architecture and education, arts and public buildings Paola Sassi, architecture and sustainability
Panel manager	Geoff Noble, Design South East
Presenting team	Tom Osbourne, Knight Architects Paul Comerford, Prior + Partners
Other attendees	Jenny Barker, Oxford City Council (Client) Steve Weitzel, Oxford City Council (Client) James Skilton, Stantec Sarah De La Coze, Oxford City Council Rosa Appleby-Alis, Oxford City Council
Site visit	Panel members visited the site before the meeting, accompanied by the client, design team and City Council officers
Scope of the review	As an independent design review panel, the scope of this workshop was not restricted. The local planning authority has asked us to look at the following topics: <ul style="list-style-type: none"> • the appropriateness of the design to its context • the treatment of the underside of the bridge • landscape design • landing position of the bridge
Panel interests	No interests were declared.

Confidentiality	This report is confidential as the scheme is not yet the subject of a planning application. Full details on our confidentiality policy can be found at the end of this report.
Previous reviews	No previous reviews

Appendix B: Scheme details

Name	Oxpens Bridge, Oxpens
Site location	River Thames west of the Oxford Ice rink. Oxpens
Site details	The development proposes the construction of a bridge over the River Thames linking Grandpont and Oxpens.
Proposal	The pedestrian and cycle bridge is proposed to land behind the ice rink and will link the south side of the river to the City Centre. The bridge will help connect Osney Mead which is an allocated site (yet to be developed) with the city centre. The promoters of the project are the City Council. When completed, the bridge will be adopted by the highway authority, Oxfordshire County Council.
Planning stage	Pre-application
Local planning authority	Oxford City Council
Planning context	The principle of a new bridge connecting Osney and Oxpens is supported in policies M1, SP1 and SP2 of the Oxford local Plan as well as the emerging West End SPD. The principle of the new bridge is considered acceptable subject to compliance with the other policies of the local plan and NPPF.
Planning history	Previously undeveloped land

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.

The North Kent Architecture Centre Limited

trading as Design South East

Admirals Office

The Historic Dockyard

Chatham, Kent

ME4 4TZ

T 01634 401166

E info@designsoutheast.org

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Application number:	23/01198/FUL		
Decision due by	8 th September 2023		
Extension of time	1 st March 2024		
Proposal	Demolition of existing Bingo Unit (Sui Generis, Classes E (b), (d), (e), (f), and (g) (i, ii or iii)); development of a new part-four/part-five storey (plus roof plant) building comprising laboratory and office space (Use Class E(g)) and a ground floor level commercial unit (Use Class E(a) or E(b)), with associated access road, public realm, hard and soft landscaping, cycle parking, EV charging, service yard, site infrastructure and associated works.		
Site address	Unit 1, Ozone Leisure Park, Grenoble Road, Oxford – see Appendix 1 for site plan		
Ward	Littlemore Ward		
Case officer	Michael Kemp		
Agent:	Rachel Streeter	Applicant:	Firoka (Oxford Leisure) Ltd
Reason at Committee	The application is for major development		

1. RECOMMENDATION

1.1. The 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 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; and
- Respond to comments made by the Environment Agency, resolve any concerns or objections and finalise any recommended conditions; and

- Finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning 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. This report considers a proposal to demolish an existing bingo hall and the erection of a new building of four to five storeys with roof plant, housing 10,929sqm of laboratory and office space, with supporting plant and a commercial unit at ground floor level, which would be used as a café.
- 2.2. The provision of a building falling under a Class E (g) life science use would be acceptable on this site in line with Policy AOC7 of the Oxford Local Plan and Paragraphs 85 and 87 of the NPPF. The scope of existing planning permissions applicable to the building already allow for the loss of the existing community use of the site as a bingo hall and would allow the building to be reused for a life science use and there are clear design benefits to redeveloping the site, compared with retaining and converting the existing building. Whilst the proposals must be considered as a departure from Policy V7 of the Oxford Local Plan, the significant economic benefits of providing the new purpose-built life sciences space, design benefits from redeveloping the site and fallback position established under the existing permissions on the site, would represent significant material grounds to justify departure from Policy V7 of the Oxford Local Plan.
- 2.3. Officers consider that the design of the proposed building is of a high standard and is contextually appropriate accounting for the character and context of the area. The proposals would enhance the public realm along Minchery Lane, accounting for the proposed landscaping improvements, removal of the existing boundary fencing, provision of new public realm and active ground floor frontages. The scale and height, whilst greater than the existing building, is considered appropriate, when considering the visual impact of the development in localised and longer-range views. Officers also consider that the scale and siting of the development would not have any significant negative impacts with regards to the amenity of any surrounding residential properties.
- 2.4. The scale and siting of the building would impact on the setting and significance of the Grade II* listed Priory, which would exacerbate the harm caused to the Grade II* listed building by the other very large buildings that have been built on the formerly open and rural land surrounding the designated heritage asset. Consequently, officers consider that the development would result in less than substantial harm to the setting and significance of this designated heritage asset. With regard to the setting of the Central (City & University) Conservation Area, it is considered that the proposal would result in a low level of less than substantial

harm, as it would introduce further tall built form into the city's characteristically low-rise suburbs. Whilst giving great weight to the conservation of these assets, in both instances, officers consider that there is clear and convincing justification for this level of harm in line with Paragraph 208 of the NPPF. It is considered that the public benefits of the development, in particularly the economic benefits of providing additional high quality purpose-built laboratory space, to address demand for the provision of this space within the city outweighs the low level of harm caused. As such, it is considered that the development accords with Policies DH1 and 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 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2.5. No net increase in parking provision is proposed within the application, with allocated parking based on a modal share of 46% of staff. Given the presence of surrounding parking there would be a requirement for the developer to set out measures to manage parking across the wider Kassam Stadium site. A clause within the accompanying Section 106 agreement will also be required to outline a strategy for the future relocation of the parking, accounting for the site's allocation in the Local Plan and to reduce the extent of parking once the Cowley Branch Line becomes operational. To improve the site's wider sustainability and accessibility by public transport, financial contributions would be sought towards delivery of the Cowley Branch Line and towards the Eastern Arc bus service, totalling £450,588. The development would enhance existing cycle and pedestrian connectivity through the site, whilst an acceptable quantum of cycle parking would be provided to serve the development. The proposals are therefore considered to comply with Policies M1, M2, M3, M4 and M5 of the Oxford Local Plan.
- 2.6. The proposals are considered to not adversely impact on ecology and provisions have been set out within the application to secure 5% biodiversity net gain in accordance with Policy G2 of the Oxford Local Plan.
- 2.7. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Planning and Regulatory Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers.

3. LEGAL AGREEMENT

- 3.1. This application would be subject to a legal agreement to cover the following matters:
 - Public transport contribution of £450,588 towards provision of enhanced bus/and or rail services or infrastructure. This provision consists of £257,079 towards bus infrastructure and £193,509 towards the delivery of the Cowley Branch Line.
 - £1890 to covering monitoring of the travel plan.
 - An obligation to secure a reduction in parking to 122 spaces within 3 months following the Cowley Branch Line passenger services being operational at the rate of at least 2 passenger trains per hour during peak times.

- Strategy for future relocation of parking in line with proposals for the wider development of the Kassam Stadium site.
- An obligation to ensure that tenancy agreements shall include the loss of parking spaces and that tenants shall be notified of this requirement.
- Agreement to enter into a Community Employment and Procurement Plan with the City Council.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposals are liable for a CIL contribution of £251,867.07.

5. SITE AND SURROUNDINGS

5.1. The development site comprises a two-storey building constructed in the early 2000's as a purpose-built bingo hall (Unit 1), associated areas of hardstanding, an access road, landscaping, and surface level car parking located to the north of Unit 1. The building has been vacant since September 2020 when the previous tenants Buzz Bingo vacated the building.

5.2. The building attaches to adjoining buildings, which form the Ozone Leisure Complex, which includes a variety of uses including a cinema, bowling alley and restaurants. The Ozone complex adjoins the Kassam Stadium site, a 12,500-capacity stadium, currently used by Oxford United Football Club and for other purposes such as conferencing. The wider Kassam Stadium site includes extensive car parking, including an area of overflow car parking to the north and northeast of the application site.

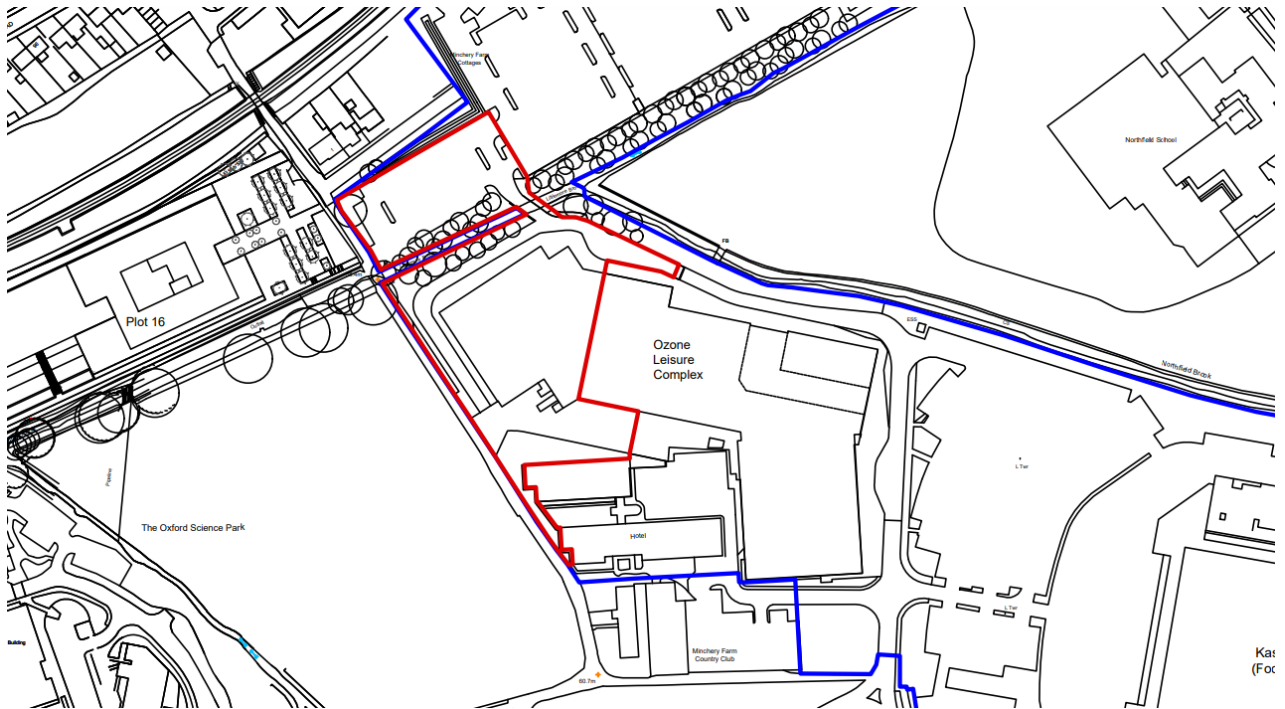
5.3. The site lies to the east of the Oxford Science Park, a large employment site containing several large buildings typically varying between three and five storeys in scale, used for office, life science and research and development uses. The Littlemore Brook, a small watercourse passes to the north of the site. The land to the north west of the site benefits from planning permission for two large interlinked employment buildings (Plot 16, Oxford Science Park). The westernmost of the buildings on the Plot 16 site was completed in late 2023 with work on the easternmost building due to commence this year. The land to the south west of the site (Plot 27, Oxford Science Park) is the subject of a planning application for a new laboratory/life sciences building (22/02555/FUL). The nearest residential dwellings are located to the north of the site (Minchery Farm Cottages), beyond this the nearest residential dwellings are located at Denny Gardens, also to the north.

5.4. The Cowley Branch Line is also located to the north west of the site, this is presently used by goods trains serving the BMW plant, however there are advanced proposals to reopen the site for passenger use, this would include a new railway station adjacent to Minchery Lane and Plot 16 at the Oxford Science Park.

5.5. To the west of the site is Minchery Lane, a pedestrian and cycle route leading between Grenoble Road and Littlemore. Immediately to the south of the site is the Hampton by Hilton hotel, a three-storey building. The Grade II* listed Minchery Farmhouse (formerly The Priory) also lies to the south beyond the hotel and within the immediate setting of the site. This building was last used as a pub but has been

vacant for an extended period. The land beyond to the south of Grenoble Road is allocated in the South Oxfordshire Local Plan (STRAT11) to deliver approximately 3000 homes and at least at least 10 hectares of employment land incorporating an extension to the Oxford Science Park, a Park and Ride site adjacent to the A4074 and supporting services and facilities.

5.6. The development site plan is shown below:



6. PROPOSAL

- 6.1. The application proposes the demolition of the existing bingo hall and erection of a new building of four to five storeys with roof plant, housing 10,929sqm of laboratory and office space, with supporting plant and a commercial unit at ground floor level, which would be used as a café. The height of the building would measure 24.2 metres to the top of the plant enclosure and 25.4 metres to the top of the proposed flues.
- 6.2. The building would be detached from the adjoining Ozone Leisure complex and the space between the new and existing buildings would be used as service access for the new building and existing buildings in the Ozone Leisure Complex. The existing service road to the north and west of the bingo hall would be removed and the proposals would involve landscaping the spaces to the north and west of the bingo hall currently used as road accesses. The landscaping proposals include new paving, tree planting and soft landscaping. 88 cycle parking spaces would be provided within a hub structure to the south west of the proposed building, adjacent to Minchery Lane.

- 6.3. It is proposed that the staff operating in the building would use the existing parking serving the Kassam Stadium and Ozone Leisure complex. An area of parking to the north of the building and Littlemore Brook has been allocated for the proposed building, which consists of 161 spaces. A total of 40 electric vehicle charging spaces are proposed within the overflow car park to the north of the site. No additional car parking is therefore proposed.
- 6.4. Amended plans were submitted in August 2023. The amendments included changes to the treatment of the plant enclosures on the upper levels of the building from a grey louvred cladding to bronze coloured aluminium cladding, in addition to changes to the proposed landscaping surrounding the building, including the proposed materials. Elevation plans were also submitted for the cycle storage enclosure as well as additional views provided showing views from St Mary's Tower towards the site. Further amended plans have also recently been submitted which includes a reduction in the area of hard surfacing that would be provided to the front of the proposed building in order to address an objection from the Environment Agency.

7. RELEVANT PLANNING HISTORY

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

<p>00/01473/NR - Erection of buildings to provide mixed use leisure centre (total floor space 17.817 sq m), comprising 9 screen cinema, 26 lane bowling alley, night club, bingo hall, health & fitness centre, aerobic and dance studio, and ancillary facilities. . Main access off Grenoble Rd via new rd off roundabout. 9 parking spaces for people with disabilities (Details of siting, design, external appearance, means of access, reserved under applications 94/1754/NOY and 99/834/VF). Permitted 3rd November 2000.</p> <p>94/01754/NOY - Outline application for the erection of buildings to provide an all-seater football stadium (15,000) & associated facilities, leisure development (Class D2 excluding cinema) & employment (Classes B1 & B8). Access from proposed extensions of Grenoble Rd. Car & coach parking for up to 1,950 vehicles (Amended plans). Permitted 17th May 1999.</p> <p>95/00832/NFY - Erection of 15,000 seater stadium and ancillary facilities including supporters club, health and fitness centre and restaurant. Provision of 895 car parking spaces around stadium, 525 remote parking spaces (north of Brook) & 530 car parking spaces on land designated for leisure and employment use, access from Grenoble Road roundabout, site roads, bus lay-bys, foot & cycle ways, cycle parking and landscaping. Permitted 9th August 1996.</p> <p>21/02519/FUL - Change of use from bingo hall (sui generis) to bingo hall (sui generis) and/or leisure use (Use Class E(d)) (amended description).. Permitted 4th November 2021.</p> <p>22/00138/VAR - Variation of condition 3 (Restriction of Class E use) of planning permission 21/02519/FUL (Change of use from bingo hall (sui generis) to bingo hall (sui generis) and/or leisure use (Use Class E(d))) to allow uses within Use</p>

Class E(b), (d), (e), (f), and (g) (i, ii or iii) of the Order and/or as a bingo hall (Sui Generis). (Amended description and covering letter).. Permitted 12th May 2022.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan
Design	131-141	DH1 - High quality design and placemaking DH2 - Views and building heights DH7 - External servicing features and stores
Conservation/Heritage	195-214	DH3 - Designated heritage assets DH4 - Archaeological remains
Commercial	85-87	E1 - Employment sites - intensify of uses
Natural environment	180-188	G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure
Social and community	96-97	V1 – Ensuring the Vitality of Centres V7 – Cultural and Community Uses
Transport	108-117	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
Environmental	123-130; 142-156; 157-175; 180-188; 189-194	RE1 - Sustainable design and construction RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE5 - Health, wellbeing, and Health Impact Assessment RE6 - Air Quality RE7 - Managing the impact of development RE8 - Noise and vibration RE9 - Land Quality
Miscellaneous	7-11	S1 - Sustainable development S2 - Developer contributions V8 - Utilities

8.2. The draft Local Plan 2040 has been approved by Oxford City Council's cabinet and the period for public consultation has recently expired. The policies within the draft local plan are however afforded very limited weight at the present time, where considering development proposals.

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 14th June 2023 and an advertisement was published in the Oxford Times newspaper on 15th June 2023. The application was advertised as a departure from the development plan as the proposals would result in the loss of a facility that would be classed as falling under a community use and would not involve the direct replacement of a community use to an equivalent or enhanced standard, contrary to Policy V7 of the Oxford Local Plan.
- 9.2. Following the submission of amended plans and further information, the application was readvertised by site notice on 9th August 2023 and in the Oxford Times newspaper on 10th August 2023.

Statutory and non-statutory consultees

Oxfordshire County Council

Highways

- 9.3. No objection subject to conditions.
- 9.4. The car parking methodology is the same as that used on Plot 27 of the Science Park which is the closest site with similar characteristics. This equates to 161 spaces (46% of on-site staff) and is accepted. However, in line with all recent applications at the Science Park and Business Park, a clause will be required to reduce car parking to 35% of on-site staff once the Cowley Branch Line (CBL) is operating a passenger service. This would reduce car parking to 122 spaces. A clause will also be required that states that should the football stadium and overflow car park be redeveloped, a maximum of 122 or 161 (depending on CBL) parking bays be retained for the use of the proposed development. A Car Park Management Plan will also need to be conditioned to show how the use of the wider car park by staff will be enforced.
- 9.5. The trip generation is accepted, there will be an increase in movements at peak times, however, the local highway network has sufficient capacity to cope with the additional trips.
- 9.6. To improve the sustainability of public transport access to the site and reduce journeys by private car, a financial contribution of £257,079 would be sought towards enhancements to the bus services in the eastern arc of the city. A financial contribution of £193,509 would be secured towards the delivery of the Cowley Branch Line, which would connect the site with Oxford Railway Station or alternative public transport improvements.
- 9.7. The Applicant has submitted a framework travel plan, the plan is fine for this stage of the application however it will need to be updated to a full travel plan prior to the first occupation of this site. A financial contribution of £1890 will be required for monitoring of the travel plan.

Drainage

- 9.8. No objection subject to the development being carried out in accordance with the submitted drainage strategy and a condition requiring that a record of the installed

SuDS is submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register.

Oxfordshire Fire and Rescue Service

9.9. In response to the above planning application, it is taken that suitable fire service access will be provided in accordance with Building Regulations. Consideration for the provision of water for firefighting operations (fire hydrants) and dry risers should be undertaken where necessary. It is taken that the works will be subject to a Building Regulations application and subsequent statutory consultation with the fire service, to ensure compliance with the functional requirements of The Building Regulations 2010.

Thames Water

9.10. No objection.

9.11. 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. The proposed development is located within 15 metres of a strategic sewer, Thames Water require a piling method statement to be submitted by condition before any works involving piling commence. We would 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.

9.12. Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such Thames Water request that a condition is placed on any permission that no development shall be occupied until confirmation has been provided 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 development to be occupied.

Thames Valley Police

9.13. Do not offer an opinion in objection or support of the application and recommend that the applicant reviews the Secured by Design commercial guide and incorporates the general principles of this advice within the scheme.

Oxford Civic Society

9.14. The Oxford Civic Society outlined the following concerns in relation to the proposals and advised that the application should be refused:

- The proposal represents a significant loss in leisure facilities for the community, whereas with the planned housing growth in the area there should be an increase (we refer to the proposals for Blackbird Leys, Grenoble Road and Knights Road).
- The proposed height of the building exceeds those in the neighbouring Oxford Science Park and would both dominate and swamp the residential cottages nearby.
- The application fails to address any support for sustainable travel.
- The location of a car park on a site which is designated for housing in the Local Plan should not be permitted.
- There is no action plan concerning Littlemore Priory which is one of the few remaining medieval buildings outside the city centre. Indeed, the site has been seriously and wilfully neglected. This aspect should be addressed as a matter of urgency.
- There has been a woeful lack of public consultation.

Littlemore Parish Council

9.15. Objects to the application for the following reasons:

- Lack of public consultation undertaken
- Loss of leisure facilities
- Height - At five storeys the building is too high and exceeds the height of nearby developments at Oxford Science Park. Neighbours at Minchery Farm Cottages have put forward compelling arguments as to why the height should be reduced. The Parish Council endorses their views, especially as their houses are bounded to the north by the railway embankment.
- Travel – Lack of provision for sustainable travel within application.
- An action plan to improve the Grade II* listed Littlemore Priory should be drawn up and implemented if this application is permitted.
- Archaeology - During previous investigations there have been important archaeological finds in the area. We note the recommendation that the city and county archaeological services develop a plan for this site. Building should not be permitted without this condition.

Royal Society for Protection of Birds (RSPB)

9.16. If Oxford City Council intends to grant permission for the above planning application, we urge you to make installation of at least fifty swift bricks within this major development, securing this by planning condition.

Active Travel England

9.17. Specific comments were not offered on the application. Active Travel England advised that the applicants refer to their best practice standing advice for Active Travel and Sustainable Development.

Historic England

9.18. Do not wish to comment.

Oxford Preservation Trust

9.19. Oxford Preservation Trust welcome change to this area, which will hopefully encourage a wider regeneration of the Kassam Stadium and Ozone Leisure Centre building and surroundings. OPT do not object to the proposal, which is located on a site situated directly adjacent to the Oxford Science Park, and within an “Area of Change” as identified within the Oxford Local Plan 2036. However, we would like to raise concerns over the increase in R&D space in the area at the cost of entertainment and leisure space for the nearby residential areas of Littlemore and Blackbird Leys. With the upcoming development of approximately 3,000 new homes, as outlined in Policy STRAT11: “Land South of Grenoble Road” within SODC’s Local Plan 2035, OPT urge that an overarching strategy for the Science Park site is developed to ensure that change is managed effectively within this area, and adequate provision of entertainment and leisure space is available for residents of the Littlemore, Blackbird Leys, and Greater Leys areas.

Environment Agency

9.20. The EA have maintained an objection to the development within their updated consultation response dated 13 February 2024.

9.21. The EA required the applicant to evidence that the proposed building lies out of the 1% Annual Exceedance Probability (AEP) for flood risk plus appropriate allowance for climate change through the submission of a detailed topographical survey compared with the proposed works. The applicant has submitted further information in response to this request which is currently being reviewed by the Environment Agency.

9.22. The EA requested the provision of a minimum 10-metre-wide buffer zone alongside the river should be provided, measured from the top of the bank with the buffer zone free from all built development, including formal landscaping as development that encroaches on watercourses can have a potentially severe impact on their ecological value. Networks of undeveloped buffer zones might also help wildlife adapt to climate change and will help restore rivers to a more natural state as required by the river basin management plan.

9.23. The applicant has sought to address the EA’s comments by amending the proposed landscaping scheme to remove all hard landscaping and other built features located within a 10 metre distance measured from the Littlemore Brook watercourse. The EA have notified officers that whilst providing a 10 metre buffer zone measured from the top of the bank is best practice, from a biodiversity perspective, it is acknowledged that this distance is not specified in policy and there would be betterment from an ecological perspective through removing the existing access road, which lies within 10 metres of Littlemore Brook. For these reasons, the EA have informed officers that they are likely to remove their objection to the development on biodiversity grounds.

Public representations

9.24. Joint comments have been received from Ward Councillors Sandy Douglas and Tiago Corais and County Councillor Trish Elphinstone in objection to the development. The main points of objection are summarised below:

- The site would be the natural location for a new local hub with amenities serving local communities, such as a cycle hub, a pharmacy, or potentially much-needed health centre. This should be prioritised over the provision of a laboratory building preventing the development of a cohesive plan for the area.
- The provision of a small commercial unit would not materially improve the impact of the building upon the area and the community.
- Enhancing connectivity at such an important location involves more than simply the availability of a cycle path and footpath - instead the area should become a welcoming, attractive public space with appropriate amenities to become a focal point for resident and worker communities.
- The site has a history of leisure use and the previous failure to find leisure-oriented tenants does not reflect lack of demand for leisure facilities, but rather a lack of marketing effort and a building which the applicants have not invested in. Solely providing employment use on the site would not be appropriate.
- The height exceeds that of the current building or nearby buildings, adding to the increasing impact of Science Park buildings on the Littlemore skyline and exceeding the height of 21m noted in the Local Plan as having potential to affect views from St Mary's Tower.
- The public benefits provided by the current proposal are inadequate to justify the heritage harm to the Minchery Farmhouse heritage asset.
- The CIL form states that the building was last occupied on 1/9/20, but also that the building has been occupied for 6 continuous months of the 36 previous months. Those two statements appear irreconcilable.
- If the development is to go ahead, we would propose that the ground floor, or preferably the lower two floors, are reserved for community amenities, preferably with these floors managed for the benefit of local residents by a body which includes local residents and representatives of Oxford City Council.

Officer Response

9.25. Matters above relating to the use of the building, design and scale; including heritage impacts are addressed in the relevant sections of the report below. CIL contributions are not covered in the assessment below. In relation to the above comments concerning the period under which the building has been unoccupied, the applicants have since revised the CIL form advising that the building has not been occupied for 6 continuous months of the 36 previous months.

Public Comments

9.26. 4 public comments have been submitted in objection to the proposed development. In summary, the main points of objection were:

- Lack of public consultation carried out by applicants.
- The proposals should have been considered more strategically in line with the proposals for redevelopment of the wider Kassam Stadium site in line with Policy SP14 of the Local Plan.
- The proposals would not appear to meet the objectives of Policy AOC7, (Cowley Branch Line Area of Change).
- Land on either side of Minchery Lane is the obvious location for a new district hub serving Littlemore in particular the Minchery Farm Estate, as well as Blackbird Leys and Greater Leys providing a welcoming, attractive public space with a wide range of appropriate amenities such as a transport hub, with greatly improved public transport, small shops, a pharmacy or potentially a health centre, as well as leisure facilities. If the development were to go ahead, the ground floor at the least should be reserved for community amenities.
- The proposals would result in the loss of buildings falling under a community use.
- At four/ five storeys, plus roof plant, the proposed building would seem to exceed the height of nearby developments and is in my view too high, affecting adversely some nearby housing especially Minchery Farm Cottages.
- During previous investigations there have been important archaeological finds in the area around Littlemore Priory. Building should not be permitted without a detailed plan for identifying and preserving archaeological and historic sites.
- The development would have an adverse impact on No.4 Minchery Farm Cottages by reason of the scale of the building, overlooking, light pollution and loss of light. There is particular concern in relation to the impact of overshadowing, which may restrict the ability to effectiveness of solar panels, which the owners would like to add as a source of renewable energy.
- Concern about the ability of the sewage system to cope with the potential increase in occupants in such a building. This development has been beset by sewage problems in the past. If the laboratories are 'wet laboratories' the amount of sewage produced may well exceed the drainage capacity on site. Tankers are often on site dealing with drainage issues.
- Concern regarding maintenance of the existing storage tanks to the north of the Ozone Leisure Complex following collapse of one of the tanks. Without a fully serviced and maintained system there is the risk of collapse again. The current drainage system is not really fit for purpose as the water that is stored in tanks is deoxygenated and has turned septic and smelly when discharged into the brook, the impact on any aquatic wildlife must be great when this water is discharged.
- Laboratory space should be developed on the adjoining Science Park where there is available land for development.
- Laboratory space next to an entertainment complex would look out of place.
- The unit is a good size that it could continue to be an entertainment space.
- More entertainment facilities are needed in the area and the space should continue to be used for this purpose.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Design, Visual and Heritage Impact
- Sustainability
- Neighbouring amenity
- Transport
- Ecology
- Flooding
- Land Quality
- Air Quality

Principle of development

10.2. The building was last used as a Bingo Hall, which was the last lawful use of the building. The building would be classed as a cultural and community facility and is therefore afforded protection under Policy V7 of the Oxford Local Plan. Policy V7 states that the City Council will seek to protect and retain existing cultural and community facilities. Planning permission will not be granted for development that results in the loss of such facilities unless new or improved facilities can be provided at a location equally or more accessible by walking, cycling and public transport. In principle, applications to extend capacity, improve access and make more intensive cultural/community use of existing sites will be supported. Reprovision of the bingo hall or a similar community use is not proposed and therefore the proposals represent a departure from Policy V7 of the Oxford Local Plan.

10.3. The bingo hall has been vacant since September 2020 when the former tenants, Buzz Bingo vacated the site. Restrictions imposed during the height of the Covid-19 pandemic, and a change in market conditions has resulted in 25 other bingo units run by the former operator closing. Planning permission was granted in November 2021 (21/02519/FUL) for the change of use of the unit from a bingo hall (Sui Generis use) to a mixed-use bingo hall and leisure use(sui generis)). Further to this application, permission was granted in May 2022 (22/00138/VAR) to allow the existing building to be used for a much more extensive range of uses falling under Class E namely E (b), (d), (e), (f), and (g) (i, ii or iii). A life science and research and development use (Class E (g)) would fall within the scope of permitted uses that the existing building could be used for.

10.4. In considering the loss of the bingo hall as a community use, contrary to Policy V7 of the Oxford Local Plan, weight must be given to the fact that extant planning permission 22/00138/VAR would allow for the building to be used for a range of other purposes, which would not be classed as a community use, including a range of retail and commercial uses, as well as the life science use specifically proposed

within this planning application. The community use could be lost as the extant planning permission could be implemented at any time. When considering the previous applications to change the use of the building from sui generis use as a bingo hall, officers accepted that the loss of the building's community use as a bingo hall would be acceptable in planning terms. This was acknowledging the vacant status of the building and benefits of allowing a greater range of uses to increase the likelihood that the site may be brought back into viable use.

- 10.5. The proposals, in contrast to the consented scheme involve the erection of a new building as opposed to changing the use of the existing building. The building was constructed specifically for use as a bingo hall, which is highly limiting in terms of the building's flexibility to be repurposed for other community and leisure uses, or other uses within Class E. This is particularly relevant, when considering the merits of retaining the building vs demolition and new build. The building has a very deep floor plan and is largely single storey, with a very high floor to ceiling height across the main hall that occupies much of the footprint of the building. The depth of plan means that the building benefits from little natural light. The applicants have outlined that significant structural changes would be required to the building to add an additional floor within the envelope of the existing building, without extending upwards. Without extending the building upwards the floor to ceiling heights would be restrictive in terms of the ability to add an additional floor. In design terms, aside from the front entrance, the surrounding elevations, particularly those facing the service yard and service accesses are inactive and respond poorly to the surrounding area. It is reasonable to consider that the existing building design presents significant challenges in terms of repurposing the structure for alternative uses in Class E, including community or leisure uses.
- 10.6. Accounting for the relative lack of suitability for repurposing for alternative uses, and accounting for the extant planning permission, which allows for the building to be used for a range of other uses falling under Class E of Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended), officers consider that the loss of the existing community use as a Bingo Hall and the demolition of the existing building and its replacement would be acceptable in principle.
- 10.7. The site is not currently allocated for employment use under Policy E1 of the Oxford Local Plan. Policy E1 specifically categorises employment sites from 1-3 (with 1 being the highest category). All unallocated employment sites by default fall under the lowest category (Category 3, other sites). Policy E1 is silent in relation to the principle of employment development on sites that do not currently fall under an employment use or are specifically allocated for employment use within the Local Plan. More generally there is great demand for the provision of high-quality purpose-built life science and laboratory space within Oxford and the provision of further purpose-built life science space on the application site would assist in addressing this demand. Paragraph 85 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand, and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Emphasis is specifically placed under Paragraph 87 of the NPPF on making provision for clusters or networks of knowledge and data-driven, creative, or high technology industries and the life science and research and development industry is a nationally important

knowledge-based growth industry. The proposals are expected to generate 438 jobs within a high skilled, knowledge intensive industry, as well as short term job creation during the construction phase of the development. The applicant has also agreed to enter into a Community Employment and Procurement Plan (CEPP), this is in line with Policy E4 of the Emerging 2040 Local Plan. Securing a CEPP would provide local employment opportunities during the construction and operational phases of the development as well as providing local economic benefits through the supply chain during the construction and operational phases of the development.

10.8. Whilst the application site is not allocated for an employment use within the existing local plan, the site is adjacent to the Oxford Science Park, which is a Category 1 employment site comprising large buildings used for a mix of office, life science and research and development-based uses. An adjacent plot of land to the south west (Plot 27) which falls within the Oxford Science Park allocation is currently the subject of a planning application for a large building falling under a life science use (22/02555/FUL), whilst a pair of interlinked buildings (Plot 16) is currently under construction to the north west of the site with one of the buildings complete and ready for occupation. These buildings would sit within the immediate context of the site and there is precedent for employment buildings of a similar use and scale to the proposed building within the immediate area. The emerging 2040 Oxford Local Plan is afforded very limited material weight; however, it is worth noting that the Kassam Stadium site (excluding the overflow car parking) is included under Site Allocation SPS2. The site allocation states that planning permission will be granted for residential development, public open space and replacement community and/or sport and leisure facilities, and for commercial uses within the existing area of the Ozone Leisure Park only, on the Kassam Stadium and Ozone Leisure Park site.

10.9. Policy V1 of the Oxford Local Plan 2036 states that proposals for development of town centres uses outside a centre must demonstrate compliance with the 'sequential test'. Laboratory and life science uses are not specifically classed as a 'main town centre use' within the NPPF. The specific demands associated with this form of use, including the scale of the buildings required and plant/servicing requirements are restrictive where considering the potential to provide such uses within the City Centre and district centres. Nevertheless, it is practically possible to accommodate such uses within a City Centre location and as the proposals also include office accommodation, which is a main town centre use, albeit that this would be linked to the lab space. The applicants have therefore completed a proportionate sequential test, which concludes that there are no alternative available and suitable sites within the City Centre or District Centres or other locations out of town that could accommodate the proposed development and that would be sequentially preferable to the application site. Officers concur with the findings.

10.10. The development site sits within the Cowley Branch Line Area of Change (Policy AOC7). A core aim of Policy AOC7 of the Local Plan includes making more efficient use of space through intensification of existing sites. The subtext to the policy states that high density residential and employment development that makes efficient use of land will be expected, subject to considering the impact on surrounding uses, heritage assets and views from St Mary's Tower. In principle

high density employment-based development on the site would align with Policy AOC7, subject to wider compliance with the development plan.

- 10.11. Policy SP15 of the Oxford Local Plan covers the Kassam Stadium and surrounding land, this is separated into two sites. Site A covers the stadium and surrounding car park, whilst Site B covers the overflow parking to the north of the Ozone leisure complex. The site plan for the Kassam Stadium site allocation does not include the Ozone leisure complex and the site of the proposed building. The site allocation includes provision for the delivery of at least 150 new homes, including on the overflow area of parking on Site B and potentially areas of Site A within the stadium car park, unless the stadium is relocated elsewhere, in which case a larger portion of the site could become available for redevelopment.
- 10.12. The siting of the new building would not directly conflict with Policy SP15, as the site allocation does not include the Ozone complex, however regard should be given to whether the scope of development proposed within this application, for example whether the scale of the building would compromise in any way the ability to deliver housing on Site B of the Kassam Stadium allocation, this is considered in further detail in the section of the report which deals with amenity matters.
- 10.13. It is proposed that the car park immediately to the north of the building would be used to serve the building. This area of car parking is on land allocated under Policy SP15 of the Local Plan (Site B). Parking provision is addressed in detail in the section of this report which deals specifically with the transport impacts of the development, however officers consider that the principle of allocating parking for the proposed building is acceptable in principle and would not conflict with Policy SP15 of the Local Plan.
- 10.14. The parking is already used to serve the buildings on the Ozone complex and Kassam Stadium. Allocation of parking for the new building should not restrict the ability to effectively redevelop Site B, as there is sufficient parking elsewhere within the stadium site, which is under the applicant's ownership and could be used for the purposes of providing parking specifically for the occupiers of the building and parking is sparsely used on the site aside from on match days. The transport section of this report deals with this matter in further detail, however appropriate measures relating to the future management and allocation of parking would need to be addressed through a Section 106 agreement to ensure that the need to provide parking for the proposed use would not conflict with Policy SP15 in terms of allowing the land to the north and north east to be developed in line with the site policy for the Kassam Stadium. This would allow for the parking allocated for the proposed building to be relocated elsewhere, were the part of the development site to the north of Littlemore Brook to be developed in the future in line with Policy SP15.
- 10.15. In summary, officers consider that the provision of an employment building falling under a Class E (g) life sciences use would be acceptable on this site in line with Policy AOC7 of the Oxford Local Plan and Paragraphs 85 and 87 of the NPPF. The scope of existing permissions applicable to the building would already allow for the loss of the existing community use of the site as a bingo hall and the building's reuse for life sciences uses and there are clear design benefits to redeveloping the site, compared with retaining and converting the existing building.

The significant economic benefits of providing the new purpose-built life sciences space, design benefits from redeveloping the site and fallback position established under the existing permissions on the site, justify departure from Policy V7 of the Oxford Local Plan.

Design, Visual and Heritage Impacts

Design Approach and Scale

- 10.16. Policy DH1 of the Oxford Local Plan states that planning permission will only be granted for development of high-quality design that creates or enhances local distinctiveness. The design of all development should respond appropriately to the site character and context and shall be informed by a contextual analysis and understanding of the setting of the site. Paragraph 139 of the NPPF requires that all developments are considered in line with the National Design Guide and Model Code.
- 10.17. The existing building, landscaping and boundary treatment responds poorly to the public realm as the building design lacks active frontages along three elevations of the building, including the north elevation facing Littlemore Brook and the west elevation of the building facing Minchery Lane. Presently there is a close boarded boundary fence between the building and Minchery Lane preventing access between the site and an important route between Littlemore and Grenoble Road. The demolition of the building and its replacement with a higher quality building, one which responds positively to the public realm and character of the area would be significantly beneficial in urban design terms. Redevelopment of the site presents an opportunity to significantly improve the public realm, through the removal of the existing tarmac service roads, boundary fencing and by opening up the site, allowing permissible public access through the site from Minchery Lane.
- 10.18. The proposed building would measure 24.2 metres in height to the roof ridge of the upper section of the plant enclosure and 25.4 metres, where measured to the upper section of the proposed flues. The building would exceed the height of the cinema building at the Ozone Leisure Complex, which is 19 metres in height. The building would sit within the context of Plot 16 at the Oxford Science Park, which is currently under construction, which measures 23.5 metres in height to the upper section of the plant enclosure and 20.2 metres to the upper floor of the building. The building would sit adjacent to an area of land on the opposite side of Minchery Lane (Plot 27) which is currently the subject of a planning application, also for a large-scale building. This application is currently under consideration and officers cannot comment on the acceptability of the scale of the proposed building on this site. Plot 27 is however allocated for employment development associated with the Science Park, which is indicative of the site's suitability for the building of a scale broadly commensurate with existing development on the Science Park site. The surrounding area is likely to be subject to significant change given that the Science Park and Kassam Stadium sites are both allocated in the Local Plan for redevelopment, which is reflected in the fact these sites fall within the Cowley Branch Line Area of Change (Policy AOC7 of the Local Plan).
- 10.19. Policy AOC7 of the Oxford Local Plan supports making more efficient use of space through intensification of existing sites. Paragraph 9.65 in the subtext to this

policy states that high density development that makes efficient use of land will be expected. It is stated that development would need to be relatively tall (21m) before affecting views from St Mary's Tower. Buildings above this height will need careful design and justification. Consideration should also be given the nature of surrounding uses and impact on conservation areas and listed buildings.

10.20. Policy DH2 of the Oxford Local Plan relates specifically to building height and states that the City Council will seek to retain significant views both within Oxford and from outside, in particular to and from the historic skyline. The policy states that: *planning permission will be granted for developments of appropriate height or massing, as demonstrated by the following criteria, all of which should be met:*

a) design choices regarding height and massing have a clear design rationale and the impacts will be positive; and

b) any design choice to design buildings to a height that would impact on character should be fully explained, and regard should be had to the guidance on design of higher buildings set out in the High Buildings Study TAN. In particular, the impacts in terms of the four visual tests of obstruction, impact on the skyline, competition and change of character should be explained; and

c) it should be demonstrated how proposals have been designed to have a positive impact through their massing, orientation, the relation of the building to the street, and the potential impact on important views including both into the historic skyline and out towards Oxford's green setting.

10.21. The subtext to Policy DH2 of the Oxford Local Plan acknowledges that land is scarce in Oxford and there is an imperative to use land efficiently. Taller buildings can positively contribute to increasing density, enabling a more efficient use of land, and may also be an appropriate built response to the existing context. This requirement is similarly reflected under Policy RE2 of the Oxford Local Plan, which encourages proposals to make effective use of land, through providing appropriate density of development and is specifically acknowledged within Policy AOC7, which relates to the Cowley Branch Line Area of change. The proposed building would be large in scale, particularly compared with the existing bingo hall, however the proposed building, which would occupy a broadly similar footprint would make more efficient use of the site in terms of delivering employment floorspace.

10.22. The applicants have prepared a Landscape and Visual Impact Assessment (LVIA). This includes an assessment of the impact of the development in several key views. This includes short range views from Minchery Lane adjoining the site and mid distance views from Priory Road and Littlemore to the north of the railway embankment. Views are provided from the south including views directly adjacent to the Grade II* listed Priory and from the south east taken from Grenoble Road, adjacent to the Kassam Stadium. Longer distance views have also been provided from selected viewpoints in Blackbird Leys and from Footpath 335/3/10 (Shakespeare Way) which crosses the countryside to the south of Grenoble Road. Additional views were requested from St Mary's Tower given the height of the proposed building and were provided alongside the revised set of drawings.

10.23. Whilst the scale of the building would be large in relation to the existing bingo hall, officers consider that the scale of the building would be appropriate when considered in the context of the site and surrounding area. This includes the

buildings currently under construction on the adjoining Science Park site (Plot 16), existing large buildings, including the cinema and Kassam Stadium, and where considering the vision for the area in line with Policy AOC7 of the Oxford Local Plan. When assessed in mid-range views from Littlemore and from the south east from Grenoble, as well as longer distance views from the south from Shakespeare Way, officers consider that the scale of the building would not be excessive and would sit appropriately alongside the surrounding development.

- 10.24. The submitted views from St Mary's Tower demonstrate that the development is unlikely to be visually prominent given the presence of intervening built form and tree cover, although small sections of the very upper level of the building may be visible. The impact of the development on the Central Conservation Area is assessed in further detail in the following sub section of this report.
- 10.25. The proposals were subject of design review, with the Oxford Design Review Panel. This included an initial and follow up review, the reports are included in the appendices accompanying this report. The matter of the height and scale of the building was considered in depth by the panel. The panel considered that the scale and massing of the building would be appropriate in the context of both existing and emerging development and future change within the area.
- 10.26. The design of the proposed building features frontages along all elevations of the building, which would add activation to the north west elevation adjoining Minchery Lane and the south elevation facing the service yard. The present design of the building includes extensive blank and inactive frontages along all elevations, except for the main entrance facing the car park and service road. The layout and design of the ground floor of the proposed building would respond positively to the public realm and would be a significant improvement compared with the existing building in this regard. The proposals include the provision of a café in the north west corner of the building, which would provide activity at this prominent corner facing Minchery Lane.
- 10.27. The proposed façade treatment would feature limestone with bronze coloured aluminium cladding. The materials selection is of a high quality and would respond positively to the setting of the Grade II* Priory. Revisions have been made to the materials treatment along the upper sections of the building. Previously proposed grey cladding on the upper sections of the building has been replaced with bronze aluminium and limestone cladding, which is an enhancement in terms of the quality of materials and a more appropriate palette of materials that would be significantly more responsive in relation to the adjoining Grade II* listed Priory.
- 10.28. The proposals include enhancements to the spaces surrounding the proposed building. The existing tarmac service roads to the north and west of the building would be removed. A new area of public realm would be created to the north and west of the building, with the existing panel fence removed and the western boundary of the site opened up, allowing permeability of access between Minchery Lane, the site and the wider Kassam Stadium and Ozone sites. In terms of surfacing, sandstone paving is proposed, which relates appropriately to the proposed building and would be a significant enhancement compared with the existing surface treatment. New soft landscaping, including shrub planting and trees is proposed. The landscaping proposals would enhance the visual

appearance of Minchery Lane, whilst also improving access and permeability for cyclists and pedestrians.

10.29. In summary officers consider that the design of the proposed building is of a high standard and is appropriate accounting for the character and context of the area. The proposals would enhance the public realm along Minchery Lane, accounting for the proposed landscaping, removal of the existing boundary fencing, provision of new public realm and ground floor frontages. The scale and height of the building has been assessed in key views and whilst the building would be larger in height compared with the existing building, this is justified given the existing and future context of the site and surrounding area. Officers therefore consider that the proposals are appropriately designed and comply with Policies DH1 and DH2 of the Oxford Local Plan.

Heritage Impact

10.30. The development lies within the setting of the Grade II* listed Priory (Minchery Farmhouse) and the development, given its scale and siting, would impact on the setting and significance of this designated heritage asset. As noted in the above section of the report, given the height of the building and potential for the upper sections to be visible from St Mary's Tower, it is considered that the development would also impact on the setting of the Central Conservation Area.

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

10.32. In line with Paragraph 205 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.

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

10.34. For development within or affecting the setting of Conservation Areas, the NPPF requires special attention to be paid towards the preservation or enhancement of the Conservation Area's architectural or historic significance. Paragraph 206 of the NPPF outlines 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.

- 10.35. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.36. Minchery Farmhouse originally comprised the C15th century dormitory range of Littlemore Priory. As a Grade II* listed building it possesses 'more than special' historic, architectural, and archaeological interest as a rare survival of this type of building, and as the only part of the Littlemore Priory that remains standing. The building provides a material record of, and tangible connection to, the lives of communities of medieval women, who are under-represented in both the archaeological and documentary record. Its later conversion to use as a farmhouse is illustrative of changes in the religious landscape of England in the C16th, and of the rural and agricultural history of the local area.
- 10.37. When the building was listed in 1963 its setting had been little altered since the late-19th century, with the building sitting within an open, rural landscape. Much of this historic context has since been lost to successive developments, including the Kassam Stadium, Ozone Leisure Complex, and Hampton by Hilton Hotel. However, that is not to say that the asset's setting does not contribute positively to its significance at all.
- 10.38. The proposal represents an intensification of development within the setting of the listed building and, on account of its scale, the development would exacerbate the harm caused to the Grade II* listed building by the other very large buildings that have been or are due to be built on the formerly open and rural land surrounding the heritage asset.
- 10.39. The proposed development is considerably taller than both the Hampton by Hilton hotel and the Ozone Leisure complex. In important views of the asset from the east the upper storeys and plant would be visible over these buildings and would compete for attention in the views. When stood in closer proximity to the east elevation of the listed building, less of the proposed development is visible above the hotel and Ozone Leisure complex buildings. The proposed development would be prominent in views from Grenoble Road, again distracting from the asset, and it is likely that this would also be the case from the adjacent southern end of Minchery Lane.
- 10.40. In terms of responsiveness to the setting of the listed building, the proposal seeks to create a positive connection between the development site and the adjacent Minchery Lane. The proposal to use limestone cladding on the façade of the building would not only contribute to the quality of the building but is also an important reference to the materials of Minchery Farmhouse. However, it is important that this limestone cladding has a suitably warm/golden tone. The selection of final materials must be conditioned to ensure that they are of a high standard considering the heritage sensitivities of the site.
- 10.41. For the reasons highlighted above officers assess that the development would equate to a moderate level of less than substantial harm to the setting and

significance of the Grade II* listed Priory, primarily as a result of the scale and siting of the building.

10.42. Regarding the setting of the Central (City & University) Conservation Area, it is considered that the proposal would result in a low level of less than substantial harm, as it would introduce further tall built form into the city's characteristically low-rise suburbs, albeit that the submitted wireline view indicates that the development would not skyline.

10.43. In the context of Paragraph 208 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 public benefits of the proposals are considered to be:

- Provision of 10,929sqm of high-quality laboratory and office space, which would assist in meeting local and national demand for life sciences space. The NPPF (Paragraphs 85 and 87) highlights the importance of facilitating the growth of economically valuable knowledge-based industry such as life sciences and delivery of additional high-quality laboratory and office space on the site is considered to be a significant economic benefit of the proposals.
- Economic benefits in terms of provision of employment through the construction phase of the development.
- Provision of local employment opportunities during the construction and operational phases of the development given the applicants agreement to enter into a Community Employment and Procurement Plan.
- Significant enhancements to the public realm along Minchery Lane and enhancements to pedestrian and cycle connections through the site.
- Urban design benefits arising from the removal of the existing building which is of a poor design standard and its replacement with a building of a notably higher design quality.
- Financial contribution of £450,588 towards provision of enhanced bus/and or rail services or infrastructure to be secured by legal agreement that would provide public benefits beyond benefiting staff travelling to the site.
- Ecological enhancements significantly exceeding the mandatory 5% biodiversity net gain requirement outlined under Policy G2 of the Local Plan.

10.44. Within this context, and after having given great weight to the conservation of the listed building and the conservation area, officers consider that there is clear and convincing justification for this level of harm in line with Paragraph 208 of the NPPF. The public benefits of the development which are noted above are considered to demonstrably outweigh the low level of less than substantial harm that would be caused to the setting of the Central Conservation Area and the moderate level of less than substantial harm that would be caused to the setting of the Grade II* listed Minchery Farmhouse. As such it is considered that the development accords with Policies DH1 and 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 Section 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Archaeology

10.45. The site is of potential archaeological interest because an evaluation undertaken at this site in the 1990s identified prehistoric peat sequences belonging to the Minchery Farm Peat Fen along with Roman and medieval remains. The peat fen has been shown to preserve Late Palaeolithic to Bronze Age pollen sequences. The site is also located within a dispersed landscape of Roman pottery manufacturing compounds and related rural settlement and on the edge of the precinct of the 12th-16th century Littlemore Nunnery. Subsequent to the evaluation the site was not subject to comprehensive mitigation and archaeological remains of interest are likely to still be present, although the Bingo Hall development may have resulted in some fragmentation and truncation. The architect's cross sections of the current Bingo Hall design suggest that including truncated areas of the Minchery Farm Peat Fen will survive below the building. To mitigate any harm that would be potentially caused to archaeology and below ground historic remains, it would be required that the applicants submit a demolition methodology and programme of recording work which would be secured by planning condition. Subject to securing these details, the proposals would not conflict with Policy DH4 of the Oxford Local Plan.

Sustainability

10.46. Proposals for development are expected to demonstrate how sustainable design and construction methods will be incorporated in line with Policy RE1 of the Oxford Local Plan. All development must optimise energy efficiency by minimising the use of energy through design, layout, orientation, landscaping and materials, and by utilising technologies that help achieve Zero Carbon Developments. Policy RE1 states that new build non-residential developments of over 1000m² proposals must meet BREEAM excellent standard (or recognised equivalent assessment methodology) and must achieve at least a 40% reduction in carbon emissions compared with a 2013 Building Regulations (or future equivalent legislation) compliant base case. Following the adoption of Part L regulations in June 2022, it is required that new developments are assessed against the updated Part L building regulations for the purposes of applying the 40% reduction in carbon emissions.

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

- High performance façade with optimised U-values.
- Appropriate proportioning of glazing to achieve reduced summer solar gain and increased winter solar gain.
- External shading to minimise heat gains.
- High standards of air tightness.
- Energy efficient lighting and sensor-controlled lighting.
- High efficiency Mechanical Ventilation installed with Heat Recovery.

10.48. The building design includes the incorporation of air source heat pumps and solar photovoltaic panels as a means of low/zero carbon energy generation.

- 10.49. In total the above measures are forecast within the applicant's energy statement to achieve a 41.9% reduction in carbon emissions where assessed against a Part L compliant scheme.
- 10.50. The application is accompanied by an assessment which tests the proposed building's performance against BREEAM standards. When assessed against the appropriate criteria the building is forecast to achieve BREEAM excellent standard.
- 10.51. Accounting for the above, the proposals are considered to comply with Policy RE1 of the Oxford Local Plan.

Impact on neighbouring amenity

- 10.52. Policy H14 of the Oxford Local Plan states that planning permission will only be granted for new development that provides reasonable privacy, daylight, and sunlight for occupants of both existing and new homes. Planning permission will also not be granted for any development that has an overbearing effect on existing homes. A Daylight and Sunlight Report has been submitted alongside the planning application to assess the impact of the development on natural light to the internal and external amenity areas of surrounding properties. Policy RE7 of the Oxford Local Plan similarly affords protection to the amenity of surrounding uses, including non-residential uses.
- 10.53. The nearest residential dwellings are located to the north west of the application site and consists of a row of 6 dwellings known as Minchery Farm cottages. There would be a separation distance of approximately 77 metres at the closest point between the front elevation of the proposed building and the frontage of these properties. In terms of overlooking, it is considered that this is a substantial distance and therefore the proposals would not result in an unacceptable loss of privacy, even accounting for the height of the proposed building. Similarly, accounting for this relative separation distance, officers consider that the scale of the building would not be overbearing where assessed in relation to these properties.
- 10.54. A Daylight and Sunlight Assessment has been prepared, which assesses the impact of the scale of the development on the natural light enjoyed by the occupiers of these properties. This is assessed against the three relevant BRE tests. The result of the assessment suggests the impact of the development on daylight and sunlight to all facing front windows in the neighbouring properties would be very minor at most and where assessed against most of the BRE tests there was found to be no impact at all. There is also an assessment of the impact of the development on the light to amenity areas to the front of the houses, the assessment concludes that there would be no significant impact on these spaces, with all spaces retaining 100% of their existing sun on the ground on March 21. It is noted that the occupier of one of these properties (4 Minchery Farm Cottages) has raised concerns in relation to the impact of the building and overshadowing of the south west facing roof of the property and whether this would impact on the ability to install effective solar PV panels. It is understood that solar panels have not been installed on this property yet, however if the panels were to be installed, there is unlikely to be any significant loss of light to the roof of this property given

that the Daylight and Sunlight Assessment suggests that there would be no loss of sunlight to the front gardens of the houses.

- 10.55. Beyond Minchery Farm Cottages, the nearest residential dwellings are located at Denny Gardens (170 metres from the proposed building); Falcon Close (166 metres) and Minchery Road (176 metres). Accounting for the scale and siting of these dwellings in relation to the proposed building, it is considered that the development would have a negligible impact on these properties by reason of scale, overlooking and loss of light.
- 10.56. The impact of noise, particularly from plant equipment has been assessed within a Noise Impact Assessment prepared by the applicants, this includes an assessment of the impact on Minchery Farm Cottages and the adjacent Hampton by Hilton Hotel. In relation to both receptors the Noise Assessment concludes that noise levels from plant would not be intrusive when assessed against background noise levels. This would be subject to conditions requiring that the external noise levels emitted from plant shall not exceed the existing background level at any noise sensitive premises and that plant installation and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated. Subject to these measures, it is considered that the development would comply with Policy RE9 of the Oxford Local Plan.
- 10.57. The overflow car parking to the north of the proposed building falls under the site allocation for the Kassam Stadium. Policy SP14 of the Oxford Local Plan sets out the specific policy relevant to the Kassam Stadium and surrounding land. The policy allows for residential-led development and public open space on the Kassam Stadium sites, in addition to commercial leisure, education and small-scale local shops ancillary to the stadium complex. The site policy refers to Site A, which includes the Kassam Stadium and immediately surrounding car parking and Site B, which refers to the overflow car park to the north and north east of the application site.
- 10.58. As the site is allocated for uses other than car parking, it is important to consider whether the development would impact on the potential to deliver the aims of Policy SP14 of the Oxford Local Plan. The site policy highlights that the site has the capacity to deliver a minimum of 150 homes. The site allocation covers an extensive area of land, much of which would be unaffected or minimally affected by the proposed development in amenity terms. Site B has the potential to provide housing, however there are no sufficiently advanced plans for any development on this site or Site A at the current time. There is approximately 25 metres separation between the nearest edge of Site B and the front elevation of the proposed building, of which there is intervening tree screening.
- 10.59. It is pertinent to consider that most of the land immediately to the north of the building falls within Flood Zones 2 and 3 (predominantly flood zone 3), which would limit the potential of this part of the site to accommodate residential use. The site is similarly allocated within the Council's Emerging Local Plan to deliver a minimum of 77 homes. Emerging Policy SP3 notes that the far southwestern part of the site is at higher risk of flooding, and an assumption has been made that built development will not take place on this part of the site. Furthermore, there would be environmental sensitivities, which would restrict development from taking place

within 10 metres of Littlemore Brook, which is acknowledged in Policy SP14 of the Oxford Local Plan. This would mean that any housing is likely to be set back further into the site, if there were to be any development at all within the south west parcel of the site. For these reasons officers consider that the siting of the building would not prejudice future development of this land by reason of creating unacceptable living conditions for future occupiers. Any issues of overlooking and overshadowing could be appropriately overcome and as noted in the above, noise would be controlled through the imposition of appropriate conditions.

Transport

- 10.60. 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.
- 10.61. Policy M3 of the Oxford Local Plan outlines that parking requirements for non-residential uses will be determined in line with a submitted Transport Assessment or Travel Plan, which must take into account the need to promote and achieve a shift towards more sustainable modes of travel. The presumption will be that vehicle parking will be kept to the minimum necessary to ensure successful functioning of the development.
- 10.62. The nearest bus stops to the site are located approximately 400 metres to the south east at the Kassam Stadium. This bus stop is served by the 3A bus service to the City Centre and Cowley, this service operates every 30 minutes in both directions. Whilst the service is not irregular and operates until relatively late at night, the service would not be classed as 'frequent' as defined within the Oxford Local Plan. The service currently covers only a limited area of the city and does not serve any outlying towns. The nearest bus stops served by frequent services are located at Pegasus Road in Blackbird Leys, which is over 700 metres from the site, this is using walking routes that are poorly lit with inadequate surveillance. Given the location of the site, it is accepted that there would be a need to provide dedicated parking for use by occupiers of the building.
- 10.63. 1838 car parking spaces are currently provided to serve the Kassam Stadium and surrounding leisure facilities. 1125 of these spaces are located around the stadium, with a further 713 spaces are provided within the overflow car park to the north of the application site. These parking spaces served the former bingo hall on the application site.
- 10.64. The proposed building would occupy a floor area of 10,929sqm GIA and based on the proposed use, it is expected that 438 staff would be working from the building. No net additional car parking is proposed, moreover it is proposed that existing car parking serving the Kassam Stadium and Ozone Leisure Park would be allocated to serve the new building. The applicant's Transport Statement indicates that 80% of staff would be on site at a given time equating to 350 members of staff on a typical day. The applicants have targeted a modal share of 46% parking spaces for all staff equating, which would equate to the provision of 161 parking spaces. This modal share has been based on recent planning proposals at the Oxford Science Park, namely Plots 27 and 23-26.

- 10.65. Policy M3 of the Local Plan 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 and the Council will seek a reduction where there is good accessibility to a range of facilities. The proposals involve redevelopment of an existing site and as the proposals do not include the provision of an additional parking, the quantum of parking would comply with Policy M3 of the Oxford Local Plan. Aside from match days, the overflow car parking is rarely used and is particularly underused during the daytime hours in the working week, when the proposed building would primarily be in use. Demand for parking is only likely to be great when midweek football matches at the stadium take place, where there may be some overlap between staff leaving and supporters arriving.
- 10.66. As the applicants have based parking on a modal share of 46% of staff travelling to work, a car park management plan will be required to ensure that staff are not using the wider stadium parking which would undermine the target to limit travel to work by private car. Similarly, this is required to prevent unauthorised non-staff parking within the allocated staff spaces. The applicants have indicated that a management system or ANPR system would be implemented whereby a log would be created of staff number plates who are permitted to park on site. The future operator would issue permits to staff, limiting permits so that the proposed 161 spaces is complied with, whilst also considering visitor demand. It is however necessary that management measures are set out in greater detail and officers would require that a car park management plan is secured through the accompanying Section 106 agreement.
- 10.67. In terms of vehicle movements, it is anticipated that the proposed development would result in a significant increase in vehicle movements during the weekly AM and PM peak hours, compared with the former bingo hall, which would have been closed during the AM peak. The applicant's Transport Assessment indicates that the proposed use based on a 46% modal share of staff travelling to work by car would result in a total of 142 movements during the AM peak and 128 vehicle movements during the PM peak, with an overall number of 463 two way trips on average per day. The Transport Statement highlights that the development could generate an additional 388 vehicle movements per day compared with the existing bingo hall, this would be most pronounced during the AM and PM peaks. There would be an expected reduction at weekends of around 238 trips compared with the existing bingo hall use, as the proposed building would not be operational at this time, compared with the bingo hall which operated at weekends. Within their consultation response, the County Council have advised that they do not consider the development to generate significant vehicular movements such that the surrounding road network would fail to cope with the increase in traffic during AM and PM peak hours. This is based on the proposed parking provision and to ensure that achieving a low modal share of journeys is feasible, improvements will also be needed to public transport provision within the area.
- 10.68. Policy M1 of the Oxford Local Plan states that in order to safeguard and promote the provision of public transport in Oxford development that will add to demands on public transport should contribute towards improvements to bus network infrastructure. The policy also states that financial contributions fairly and reasonably related to the development will be sought towards the cost of new or improved bus services where the direct impact of development would make such

measures necessary. Specifically, the policy outlines the importance of promoting bus/rapid transit access to and between major employers, hospitals, schools and colleges in the Eastern Arc (including the Headington and Marston area), Wolvercote/Cuttleslowe and Cowley and Littlemore.

- 10.69. A financial contribution of £257,079 is sought towards the delivery of the Eastern Arc bus service, which would enhance the frequency of accessible services within a reasonable distance of the site. The Eastern Arc service would provide a new direct link between the site, Cowley, Headington and North Oxford, therefore significantly improving the attractiveness for employees commuting within this range to use public transport. It is estimated that a significant number of employees would be working within the new building, who would typically be travelling to work during peak hours. Given the poor quality of the existing public transport offer serving the site and the need to encourage a modal shift away from private car use in accordance with Policy M1 of the Local Plan, the requested financial contribution is considered reasonable and justified. Similar contributions towards the delivery of the Eastern Arc bus service have been sought on other major employment developments within the area including at the Oxford Science Park and Oxford Business Park.
- 10.70. A financial contribution of £193,509 is sought towards the delivery of the Cowley Branch Line. The proposed Cowley Branch Line station would be approximately 100m from the site and 2 trains an hour would operate from the station at first, increasing to 3 an hour and will connect the site to the wider rail network, which in turn will open public transport access to the site up to a larger number of potential staff, including staff within the wider Oxfordshire area and beyond that would not otherwise benefit from direct bus access to the site, even with the delivery of the Eastern Arc bus service. The contribution is considered necessary and is directly relevant as this will assist in the delivery of public transport improvements which would significantly enhance the sustainability of the site, reducing dependence on private means of transport, consistent with Policy M1 of the Oxford Local Plan.
- 10.71. A reduction in the number of parking spaces allocated for the building would be sought, should the Cowley Branch Line be delivered, as this would significantly improve public transport accessibility to the site, further reducing the need for staff to travel to site by private car. A reduction in the number of spaces from a ratio of 46% of staff (161 spaces) to 35% of staff (121 spaces) should be sought within 3 months of the Cowley Branch Line being operational at 2 passenger trains per hour during peak times. A similar reduction in parking has been sought on sites at the Oxford Science Park and the Oxford Business Park and is considered reasonable and necessary, given the need to achieve a modal shift towards more sustainable modes of travel in line with Policy M1 of the Oxford Local Plan. This would need to be secured through an accompanying Section 106 agreement.
- 10.72. Where a proposal is for the expansion of an existing operation on an existing large site, a comprehensive travel plan should be submitted that looks at the development in the context of the whole site and demonstrates that opportunities will be sought to enhance and promote more sustainable travel to and from the wider site. The Travel Plan will be kept under review to ensure that future opportunities to encourage a shift towards sustainable modes of travel are taken.

- 10.73. As noted in the above sections of this report, the proposed parking falls within land allocated under Policy SP14 of the current Oxford Local Plan as well as Policy SP3 of the emerging Local Plan. There is also future potential for other sections of the stadium site to be redeveloped in the near- or long-term future, whilst the emerging Local Plan indicates that other parcels of the Ozone site may also be suitable for redevelopment. The provision of the parking for the building should not compromise the ability to redevelop the land to the north of the site in line with the site allocation policy. Equally, notwithstanding the proposed enhancements to public transport within the area, a quantity of car parking is still likely to be required to serve the building. To ensure that a necessary quantity of car parking is re-provided within the site to serve the building and to allow for comprehensive development on the wider Kassam Stadium site in line with the site policy, a clause should be added to the Section 106 agreement requiring that a maximum of 161 or 122 spaces shall be retained for use by occupiers of the development. The lower figure being in the event that the Cowley Branch Line is operational at 2 passenger trains per hour during peak times. There is existing parking on the site elsewhere that could be repurposed for use by the occupiers of the development, or alternatively this may be provided elsewhere as part of a more comprehensive development of the wider site. An extensive area of surrounding land is under the applicant's ownership, therefore re-provision/allocation of parking within the wider site would be realistic and reasonable.
- 10.74. Policy M4 of the Oxford Local Plan requires that 25% of parking spaces should be fitted with electric vehicle charging points. The applicants have outlined that a total of 40 parking spaces would be fitted with EV charging points, These would be provided in the area to the north of the Littlemore Brook. This would comply with the minimum requirements of Policy M4.
- 10.75. A Framework Travel Plan has been prepared and submitted alongside the planning application. This will need to be updated to a full travel plan prior to the first occupation of the development. The updated travel plan will need to provide baseline travel information, modal shift targets, a detailed action plan with a timeline and responsible person and budget for the delivery of these targets.
- 10.76. The proposals would enhance connectivity for cyclists and pedestrians. Currently there is access to the north of the bingo hall linking the Kassam Stadium with Minchery Lane and Littlemore, however the legibility and the public realm is of a poor standard. The proposals would provide a pedestrian and cycle route to the north of the building, benefitting from new surfacing and lighting. Currently there is panel fencing along the western boundary of the site preventing access from Minchery Lane along the southern side of the brook, this would be removed. The removal of the fence and provision of the new access path and public realm would improve the legibility and quality of access across the site, whilst improving the standard of public realm in Minchery Road in terms of safety and overall attractiveness.
- 10.77. Policy M5 of the Oxford Local Plan outlines minimum requirements relating to the provision of cycle parking in all new developments. The proposals include the provision of 88 cycle parking spaces based on a total of 438 staff, which exceeds the minimum standards outlined under Policy M5 (1 space per 5 staff). The proposals also include the provision of 4 showers, this aligns with the requirement

under Policy M5 to provide 1 shower per 500m² up to 1,000m² and 1 shower per 4,000m² thereafter.

Ecology

10.78. 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. The Littlemore Brook and Northfield Brook Oxford City Wildlife Site (OCWS) is included within the boundary of the development site.

10.79. On sites of local importance for wildlife, including Local Wildlife Sites, Local Geological Sites and Oxford City Wildlife Sites (OCWS), on sites that have a biodiversity network function, and where there are species and habitats of importance for biodiversity that do not meet criteria for individual protection, development will only be permitted in exceptional circumstances whereby:

- 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;
- b) adequate onsite mitigation measures to achieve a net gain of biodiversity are proposed; and
- c) where this is shown not to be feasible then compensation measures will be required, secured by a planning obligation.

10.80. The majority of the development site contains buildings and artificial surfaces which are of very low ecological value, therefore the key consideration would be the impact of the development on the adjacent Littlemore and Northfield Brook OCWS.

10.81. The applicant has provided a Preliminary Ecological Appraisal (PEA) in support of the planning application, which provides a thorough assessment of the potential constraints. A finalised Ecological Impact Assessment (EIA) will be required that identifies, quantifies, and evaluates the potential effects of the proposed development on habitats, species and ecosystems. This will need to specify clear measures taken to avoid and mitigate negative impacts arising from the proposed development and identify specific measures that would be adopted to compensate for any residual effects.

10.82. As Minchery Farm OCWS is in close proximity to the site, a buffer zone would need to be established during construction to avoid negative impacts on the wildlife site. A Construction Ecological Management Plan (CEMP) would be required in line with the recommendations set out within the applicant's ecology assessment.

10.83. The Environment Agency within their initial consultation response and two subsequent consultation responses requested provision of a minimum 10 metre wide buffer zone alongside the river, measured from the top of the bank (as opposed to being measured from the watercourse). The EA advised that providing a 10 metre buffer zone is best practice from an ecological perspective as this assists in providing river corridors for wildlife. Officers would note that providing a buffer zone which is specifically 10 metres wide to all watercourses is not a policy requirement under Policy G2 of the Local Plan, nor the NPPF or NPPG. Site Policy SP14, which relates to the Kassam Stadium sites includes a requirement to 'retain'

but not 'provide' a 10 metre buffer to the Littlemore Brook. The wording therefore does not require an applicant to provide a 10 metre buffer to a watercourse, where there is existing development already falling within a 10 metre distance of the watercourse. The Local Plan reference to retention of a 10 metre buffer also does not specify whether the measurement is to be applied in relation to the side of river or the top of the bank, notwithstanding the EA's request that the measurement be taken from the top of the bank. It should also be noted that the land south of the Littlemore Brook, including the Ozone site is not included within the site allocation for the Kassam Stadium sites under Policy SP14 in the existing Local Plan. There is a more general requirement to take opportunities to protect and enhance the watercourse on or adjacent the site.

- 10.84. The proposals as originally submitted included the provision of hard landscaping to the north of the proposed building, comprising of paving and benches which fell within 10 metres of the Brook, measured from where the bank meets the existing watercourse. Overall, the area covered by the hard landscaping which would lie within 10 metres of the Brook, as initially proposed equated to 134sqm. Presently there is an impermeable tarmac access road located to the north of the bingo hall building, of which 196sqm of the road lies within 10 metres of the brook. Notwithstanding that there is not a policy requiring provision of a 10 metre buffer, where no such provision presently exists, the applicant has made amendments to the proposed plans to provide a 10 metre buffer measured from where the brook meets the bankside that is free of hard landscaping. This would equate to a 196sqm reduction in hard landscaping within this 10 metre buffer. From a biodiversity and flood risk perspective this would equate to considerable betterment compared with the present situation.
- 10.85. In line with the requirements set out under Policy G2 of the Oxford Local Plan, it would be required that a 5% net gain in biodiversity is achieved. A biodiversity net gain plan has been provided in support of the application. The net gain strategy includes native scrub planting between the building service yard and the adjacent Hampton by Hilton Hotel and SuDS planting, consisting of damp-tolerant species between the landscaping to the north of the proposed building and Littlemore Brook. Other contributors include modified grassland, sedum green roofs and urban trees. Additional tree planting in the south of the Site would generate 0.15 hedgerow units. Enhancements to the banksides of Northfields Brook are proposed with improved management and the addition of log piles.
- 10.86. It is indicated that the enhancement measures would lead to a net gain of 15.72% in habitat units, 24.92% in hedgerow units and 9.6% in river units. This would significantly exceed the minimum 5% net gain requirement set out under Policy G2 of the Oxford Local Plan. A Landscape and Ecological Management Plan would be required, this would be secured by planning condition.
- 10.87. The submitted Preliminary Ecological Appraisal identifies the site as having negligible potential to support roosting bats due to the absence of potential bat roost features. It is identified that there is a high likelihood that the brook and adjacent riparian habitat would support commuting bats. A lighting design strategy for biodiversity will be required by planning condition, which will outline measures to limit internal and external lighting within the corridor area used by commuting bats.

10.88. Overall, the proposals would deliver significant on-site enhancement from a biodiversity perspective and the proposals are considered to comply with Policy G2 of the Oxford Local Plan.

Trees

10.89. Policy G7 of the Oxford Local Plan specifies that planning permission will not be granted for development proposals which include the removal of trees, hedgerows and other valuable landscape features that form part of a development site, where this would have a significant adverse impact upon public amenity or ecological interest.

10.90. An Arboricultural Impact Assessment (AIA) has been prepared in support of the planning application which identifies a total of 48 trees within the site area, 10 of which are in Category B, 34 in Category C and 4 in Category U. There would be the loss of one small oak tree (Category C) which would be required to enable the construction of the proposed cycle store building.

10.91. There would be some limited encroachment into the RPA of four trees, of which pruning work would also be required to three of these trees to enable the installation of hard landscaping and seating. The AIA suggests that there would be no lasting damage to the trees as a result of the work and officers concur with this assessment.

10.92. The proposed landscaping scheme includes significant additional tree planting, which would increase the canopy cover across the site, compared with the loss of the single oak tree and limited pruning required.

10.93. The proposals would therefore comply with Policy G7 of the Oxford Local Plan.

Flooding

10.94. Policy RE3 of the Oxford Local Plan requires new development to be located in areas of low flood risk (Flood Zone 1). In considering proposals elsewhere, the sequential and exceptional tests will be applied. Applications on sites within Flood Zones 2, 3 and on sites larger than 1ha in Flood Zone 1 must be accompanied by a Flood Risk Assessment (FRA).

10.95. 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.

10.96. There is an existing 500m³ surface water attenuation tank serving the Ozone Leisure Complex, of which 130m³ of the volume of the tank serves the application site. It is proposed that a new 250m³ tank would be provided below the proposed access road to the service yard, which would serve the roof, access road and service yard and connect into the 500m³ tank via flow control. Due to level difference the hard landscaping to the north and west of the proposed building would not be able to connect into this tank and would discharge into the existing tank. The attenuation tanks currently discharge via a pump into the Littlemore Brook.

- 10.97. The majority of the development site (approximately 80%) falls within flood zone 1 and is at low risk of flooding, this includes the footprint of the proposed building and cycle parking structure. Areas of the site, including landscaped spaces to the north of the building and approximately half of the area of car parking to the north west of the site falls within Flood Zones 2 and 3. The proposals to landscape the area to the north of the building, would not significantly worsen the flood risk, as at the current time this consists mainly of a tarmac surfaced access road. Aside from the addition of electric vehicle charging points, the car park to the north west would not be altered.
- 10.98. The surface water drainage strategy has been reviewed by Oxfordshire County Council as Lead Local Flood Authority who have considered this to be acceptable in terms of the measures proposed to manage surface water drainage, officers concur that the proposals make appropriate provision for the management of surface water drainage.
- 10.99. The applicant has submitted further information in relation to the EA's request that the applicant evidence that the proposed building lies out of the 1% Annual Exceedance Probability (AEP) for flood risk plus appropriate allowance for climate change. This includes the submission of a detailed topographical survey for the proposed works and the applicant has submitted further information in response to this request. A formal response from the Environment Agency is expected prior to the committee meeting, however, should a response not be forthcoming ahead of the meeting, delegated authority is sought to resolve any outstanding objections or concerns that the EA have in relation to the submitted plans.
- 10.100. It is proposed that foul drainage would discharge into the existing Thames Water sewer. Thames Water have advised that a condition will be required to ensure that confirmation has been provided that 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 prior to first occupation of the building.
- 10.101. Officers consider that the proposals would comply with Policies RE3 and RE4 of the Oxford Local Plan.

Land Quality

- 10.102. The former uses of the land include use for leisure activities and prior to that the land was part of a former sewage works where sewage sludge spreading occurred. Although the site and surrounding area were investigated and remediated during the original re-development to the current Ozone Leisure Park in the early 2000's, residual ground contamination risks are likely to be present in made ground at the site.
- 10.103. The submitted Phase 1 ground investigation report has confirmed that ground contamination risks are potentially present at a low to moderate risk level which merits further investigation. It is therefore considered that an intrusive site investigation of the site is necessary to quantify potential contamination risks to groundwater, construction workers and future end-users.

10.104. The submitted Phase 1 Environmental Site Assessment provides an appropriate assessment of risk resulting from prior contamination, however a Phase 2 comprehensive intrusive investigation will be required to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals, alongside a Phase 3 remediation strategy to ensure the site will be suitable for its proposed use. The phase 2 and 3 assessments will be required by planning condition. Subject to the submission of appropriate phase 2 and 3 reports, the proposals would be acceptable when assessed against Policy RE9 of the Oxford Local Plan.

Air Quality

10.105. Policy RE6 of the Oxford Local Plan states that planning permission will only be granted where the impact of new development on air quality is mitigated and where exposure to poor air quality is minimised or reduced. The planning application is accompanied by an Air Quality Assessment (AQA).

10.106. The air quality baseline desk assessment shows that current air quality levels at the application site are below relevant air quality objectives for NO₂, PM₁₀ and PM_{2.5} concentrations. Therefore, the location of the application site is considered suitable for its proposed use.

10.107. The proposed development will be all-electric and not rely on the use of combustion sources as a primary energy supply.

10.108. According to the site's air quality and transport assessments, the proposed development proposed development will lead up to 1,459 fewer vehicle trips compared with the existing use. Atmospheric dispersion modelling was undertaken to determine the impacts of traffic generated when the proposed development proposed development is fully operational. Analysis of modelling results show that the proposed development proposed development is expected to have a negligible impact on air quality and that NO₂, PM₁₀ and PM_{2.5} concentrations are expected to meet long and short term NAQOs in 2028 at all modelled sensitive receptors when the proposed development is operational. The provision of electric charging infrastructure to cover at least 40 spaces (25% of the allocated parking) would be required by condition to accord with Policy M4 of the Oxford Local Plan.

10.109. The impacts of demolition and construction work on dust soiling and ambient fine particulate matter concentrations have been assessed on the AQA, which identified that there is a medium risk of dust impacts, due to the proximity of existing receptors to the proposed development. The risk of dust causing a loss of local amenity and increased exposure to PM₁₀ concentrations has been used to identify appropriate dust mitigation measures. Provided these measures are implemented and included within a dust management plan, the residual impacts are considered to not be significant.

10.110. Laboratories will be fitted with fume cupboards, some of which will be recirculatory with HEPA filtration. A number will be ducted to roof level, connected to a header system, and discharged at high velocity to atmosphere via a proprietary fan and flu arrangement. This will ensure that any odours or

contaminants are adequately removed from the building and dispersed outside. Due to the likely intermittent use of the fume cupboards and the location of extract flues on the building it is concluded that laboratory emissions will be adequately dispersed and are unlikely to have a significant effect on local air quality.

10.111. Overall, it is considered that the development would comply with the aims of Policy RE6 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.

11.4. The provision of a building falling under a Class E (g) life science use would be acceptable on this site in line with Policy AOC7 of the Oxford Local Plan and Paragraphs 85 and 87 of the NPPF. The scope of existing planning permissions applicable to the building already allow for the loss of the existing community use of the site as a bingo hall and would allow the building to be reused for a life science use and there are clear design benefits to redeveloping the site, compared with retaining and converting the existing building. Whilst the proposals must be considered as a departure from Policy V7 of the Oxford Local Plan, the significant economic benefits of providing the new purpose-built life sciences space, design benefits from redeveloping the site and fallback position established under the existing permissions on the site, would represent significant material grounds to justify departure from Policy V7 of the Oxford Local Plan.

11.5. Officers consider that the design of the proposed building is of a high standard and is contextually appropriate accounting for the character and context of the area. The proposals would enhance the public realm along Minchery Lane, accounting for the proposed landscaping improvements, removal of the existing boundary fencing, provision of new public realm and active ground floor frontages. The scale and height, whilst greater than the existing building, are considered appropriate, when considering the visual impact of the development in localised

and longer-range views. Officers also consider that the scale and siting of the development would not have any significant negative impacts with regards to the amenity of any surrounding residential properties.

- 11.6. The scale and siting of the building would impact on the setting and significance of the Grade II* listed Priory, which would exacerbate the harm caused to the Grade II* listed building by the other very large buildings that have been built on the formerly open and rural land surrounding the designated heritage asset. Consequently, officers consider that the development would result in less than substantial harm to the setting and significance of this designated heritage asset. With regard to the setting of the Central (City & University) Conservation Area, it is considered that the proposal would result in a low level of less than substantial harm, as it would introduce further tall built form into the city's characteristically low-rise suburbs. In both instances, officers consider that there is clear and convincing justification for this level of harm in line with Paragraph 208 of the NPPF. There are public benefits from the development, in particular the economic benefits of providing additional high quality purpose-built laboratory space to address demand for the provision of this space within the city. As such it is considered that the development accords with Policies DH1 and 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 Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 11.7. No net increase in parking provision is proposed within the application, with allocated parking based on a modal share of 46% of staff. Given the presence of surrounding parking there would be a requirement for the developer to set out measures to manage parking across the wider Kassam Stadium site. Planning obligations will also be required to outline a strategy for the future relocation of the parking, accounting for the site's allocation in the Local Plan and to reduce the extent of parking once the Cowley Branch Line becomes operational. To improve the site's wider sustainability and accessibility by public transport, financial contributions would be sought towards delivery of the Cowley Branch Line and towards the Eastern Arc bus service, totalling £450,588. The development would enhance existing cycle and pedestrian connectivity through the site, whilst an acceptable quantum of cycle parking would be provided to serve the development. The proposals are therefore considered to comply with Policies M1, M2, M3, M4 and M5 of the Oxford Local Plan.
- 11.8. The proposals are considered to not adversely impact on ecology and provisions have been set out within the application to exceed 5% biodiversity net gain in accordance with Policy G2 of the Oxford Local Plan.
- 11.9. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Planning and Regulatory Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers and subject also to the conditions set out in section 12 below.

12. CONDITIONS

Time Limit

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

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

Approved Plans

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

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

Material Samples

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

Phased Risk Assessment

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

A Phase 1 (desk study and preliminary risk assessment) has been completed and approved.

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

Phase 3 requires that a remediation strategy, validation plan, and/or monitoring plan be submitted to and approved in writing by the Local Planning Authority to ensure the site will be suitable for its proposed use.

Reason: To ensure that any ground and water contamination is identified and

adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy RE9 of the Oxford Local Plan 2016 - 2036.

Remedial Measures

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

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

Contamination – Watching Brief

6. Throughout the course of the development, a watching brief for the identification of unexpected contamination shall be undertaken. Any unexpected contamination that is found during the course of construction of the approved development shall be reported immediately to the Local Planning Authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority.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.

Dust Mitigation

7. No development shall take place until the complete list of site-specific dust mitigation measures and recommendations that are identified on Table 8-1(pages 30to 32) of the Air Quality Assessment that was submitted with this application (AQAUnit 1, Ozone Leisure Park, from Ramboll, May 2023), are included in the site's Construction Environmental Management Plan (CEMP). The Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The construction phase of the development shall be carried out in accordance with the approved CEMP.

Reason: To ensure that the overall dust impacts during the construction phase of the proposed development will remain as “not significant”, in accordance with the results of the dust assessment, and with Core Policy RE6 of the new Oxford Local Plan 2016- 2036.

Electric Vehicle Charging

8. 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 and specification of EV charging points;
 - The amount of electric car charging points should cover at least 25% of the amount of permitted non allocated parking (40 spaces);

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

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

Travel Plan

9. Prior to the first occupation of this site the framework travel plan shall be updated to a full travel plan and shall be submitted to the Local Planning Authority for approval in writing. The development shall not be occupied until the full travel plan has been approved in writing and the development shall be operated/occupied in accordance with the approved plan.

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

Cycle Parking

10. Before the first 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

CTMP

11. A Construction Traffic Management Plan (CTMP) shall be submitted to and be approved in writing by the Local Planning Authority prior to commencement of works. This shall identify:-

- The CTMP must be appropriately titled, include the site and planning permission number.

- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
- The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc.
- Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. 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 full accordance with the approved CTMP unless otherwise agreed in writing by the Local Planning Authority.

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

Piling Method Statement

12. 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.

Water Network Upgrades

13. No part of the development shall be occupied until written confirmation has been provided to the Local Planning Authority 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 development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

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.

Energy Statement Compliance

14. The development shall be carried out in full accordance with the recommendations of the Energy and Sustainability Statement prepared by Ramboll dated May 2023 accompanying this planning application.

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

Archaeology – Demolition Methodology

15. No development shall take place until the applicant, or their agents or successors in title, has submitted a demolition methodology designed to facilitate controlled recording of archaeological remains and this has been approved in writing by the Local Planning Authority. All works shall be carried out and completed in accordance with the approved methodology, 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, Roman and medieval remains (Local Plan Policy DH4)

Archaeology – Programme of Recording

16. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological recording work in accordance with a written scheme of investigation which has been submitted to the Local Planning Authority by the applicant 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: 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, Roman and medieval remains (Local Plan Policy DH4).

Noise Mitigation – Plant

17. 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 the amenity of surrounding residential uses from excessive noise generation in accordance with Policies RE7 and RE8 of the Oxford Local Plan.

Noise Mitigation – Plant installation and Ducting

18. 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 the amenity of surrounding residential uses from excessive noise generation in accordance with Policies RE7 and RE8 of the Oxford Local Plan.

Secured by Design

19. Prior to commencement of development, an application shall be made for Secured by Design (SBD) 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 by the Local Planning Authority.

Reason: To ensure that the design of the development maximises public safety and reduces opportunities for crime in accordance with Policy DH1 of the Oxford Local Plan.

Underground Services – Tree Roots

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

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

Tree Protection Plan

21. The development shall be carried out in strict accordance with the tree protection measures contained within the approved planning application details, including as shown on drawing number 210-OZO-DRW-TRPP unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

Arboricultural Method Statement

22. The development shall be carried out in strict accordance with the approved methods of working and tree protection measures contained within the planning application details - Arboricultural Implications Assessment (Including AMS), unless otherwise agreed in writing beforehand by the Local Planning Authority. The Local Planning Authority shall be informed in writing when physical measures are in place, in order to allow Officers to make an inspection prior to the commencement of development.

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

Arboricultural Monitoring Programme

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

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

Drainage FRA and Drainage Strategy

24. The approved drainage system shall be implemented in accordance with the approved detailed drainage design as outlined in the following documents prior to the first occupation of the building:

- Flood Risk Assessment reference RUK2021N00725-RAM-RP-00008
Version: 3.0 dated 28th July 2023 including figures and appendices.
- Drainage Strategy planning report reference RUK2022N00491-RAM-RP-00008 / Version 1.1 dated May 2023.

Reason: To ensure the appropriate incorporation of measures to manage drainage and to prevent flooding in accordance with Policies RE3 and RE4 of the Oxford Local Plan.

Record of SuDS

25. Prior to first occupation of the development, 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 the appropriate incorporation of measures to manage drainage and to prevent flooding in accordance with Policies RE3 and RE4 of the Oxford Local Plan.

Ecology – Lighting Design Strategy

26. Prior to commencement of above ground works, 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 internal and 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; and

C) Ensure lighting levels do not exceed baseline levels within the Littlemore Brook or associated riparian corridor in the absence of any further detailed assessment as to the usage of the corridor by foraging and commuting bats, noting that a horizontal lux level of 8.8 at ground level prevails at the southern edge of the riparian corridor to the north of the building during the hours of operation of the existing lighting columns.

All internal and 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 accordance with the approved strategy. Under no circumstances shall any other external lighting be installed without prior written consent from the Local Planning Authority.

Reason: To prevent harm to species and habitats within and outside the site 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)

27. No development shall take place (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 and Ecological Management Plan (LEMP)

28. A landscape and ecological management plan (LEMP) 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 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 LEMP shall include 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports.

The approved LEMP shall be implemented following first occupation of the development.

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

29. Prior to commencement of the development, details of ecological enhancement measures including the bat boxes and bug hotels proposed in Section 7 of the report 'Ecological Impact Assessment' produced by MKA Ecology and dated 23rd August 2023 shall be submitted to and approved in writing by the Local Planning Authority, in addition to details of at least 20 swift bricks. Details must include the proposed specifications, locations, and arrangements for any required maintenance. The approved devices shall be fully constructed under the oversight of a suitably qualified ecologist prior to

occupation of the approved development. The approved devices shall be maintained and retained in perpetuity unless otherwise approved in writing by the Local Planning Authority.

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

13. APPENDICES

- **Appendix 1** – Site location plan
- **Appendix 2** – Oxford Design Review Panel Report

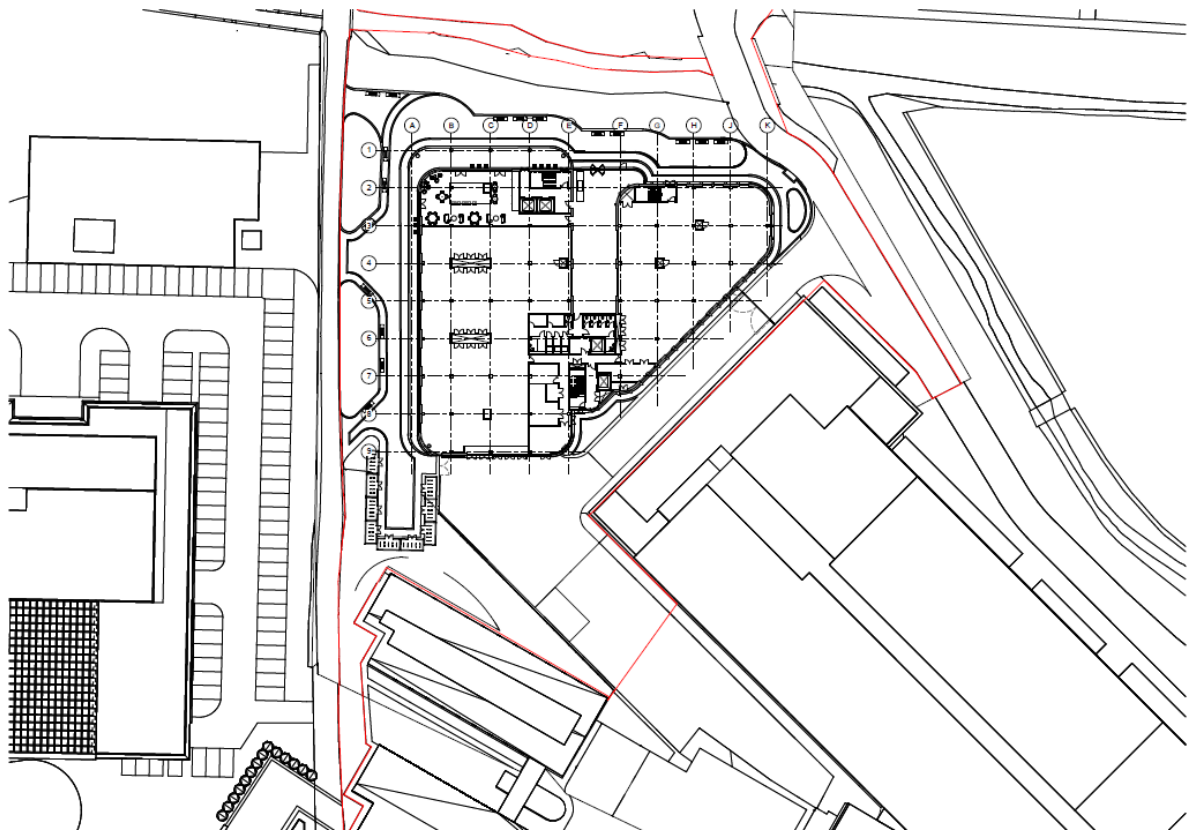
14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

Appendix 1 – Proposed Site Plan



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Report of the Oxford Design Review Panel

Unit One, Ozone
Leisure Park
(second review)

12 May 2023

Introduction

A design review was held online via Zoom on the 26th April 2023, preceded by presentations by the local authority and design team.

The proposal is to demolish the former Bingo Hall within the Ozone Leisure Park and redevelop the site to provide new life sciences accommodation.

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. The document closes with the details of the meeting (appendix A) and the scheme (appendix B).

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

Key recommendations from previous review (02/03/23)

1. Carry out further analysis of the historic environment, strategic landscape context, and local material palette to inform and drive a contextually responsive proposal that is of this place.
2. Draw a wider high-level concept plan that describes the emerging and possible context to demonstrate how the proposals will contribute to it.
3. Present a vision for how this development will fit this wider place and describe the role this building will play in setting the tone for the expansion of life sciences, beyond the Oxford Science Park.
4. Ensure that the architecture - including but not limited to form, orientation, façade design and materials - achieves a sustainable design that reflects best practice.
5. Design the building considering how it will be adapted, repaired and deconstructed in the long term.
6. Review the landscape character proposed and consider how the borrowed landscape character of Minchery Lane and Littlemore Brook can be brought into the proposals.
7. Reconsider the orientation of the building, the location of the entrance and the journey to the front door from Minchery Lane, particularly when using sustainable transport modes rather than driving.
8. Explore how Minchery Lane can be celebrated and enjoyed by users whilst retaining a semi-rural character. Reconsider the proposed hard landscape design to achieve somewhere that is more appropriate to the character of Minchery Lane.

Summary

Positive progress has been made on this scheme, informed by detailed analysis of its wider context. However, we are concerned that the commercial drivers of the project are overriding important placemaking principles which are vital for its success.

Further work is required to ensure that the design of both the building and landscape responds sensitively to the context, and that the scheme represents the best use of this important site.

We would welcome a further review of this scheme once the design team and council have had the opportunity to address the comments and recommendations set out in this report.

Key recommendations

1. Provide clear and robust evidence of what has informed the design approach to justify design decisions such as the building's height, scale, orientation, and entrance location.
2. Carry out a heritage impact assessment (HIA) of the draft proposal with particular regard to the former Priory. The findings of the assessment should inform the ongoing design of the building, ensuring that it is not detrimental to the character or setting of the Priory.
3. Conduct further research into the sustainable laboratory design and continue to explore how the building's sustainability might be optimised in terms of orientation, passive solar gain, and renewable energy systems.
4. Develop a more informal landscape design character that better responds to the underlying landscape signature of the area and enhances the biodiversity of the scheme.
5. Continue to develop the design of communal amenities such as the bike shelters and 'collaboration dens', balancing function with sustainability and aesthetic contribution to the setting of the new building.
6. Continue to develop the façade and fenestration design, informed by speculative building use, daylighting principles, and views out of the building.
7. Provide full details of the rooftop plant design, including chimneys. Minimise the quantum of visible plant required, rather than relying on screening.

Detailed comments and recommendations

1. Context and analysis

- 1.1. An objective assessment of the Grade II* listed Priory's historic significance must be carried out to demonstrate how this has informed the massing and design approach. This is important to alleviate any concerns over the height of the building, particularly in terms of its impact on the Priory. The recently provided rendered landscape visual impact assessment (LVIA) images may go some way to achieving this, but do not fulfil the role of a formal HIA.
- 1.2. We do not consider the proposal to be "landscape-led", as this implies that the design of the building has been driven by its location within the wider landscape setting. If being "landscape-led" is a key driver of the scheme, this must be much more strongly communicated through the project narrative.
- 1.3. Based on the further contextual analysis presented, we maintain our previous position that the building entrance should be relocated towards Minchery Lane, and that the building orientation could be improved. The design team should provide evidence of having tested alternative locations and orientations, as well as robust reasoning to justify their design decisions.
- 1.4. It would be helpful to see an extended ground floor plan that encompasses the adjacent proposed planning applications, to give both the council and design team a better understanding of how the proposal sits in its emerging context, as well as helping to inform design decisions.

2. Sustainable design

- 2.1. It is positive that the energy strategy has evolved from the previous review. However, some aspects remain generic – for example, references are made to office buildings, whereas the proposal primarily comprises laboratory space which will have significantly greater energy demand.
- 2.2. Due to its northerly orientation, the atrium, which is important for environmental control and circulation, is likely to be dark, cold, and receive little sunlight. Solar gain is a major driver for natural ventilation, which should be encouraged within the atrium, and has aesthetic and amenity value. Further work should be carried out to resolve these issues, however we do not recommend orientating the atrium towards the service yard.

- 2.3. A heavily serviced laboratory building is likely to have high unregulated electrical demand (potentially 50-60% of total energy consumption). If carbon neutrality is a target, the design team should be conscious that the building will be heavily dependent on renewable energy. We are encouraged by the intent to cover the roof area with photovoltaic (PV) panels and suggest that provision should be made for battery storage to extend the period during which the electricity produced is available.
- 2.4. We recommend further reading into sustainable laboratory design, for example: Passipedia article 'Passive House Laboratories'; the Smart Labs Toolkit; JLL's 'Life Sciences Sustainability Series: Embracing Sustainability'; Better Buildings' 'Reduce Laboratory Energy Use' toolkit; BDP article 'Achieving Net-Zero Labs'; and HOK's 'Pathway to Net Zero Carbon Labs'.
- 2.5. It is positive that an ecologist has been appointed. We encourage the design team to consider utilising a 'green' PV roof to optimise both its biodiversity and energy generating potential.
- 2.6. The applicant team claim a "conservative" approach to the credits they may achieve under the BREEAM assessment. However, we encourage targeting BREEAM 'Excellent' by a greater margin, to allow room for error in later stages.
- 2.7. The standing advice from Design South East is that at a subsequent design review and at planning application stage the proposal must produce a clear strategy that details how the development will minimise embodied, operational, and transport-related carbon emissions, and optimise the use of renewable energy to align with the Government's legal commitment to Net Zero Carbon by 2050. The proposal should demonstrate its compliance to a respected zero carbon pathway, for example as set out by the UKGBC Net Zero Whole Life Carbon Roadmap for the Built Environment. The sustainability strategy should be tied to measurable targets and detailed modelling work informed by respected calculation methods (as applicable), and also address water use, biodiversity net gain, waste reduction and circular economy principles alongside climate resilience and overheating.

3. Landscape design and public realm

- 3.1. We welcome the production of the wider indicative strategic landscape masterplan. This helps to situate the proposed building in its wider context and presents an opportunity to consider how blue and green infrastructure can create key connections between and within future developments.

- 3.2. We have concerns about the emerging character and identity of the public realm. Since the previous review, this has evolved from a linear structure to an equally formal grid layout, which still lacks a relationship to the building design or its context. We strongly recommend that a landscape architect is appointed to assist with the landscape design, drainage strategy, and ecological aspects of the scheme, which are all weak points of the current design.
- 3.3. Some aspects of the detailed landscape design have improved since the previous review – for example, a more open relationship has been made with Minchery Lane, which begins to create more permeability with the site and forges a stronger relationship with Plot 27 to the west. This work should be taken further by reworking the northern edge to better respond to the brook and pull elements of this green infrastructure into the site in a less formal manner.
- 3.4. More emphasis should be placed on responding to the brook and water meadow, which are strong landscape features, and/or the history of the Priory and Minchery Lane. This could help the design team to further demonstrate their appreciation of the context and to ground the setting of the building further using a design language derived from the underlying natural signature.
- 3.5. More work is required to better understand the biodiversity of the area and respond to this appropriately. This could include incorporating both native and non-native habitats, which would help with biodiversity net gain, should an assessment be required in the future.
- 3.6. Whilst the integration of SuDS elements within planted areas is a significant improvement to the landscape design, a stronger overall drainage strategy – incorporating further details on where water will infiltrate into the ground or flow back to the brook – would be beneficial.
- 3.7. The new location of the cycle stands is positive, but the layout appears cramped. Redistributing the shelters – so that users enter the site through a more celebratory ‘bike park’ – would integrate the cycle facilities better with the public realm.
- 3.8. We commend the sustainable design of the bicycle shelters (integrating green roofs and a bug hotel), however they appear “clunky” and unattractive; something more lightweight may be better. The team should continue exploring design options for these shelters and ensure they are drawn to the same level of detail as the main building, as precedent images alone are not sufficient to communicate their design.

- 3.9. The ‘collaboration dens’ are a peculiar addition to the public realm strategy. Further details should be provided to communicate how these will function for building users.
- 3.10. We do not recommend that Marshalls Perfecta paving slabs (as shown) are specified for the hard landscaping, as this product is carbon-heavy and is of low aesthetic quality. This product would not achieve a high-quality, sustainable finish in-keeping with the character of Minchery Lane. A light-coloured and locally sourced permeable resin-bound gravel would be a better option.

4. Architecture, materials, and detailing

- 4.1. The panel remains comfortable with the height and scale of the building, based on what was presented at the design review and subject to any refinements as informed by a HIA. However, before we can comment further, more detail is required on aspects of the rooftop plant design – such as extent of screening and the potential addition of 4- to 5-metre-high fume extraction chimneys.
- 4.2. Rather than relying on screening to hide the rooftop plant, we encourage the design team to take a more creative approach that both minimises the extent of plant required and consolidates it into what could potentially be an interesting design feature.
- 4.3. The updated plans show better use of the building’s internal corners. We encourage further testing of the window design at these points to ensure that a successful balance between reducing heat gain/loss, glare, daylighting, and views out is achieved.
- 4.4. Progress has been made on the façade design, although we encourage the design team to explore more creative construction methods than limestone cladding on a concrete frame. Further details – such as the colour of limestone specified – will be welcomed when they are available.

- 4.5. Paragraph 135 of the National Planning Policy Framework (2021) states: ‘Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).’ In order to be consistent with this national policy, the applicant team and local authority should note Design South East’s general guidance on material quality and detail. At planning application stage, the quality of the detailing should be demonstrated through large scale drawings at 1:20 and 1:5 of key elements of the building/landscape and should be accompanied by actual material samples which should be secured by condition as part of any planning approval.

Appendix A: Meeting details

Reference number	Ref: 1947/230426
Date	26 th April 2023
Meeting location	Online via Zoom
Panel members attending	Joanne Cave (Chair), urban design and planning Fenella Griffin, landscape architecture Paul Appleby, sustainability, energy, and environmental engineering Steven Bee, historic environment and urban design Stina Hokby, urban design and public realm (including street design)
Panel manager	Lizzie Atherton, Design South East
Presenting teams	Eddie Fell, Fairhursts Design Group Mark Adey, Fairhursts Design Group
Other attendees	Agata Maluchnik, Fairhursts Design Group Mia Deaville, Fairhursts Design Group Feroza Kassam, Firoka (Oxford Leisure) Ltd Firoz Kassam, Firoka (Oxford Leisure) Ltd Nilu Kanani, Firoka (Oxford Leisure) Ltd Raisa Kassam, Firoka (Oxford Leisure) Ltd Ashley Collins, JLL Matt Fitter, JLL Rachel Streeter, JLL Rob Lindberg, JLL Paul Lishman, LDA John Nisbet, Ramboll Natalie Aldrich, Savills Emma Winder, Oxford City Council Clare Golden, Oxford City Council James Newton, Oxford City Council Michael Kemp, Oxford City Council Nia George, Oxford City Council Helen Quinn, Design South East
Site visit	Panel members visited the site at a previous design review, held on the 2 nd March 2023.

Scope of the review	As an independent design review panel, the scope of this review was not restricted.
Panel interests	The panel did not indicate any conflicts of interest.
Confidentiality	This report is confidential as the scheme is not yet the subject of a planning application. Full details on our confidentiality policy can be found at the end of this report.

Appendix B: Scheme details

Name	Unit 1 Ozone Leisure Park
Site location	Unit 1, Ozone Leisure Park, Grenoble Road, Oxford, OX4 4XP
Site details	<p>Unit 1 is a purpose-built commercial unit. The unit forms part of the attached Ozone Leisure complex, The unit is vacant, having been formerly used as a bingo hall. A service yard is located to the rear of the building which serves the former bingo hall and all other buildings at the Ozone complex.</p> <p>The building lies to the north of the Hampton by Hilton Hotel, which lies between the site and Minchery Farmhouse, a Grade II* listed building and former site of the Littlemore Priory. The Oxford Science Park lies to the west beyond Minchery Lane (a public right of way), and this includes Plot 16, to the north-west of the site, which consists of a pair of large, interlinked employment buildings housing laboratory and R&D space. To the north is Littlemore Brook and (over a bridge is an overflow car park) to the east is the Kassam Stadium and surrounding car parking.</p> <p>The Ozone Leisure Park and the adjoining Kassam Stadium is served by extensive car parking areas to the north and east.</p>
Proposal	Proposal to redevelop the former bingo hall and construct a new building housing 13,764sqm of employment space falling under a research and development use. The proposals include the provision of surrounding hard and soft landscaping in the position of the existing service access road. A new servicing road would be provided

to the east of the building, between the new building and the retained Ozone buildings in the Ozone complex.

Planning stage	Pre-application
Local planning authority	Oxford City Council
Planning context	<p>The site is located within the ‘Cowley Branch Line Area of Change’ (Policy AOC7). The site is unallocated; however, it is included in the draft Local Plan 2040 together with the Kassam Stadium site for redevelopment. The draft allocation identified the potential for “redevelopment of the Ozone Leisure Complex within Use Class E”. To the west of the site lies the Oxford Science Park allocation (Policy SP9). To the north and east lies the Kassam Stadium site which is allocated under policy SP14 for residential-led development, with a minimum number of 150 homes.</p> <p>Land to the north of the site, including the Littlemore Brook, is designated as an Oxford City Wildlife Site. The Grade II* listed Minchery Farmhouse (also known as The Priory) is located to the south of the site, south of the Hampton by Hilton hotel.</p>
Planning history	<p>The Ozone Leisure Park was originally the subject of the outline planning permission (ref: 94/1754/NOY), which included the adjoining Kassam Stadium development. A variation was secured (ref: 03/01533/VAR) on 19 September 2003 to both permissions to secure mixed D2 (leisure) and A3 (food and drink) including 6 restaurants for the complex.</p> <p>After the building was completed, Unit 1 came to be occupied as a bingo hall – at the time a “Class D2 - Assembly and leisure” use. Changes at the national level to the Use Class Order, in September 2020 resulted in the bingo hall being reclassified as a sui generis use.</p> <p>To restore the now vacant property to active use, planning permission (ref: 21/02519/FUL) was granted to Class E (Commercial, Business and Service) use on 4 November 2021. Although the scope of the permitted Class E use was initially restricted to indoor sport and leisure use a variation of condition (ref: 22/00138/VAR) was secured</p>

on 12 May 2022 to broaden the scope of the permitted Class E use to includes Class E(b), (d), (e), (f), and (g) (i, ii or iii) uses.

Use as a life sciences facility is accepted in principle as this is within Class E(g) (iii).

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.

The North Kent Architecture Centre Limited

trading as Design South East

Admirals Office

The Historic Dockyard

Chatham, Kent

ME4 4TZ

T 01634 401166

E info@designsoutheast.org



Oxford City Planning Committee

Application number:	23/00516/FUL		
Decision due by	22nd June 2023		
Extension of time	N/A		
Proposal	Demolition of existing building. Erection of a three storey building to create a community hall (Use Class F2(b)) and 2 x 2 bed flats (Use Class C3). Provision of bin and bike store. (amended and additional information)		
Site address	The Annexe, Madina Mosque, 2 Stanley Road, Oxford – see Appendix 1 for site plan		
Ward	St Marys Ward		
Case officer	Robert Fowler		
Agent:	N/A	Applicant:	Mr Asad Mehmood
Reason at Committee	The application is before the committee as it has been called in by the Head of Planning Services		

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 demolition of the existing annex at the rear of the Madina Mosque in Stanley Road and the erection of a replacement three storey annex. The proposed building would form a built extension to the existing mosque and would provide a community hall at ground floor with 2 x 2 bedroom flats at first and second floors. The proposed building would be constructed using materials to match the existing building with a pitched roof.
- 2.2. The proposals are acceptable in principle as an expansion of an existing community building. The proposed additional housing on the site would also

be acceptable in principle having had regard to the quantity and quality of internal living environment and as a replacement of existing poor quality housing provided on the site.

- 2.3. Amendments have been sought to improve the design quality of the proposed building and reduce its impact on neighbouring residential occupiers. Officers consider that the proposed development would not harm the St Clements and Iffley Road Conservation Area. It is recommended that, subject to conditions, the proposed development would not have a materially harmful impact on neighbouring occupiers through a loss of light, privacy, outlook or noise.
- 2.4. The proposals seek to provide a relatively modest intensification of existing community uses on the site and housing where occupiers would not be entitled to car parking permits or on-site car parking (car free housing for the purposes of Policy M3 of the Oxford Local Plan (2036)). As a result of officer and local resident concerns additional information was sought relating to the transport impacts of the development and the submitted transport statement suggests that the majority of users of the community space would be travelling to the site on foot, bike or bus. Officers are satisfied that the proposed development would be compliant with transport policies and would not have a materially adverse impact on highway safety.
- 2.5. The proposed development would be acceptable in terms of its ecology impacts subject to compliance with the conditions recommended.
- 2.6. On the basis of the above, officers consider that the proposals are acceptable in planning terms and meet the specific requirements of Policies S1, V7, RE1, RE2, DH1, DH2, DH3, DH4, RE7, RE8, G2, M3 and M5 of the Oxford Local Plan (2036).

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for a CIL contribution £25867.06

5. SITE AND SURROUNDINGS

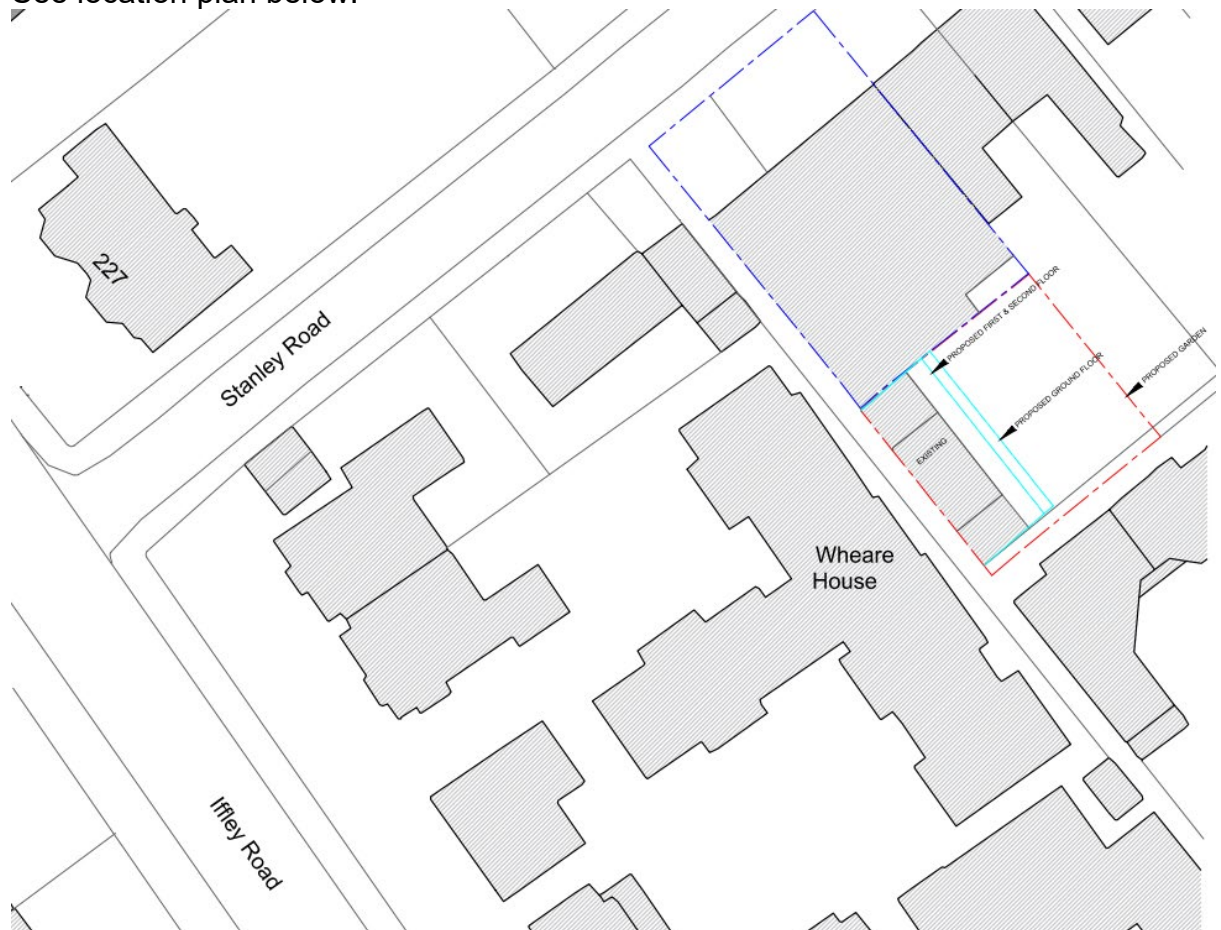
- 5.1. The Madina Mosque (at 2 Stanley Road) contains the existing main mosque building with some residential accommodation above; the building has been extensively altered and extended since the site was first used as a mosque in the 1980s. Stanley Road is characterised by residential properties, typically semi-detached or detached, with some properties having been converted into flats. The houses in Stanley Road have front gardens with some mature vegetation and some areas used for parking. There is on-street parking on both sides of Stanley Road. To the south of the site are residential properties in Magdalen Road as well as some commercial and retail buildings. To the immediate south of the site are a block of flats forming 61

Magdalen Road. To the west of the site lies student accommodation in the ownership of Exeter College called Exeter House (235 Iffley Road).

- 5.2. The Mosque site lies within the St Clements and Iffley Road Conservation Area. The Conservation Area covers both St Clements and Iffley Road as the former main coaching routes to London (via Stokenchurch and Henley-on-Thames respectively) and draws its significance from the architectural and historic interest of the townscape. The Conservation Area also covers some of the adjoining residential roads that reflect a similar high quality of architecture. There are no listed buildings within the vicinity of the site.
- 5.3. The Mosque itself is constructed from a mixture of bricks, including buff bricks with red brick detailing. The front of the building addressing Stanley Road has a pitched roof with slate tiles and a prominent entranceway (an *iwan*); there are relatively subtle architectural details that indicate the building's use as a mosque. To the rear of the site the Mosque has been extended with a deep plan flat roof extension; though this is not widely perceived or visible in the public realm (including in Stanley Road or Magdalen Road, it is not visible even from the alley passing between the aforementioned roads because of the narrow nature of that alley and a parapet wall). There is a large external staircase that provides access to the upper floors of the mosque; whilst this is not visible in the public realm it is a prominent feature in the courtyard.
- 5.4. To the rear of the mosque there is a courtyard (or *sahn*) that is accessed directly from the rear of the Mosque itself but also from the alley running between Stanley and Magdalen Road; this alley provides access to another alley running behind properties in Magdalen Road which is blocked by a gate beyond the entrance to the courtyard. It is understood that the closure of the alley beyond this rear entrance was a result of anti-social behaviour. The courtyard is currently paved and whilst there is little vegetation in the courtyard it has a quiet character that is fairly typical of adjoining and nearby back gardens of residential properties in the vicinity. In the grounds of the courtyard there is a small morgue building. Also accessed from the courtyard and forming the boundary at the south-western edge of the site (adjoining the alley) is the Annex. The Annex building is the subject of this application. Notwithstanding the fact that the Annex is the subject of this application, this part of the site has previously been considered to be part of the main Mosque site which has been dealt with as a single planning unit, a place of worship (Use Class F2). It is acknowledged that the site has previously been used for residential use, but this residential use has been largely ancillary to the main use of the Mosque. The annex was previously occupied by an imam prior to the condition of the annex deteriorating to the point where it was no longer suitable for providing residential accommodation (and it has been abandoned and disused since).
- 5.5. The Annex building is a red brick building with a flat roof. The Annex can be accessed from doors onto the alley (leading between Stanley and Magdalen Road) and from the courtyard to the rear of the Mosque. The Annex has a similar overall height to the main part of the Mosque, with accommodation provided over three floors (the north-western portion of the building is higher

where it joints onto the main roof of the mosque). Whilst the Annex may have been previously used as part of the Mosque itself, its main use until fairly recently was as residential accommodation, the building contains a two bedroom flat at ground floor and a three bedroom flat at the upper floors. The Annex is not in particularly good condition and does not provide a high quality of residential amenity; the building is of significantly lower quality than the other buildings on the site.

5.6. See location plan below:



6. PROPOSAL

6.1. The application is to demolish the Annex building and replace it with a three storey building with a pitched roof extension to contain a community hall at the ground floor and 2 x 2 bedroom maisonettes at the upper floors; each flat would have accommodation at first and second floor. The flats would be accessed from external steps at the southern end of the proposed building with an entrance onto the alley that connects onto the adjacent alley linking Stanley and Magdalen Road. The proposed replacement building would have a similar form to the existing Annex but would be approximately 3m wider at ground floor and 2m wider at first and second floor. The proposed building would be higher than the existing annex; with the existing annex stepping down from a height of approximately 7m to 5m whereas the proposed annex would measure approximately 7.6m to the ridge (and 6m to

the eaves). The proposed building would be constructed of bricks matching the existing annex with an interlocking tiled roof.

- 6.2. The proposed community hall is sought principally to provide space for sports classes. The submitted Transportation Impact Analysis for the Proposed Expansion of Activities Facilities (2023) explains that the proposals would provide a more versatile space than the existing facilities within the mosque; where there is currently limited space for female participants. A further need for the facility is for providing space for children's activities; which are more challenging to host within the existing mosque because of the existing layout. Access to the community hall would be provided by the rear access and alley linking Magdalen and Stanley Roads, or using the rear doors of the mosque and courtyard.
- 6.3. The proposed flats would have access to a shared amenity space at ground floor within the existing mosque courtyard. Whilst the proposed flats would be dwellings that may be rented to different occupiers (within Use Class C3) they are proposed to be used only in conjunction with the mosque and not sold separately. The proposals include boundary treatments around parts of the amenity space to serve the flats, separating this space from the surrounding courtyard area. Bicycle and refuse/recycling storage are also proposed. The proposed flats would be car free with occupiers not being eligible for any car parking.
- 6.4. The proposed metal steps and associated walkways would provide access to the second floor rear fire escape that serves the mosque; replacing an existing similar feature. This is required so that the mosque meets fire regulations. The proposals include improved hard surfacing and landscaping within the courtyard area and a new improved access to the rear alley that connects with the alley linking Magdalen Road and Stanley Road; this would allow users of the mosque to access the rear part of the site without having to pass through the proposed amenity space serving the flats.

7. RELEVANT PLANNING HISTORY

The table below sets out the relevant planning history for the application site (and includes the main mosque site in addition to the annex)

85/00848/NF - Retrospective change of use from single family dwelling house to Muslim Welfare House/Mosque. Single storey rear extension to provide bathroom, W.C. and utility room at No. 2 Stanley Road. PER 10th December 1985.

87/00870/NF - Raise height of rear building for use as Prayer Hall (retrospective). 5 year permission for portable building. Renewal of NF-/0848/85 for further 5 years to change use to Muslim Welfare House/Mosque. PER 29th October 1987.

89/00035/NF - Two storey side and rear extension to form mosque and formation of car park area at the front (Amended plans). PER 28th September 1989.

90/00622/NF - External fire escape staircase. PER 5th October 1990.

92/01120/NT - Retention of use as Muslim Welfare House/Mosque. NF/870/87. WDN 15th March 2002.

95/01279/NF - First floor rear extension. PER 8th November 1995.
00/00054/NF - Retention of use as a prayer room/library as extension to mosque. PER 3rd June 2000.
14/01417/FUL - Installation of 4No air conditioning units to roof. PER 3rd July 2015.
15/02523/FUL - Change of use of part of first and second floors to House in Multiple Occupation (Use Class C4). PER 20th October 2015.
17/00104/FUL - Erection of single storey front extension. Formation of 1no. side access door. PER 9th March 2017.
20/02813/FUL - Erection of single storey side extension to outbuilding. PER 24th March 2021.
20/03146/CEU - Application to certify the existing 2no. flats as self-contained units is lawful development. Application returned (by Council) 5th July 2022.
21/00264/CEU - Application to certify that the existing single storey outbuilding is lawful development. PER 8th April 2021.
23/00516/FUL - Demolition of existing building. Erection of a three storey building to create a community hall (Use Class F2(b)) and 2 x 2 bed flats (Use Class C3). Provision of bin and bike store. (amended and additional information). PDE .

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	Chapter 12	DH1, DH7	
Conservation/ Heritage	Chapter 16	DH2, DH3, DH4, DH5	
Housing	Chapter 5	S1, H14	
Commercial			
Natural environment	Chapter 15	RE3, RE4, G2, G7 RE7, RE8	

Social and community	Chapter 6, 8	V7	
Transport	Chapter 9	M1, M2, M3, M5	Parking Standards SPD
Environmental	Chapter 14, 15	RE1, RE2	Energy Statement TAN
Miscellaneous			External Wall Insulation TAN,

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 10th May 2023 and an advertisement was published in The Oxford Times newspaper on 11th May 2023. Amended plans were received in December 2023 which led to amended plans site notices being displayed around the application site on 11th December 2023 and an advertisement was published in the Oxford Times on the 14th December 2023. Further small-scale changes were made to the proposals that related to the roof pitch and other alterations to the plans, these were not subject to additional public consultation as they did not materially impact on the acceptability of the scheme or amenity of surrounding occupiers.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

- 9.2. No objections, subject to conditions relating to car parking (car free development), construction traffic management plan and cycle parking.

Public representations

Oxford Civic Society, summary of objections:

- Insufficient information relating to transport
- Poor design quality
- No details relating to access for the flats (by bicycle)
- Impacts on the St Clements and Iffley Road Conservation Area

Iffley Road Area Residents Association, summary of objections:

- Concerns about the size and bulk of the building
- Impact on neighbouring amenity
- Impact on privacy
- Proposed cycle parking is inadequate
- Impact on access arrangements (in particular on the alley)
- Highways and parking impacts
- Question the need/demand for the development
- Impact on Conservation Area
- Information missing from plans
- Inaccuracies with plans

- **No noise reports submitted**

Comments made objecting to the planning application:

List of Addresses:

- 196, 225, 227, 232 Iffley Road, 235-239, Iffley Road (Exeter House) (*on behalf of Exeter College*)
- 2A, 4, 5, 6, 7, 8, 9, 12, 14, 15, 17, 19, 26, 27, 28, 32, 51, 61 Stanley Road
- Flats 3, 4, 5, 61 Magdalen Road
- Flat 3 and 7, 8 Stanley Road
- Magdalen Road Management Company (*on behalf of flats of 61 Magdalen Road*)
- 28 Stoneybrook, Horsham
- Local ward Cllr

Summary of Reasons:

- Access
- Amount of development on site
- Contaminated land issues
- Effect on adjoining properties
- Effect on character of area
- Effect on pollution
- Effect on privacy
- Effect on traffic
- General dislike or support for proposal
- Noise and disturbance
- On-street parking
- Open space provision
- Parking provision
- Public transport provision/accessibility
- Height of proposal
- Light – daylight/sunlight
- Local ecology and biodiversity
- Local plan policies
- Information missing from plans
- Not enough information given on plans

The comments received in objection have been briefly summarised below:

1. Impact on Character of Conservation Area

- The new extension would seriously compromise and detract from the street's character with its size, height and width, which would dominate the Iffley Road end of the street.
- Proposed annex significantly larger than the existing.
- The proposal is out of keeping with the design and character of the Victorian/Edwardian residential buildings along this road.
- The proposed height is not in keeping with other properties in the street.
- Overdevelopment/overcrowding of an already intensively used site.

2. Impact on Neighbouring Amenity

- The proposed three-storey building is overbearing
 - Loss of light and privacy to neighbouring properties.
 - Increased noise.
- 3. Inadequate provision of outdoor space and cycle storage**
- The rear outdoor amenity space will be reduced from the proposal which is not adequate for those using the site.
 - The application lists space for 8 bicycle racks, the plan only shows provision for 3 racks.
 - The proposal will impact biodiversity from loss of green space.
 - Higher risk of flooding from proposed hard surfacing.
- 4. Road Traffic and Parking Provision**
- The proposal will result in less parking spaces on an already crowded road. Car users of the building park in private spaces, on double-yellow lines, or do not have a permit.
 - The proposal will result in increased traffic, especially since the implementation of LTN's around Stanley Road, Magdalen Road and Iffley Road.
 - More dangerous/risk of traffic related incidents, particularly for children and elderly residents.
- 5. Lack of Information**
- Lack of consultation from applicants of the scheme with residents.
 - Lack of detail on materials and design.
 - Lack of information about how the proposal will meet required planning criteria.
 - Lack of detail in the application on how the above matters are to be addressed *e.g. increased traffic*.
 - Lack of heritage statement and noise statement.
 - Transport report inadequate.
 - Heritage statement is misleading.
 - Annex dimensions are incorrect.
 - The ecology report has not taken residents information into consideration.
- 6. Other**
- Fire safety concerns.
 - Residential part of 2 Stanley Road using the incorrect address.
 - Previous planning conditions have not been complied with, in relation to the re-planting of trees.
 - Concern over how the proposal, if approved, would be maintained, as the rear of the existing building is currently poorly maintained.
 - The existing annex at the property is unlawful.
 - Concern over ownership and future maintenance of the alleyway adjacent to the site.
 - Concern over the number of previous retrospective applications at the site
 - Applicants could consider the use of solar panels to the roof.
 - Support the mosque but would not support further expansion on the site.
 - Letters of support are from those outside of Oxford.

Comments made in support of the planning application:

List of Addresses:

- 102, 113, Edderthorpe Street, Bradford
- 6, Alder Close
- 19, Arthray Road
- 40, Bartholomew Road
- 15, 17, Belvedere Road
- 47, Boundary Brook Road
- 12, Bucklet
- 85, Bullingdon Road
- 37, 44 Church Hill Road
- 226 Cowley Road
- Dashwood Road (*no house number provided*)
- 56, 58, Dashwood Road
- 38, Gaisford Road
- 32, 95, Horspath Road
- 110, 121, Hurst Street
- 59, Kelburne Road
- 120, 122, 128, 130, 140 Leiden Road
- 17, Massey Close
- 29, Mattock Close
- 31, Middlesex Road, Mitcham
- 5, Minchery Road
- 23, Mortimer Road
- 20, Newman Road
- 153, Oxford Road
- 26, Parsons Place
- 127, Rose Hill
- 4, 15, Stansfeld Place
- 12, Surrey Road, Dagenham
- 23, Titup Hall Drive
- 23B, Troy Close
- 51, Westbury Crescent
- Brasenose College

The comments received in support have been briefly summarised below:

- The proposed would create a new community hall and residential space representing a much-needed upgrade, providing essential services and housing.
- Enhance neighbourhood amenities.
- Will address local social and housing needs
- Will address growing population and local need for place of worship/community centre, particularly for young people.
- Sustainable design and features.
- Foster community engagement and sense of belonging within the immediate and wider community.
- Will reduce the need to travel further to attend other centers.
- The community hall will not have an impact on the traffic, as the vast majority of the community who attend the centre live within walking distance.
- The existing building is in poor condition.

- In keeping with other recent developments in the locality.

Officer response

9.3. Officers sought specific amendments to the proposals to improve the design and appearance of the development; amendments have been received that have improved the design quality. Conditions are included that relate to construction management, highways and parking, and landscaping. Some of the comments relate specifically to the use of the mosque itself rather than the uses and development associated with these proposals.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- I. Principle of Development
- II. Design and Impact on Heritage Assets
- III. Impact on Neighbouring Amenity
- IV. Ecology
- V. Flooding and Drainage
- VI. Highways and Parking
- VII. Sustainability

I. Principle of development

Community Hall

- 10.2. Policy V7 of the Oxford Local Plan (2036) refers to existing community facilities. The proposed community hall at the ground floor of the replacement Annex building has been put forward in the submission as a multi-functional space; particularly for children's activities (including sports and reading). It is understood that many of the activities that are proposed to take place in the community hall at the ground floor level of the annex are already taking place within the mosque; though there are difficulties with providing enough space for those activities to such an extent that they are oversubscribed. Further to this, there are specific justifications around providing the community hall in a separate part of the building to the main mosque because of specific operational issues. Policy V7 states that *in principle, applications to extend capacity, improve access and make more intensive cultural/community use of existing sites will be supported.*
- 10.3. Policy RE2 of the Oxford Local Plan 2036 states that planning permission will only be granted where development proposals make efficient use of land. Development proposals must make best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford, as well as considering the criteria set

out in the policy. The proposed development would make use of an existing site which is already previously developed land and is therefore accepted in principle as a site for additional intensification of an extant land use.

- 10.4. On the basis of the above officers recommend that the community hall proposal would be acceptable in principle. There are other specific policy considerations relating in particular to noise and an impact on residential amenity that would need to be considered in the context of the proposed use of the space; these matters are carefully considered later in this report.

Housing

- 10.5. The proposed development of additional dwellings on the site would be acceptable in principle in the context of Policies S1, H1 and RE2 of the Oxford Local Plan (2036). The site already provides some housing but it is acknowledged that this does not provide a very high quality of indoor amenity and also fails to provide adequate outdoor amenity spaces. The dwelling or dwellings on the site have also previously been considered to form part of the Mosque site and these spaces have not previously been authorised through a grant of planning permission to be used as self-contained dwellings. There was an attempt to seek a lawful development certificate for the existing residential use (reference 20/03146/CEU) but this was withdrawn. Despite the mosque annexe's status in planning being ill-defined in planning terms, officers recommend that the lawful use would be considered to be an ancillary housing use with the site having historically been used for many years by the imam and other tenants connected with the mosque. The current deteriorated state of the mosque annex means that the area is uninhabitable (and it is understood that it has been prohibited for use); though if the existing building was repaired and brought up to a liveable standard officers consider that the use of that space by tenants connected with the mosque would be unlikely to be a breach of planning controls.
- 10.6. The current proposals to provide 2 x 2 bedroom flats in the upper floors of the rebuilt annex would be an intensification of the existing housing use on this part of the application site. Officers consider that these proposals would make a more efficient use of the site; removing an existing unusable housing unit or units and replacing them with higher quality housing. The development is therefore acceptable in principle. Officers consider that the nature of the site, being a mosque and community facility means that these proposed dwellings should always be required to be part of the community facility site and not used other than in conjunction with the mosque. As a result a condition is recommended that would require the dwellings to be used in this way. Further consideration of this matter is detailed below with respect to the design and layout of the proposed dwellings.

II. Design

Policy Context

- 10.7. Policy DH1 of the Oxford Local Plan 2036 states that planning permission will only be granted for development of high-quality design that creates or

enhances local distinctiveness. Proposals must be designed to meet the key design objectives and principles for delivering high quality development, set out in Appendix 6.1 of the Oxford Local Plan (2036).

- 10.8. Policy DH3 of the Oxford Local Plan 2016 states that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset, in this case a conservation area, and locality. For all planning decisions, 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. 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, which should be identified by the applicant.

Demolition

- 10.9. The proposed development would involve the demolition of the existing Annex which does not have any architectural value; the Annex is not a high quality building and detracts somewhat from the other parts of the mosque site and surrounding buildings. The proposals seek to provide a higher quality and modern replacement. The proposed replacement Annex would be higher than the existing building from the point of view that it would extend to three floors across its entire length (compared with the existing building which only contains a third floor at its northern-most end). Despite being higher, the proposed development would be largely concealed from most surrounding viewpoints in the public realm other than the alley joining Stanley and Magdalen Road (which already incorporates buildings of a similar height).
- 10.10. Notwithstanding the above, it is important that when an application is made to demolish part of a building in a Conservation Area then it is considered in the context of its heritage value. It is suggested above that the existing building is of not of any architectural merit but it is understood that the Annex building may have formed part of the earlier extensions or alterations of No. 2 Stanley Road following its conversion into a mosque. Officers have investigated this further and recommend that there should be no requirement in this case to record the internal layout or features of the building as there are no noteworthy features.

Design of Proposals and Impact on Conservation Area

- 10.11. The application proposal increases the development of the 2 Stanley Road plot, demolishing a large, existing outbuilding and extending the present building range that functions as the principal and ancillary spaces of the mosque with a new, narrow, two storey plus attic building range facing onto the present yard which would be landscaped to create a courtyard garden. This alignment of building and retention and enhancement of open space within the site is considered to preserve the overall character and sense of place found in this part of the conservation area.

- 10.12. The proposed architecture attempts to pick up on reference to detail that is characteristic of the area as well as the particular architectural idiom associated with the function and use of these buildings. Officers consider that the proposals therefore respond well to the site context in terms of the overall architectural approach.
- 10.13. The proposed height of the replacement building range would be three storeys, the upper storey being substantially within a reduced height or partially attic floor would enable the building range to sit comfortably amongst the various infill buildings to original building plots that immediately surround the site, particularly the college buildings to the west of the site and buildings on land to the rear of properties in Magdalen Road. Additionally, officers consider that the building's relatively narrow, linear plan form reflects the traditional form of rear building ranges to the early twentieth century buildings that characterise this part of the conservation area.
- 10.14. The alignment of the building directly alongside and framing the public footpath (connecting alleyway) that runs between Stanley Road and Magdalen Road along the back of the Iffley Road plots serves to enclose the back of the site providing privacy for occupants. This references the plot boundary walls that historically bounded the rear gardens of the original houses and that survive in part along the western side of the footpath.
- 10.15. The proposed annex includes a relatively restrained architectural detailing and features. The proposed windows on the public facing side of the new building range and the use of rooflights to preserve the line of the roof and to signal that the upper floor has been designed to sit within the roof of the building all plays down the significance of the building, reinforcing a building hierarchy from front to back of the site and displaying a subservience to the principal building. Officers consider that this approach allows the proposals to respond to the characteristic layout of buildings within this part of the Conservation Area.
- 10.16. Officers specifically sought windows within parts of the elevation facing the alley given that this area is quite narrow and enclosed; the addition of windows in this location (even though they are obscure glazed) would create some activity in the alley which would increase the perception of passive surveillance to the benefit of public safety. The use of the alley as a thoroughfare is particularly important at nighttime and given that during specific times of year the main mosque site can be used in the evenings and night-time (for example, during Ramadan).
- 10.17. The proposal to reinstate a garden within the core of the site would enhance the setting of the building as well as preserving the fundamental character and appearance of the place as one of domestic scale, residential buildings set in gardens. Officers have recommended conditions relating to landscaping enhancement to be provided as part of the proposals. This is necessary to improve the rear aspect of the site where regrettably it is understood that previous landscaping schemes have not been realised. It is also recommended to include a condition relating to hard landscaping; the existing paved area at the rear of the site is in poor condition and an

enhanced hard landscaping area within this space could greatly improve the appearance of this part of the site (as well as assisting with its function as a circulation space and point of access to the community spaces and flats at the rear of the site).

Level of Harm

- 10.18. Officers recommend that because of the careful siting and considered design responding to its immediate surroundings but also to the wider character and appearance of Stanley Road, the proposed building and the associated landscape enhancements would preserve the special character and appearance of the Conservation Area. Officers consider that subject to appropriate conditions to ensure a quality of detailed design and materials that matches that of the surrounding buildings of Stanley Road that the new building range would not cause harm to the architectural or historic significance of the St Clements and Iffley Road Conservation Area.
- 10.19. Regard has been paid to paragraph 205 of the NPPF in reaching a decision and great weight has been given to the conservation of the conservation area. The balancing test required by paragraph 208 of the NPPF applies where there is less than substantial harm caused. As it is considered that the proposal would cause no harm to the significance of the conservation area it is not necessary to balance any public benefits of the proposal against the level of harm caused. Therefore, the proposals would be acceptable in terms of their impact on this designated heritage asset.
- 10.20. Special attention has been paid to the statutory test of preserving or enhancing the character and appearance of the conservation area under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the development would preserve the character and appearance of the Conservation Area, and so the proposal accords with Section 72 of the Act.

Internal Living Conditions

- 10.21. Policy H15 of the Oxford Local Plan 2036 states that planning permission will only be granted for new dwellings that provide good quality living accommodation for the intended use. All proposals for new build market and affordable homes (across all tenures) must comply with the MHCLG's Technical Housing Standards – Nationally Described Space Standard Level 113.
- 10.22. Officers are satisfied that the proposed 2 x 2 bedroom flats would meet the internal space standards and would provide a high quality indoor space. It has already been noted in this report that the existing housing on the site provides a poor standard of amenity and the improvement in the standard of the housing is supported in principle. On this basis the proposed development would be acceptable in the context of Policy H15 of the Oxford Local Plan (2036).

Outdoor Amenity Conditions

- 10.23. The existing courtyard at the rear of the application site currently forms an under-used part of the application site. Whilst the majority of those visiting the mosque use the entrance on Stanley Road (as this is where the ablution facilities are located) it is possible to access the mosque at the rear. The courtyard also contains the mosque's morgue (and the rear alley and courtyard form the access for the morgue). The rear alley and courtyard are proposed to provide the main access for the flats, through a small shared amenity space for the flats (containing the refuse bin and cycle storage). This would be enclosed by fencing and would provide sufficient space for the two bedroom flats. Despite the proposals being acceptable in terms of their outdoor amenity space, officers consider that the nature of the application site and the layout set out above justifies a condition which would preclude the use of the flats by occupiers not connected with the mosque. The applicant has indicated that this would be an acceptable condition; officers consider that the condition is needed to ensure that the mosque can continue to function as a community building with limited housing on the site for the needs of those connected with the mosque. The applicant has provided further detail that the mosque cannot sell the flats separately in any case as this is a fundamental requirement of the mosque trust.
- 10.24. On the basis of the above, officers recommend that the proposals would be acceptable in design and conservation terms having had regard to the requirements set out in Paragraphs 205 to 208 of the NPPF and Policies DH1, DH2, DH3, DH5, H15 and H16 of the Oxford Local Plan (2036).

III. Impact on neighbouring amenity

- 10.25. Policy H14 of the Oxford Local Plan 2036 states that planning permission will only be granted for new development that provides reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy H14 sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to habitable rooms of the neighbouring dwellings.
- 10.26. Policy RE7 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that ensures that standards of amenity are protected including the amenity of communities, occupiers and neighbours. Developments must also not have unacceptable unaddressed transport impacts. Where developments do impact standards of amenity then appropriate mitigation measures should be provided where necessary. The factors the City Council will consider in determining compliance with the above elements of this policy include visual privacy, outlook, sunlight, daylight and overshadowing.
- 10.27. Policy RE8 of the Oxford Local Plan 2036 states that planning permission will only be granted for development proposals which manage noise to safeguard or improve amenity, health, and quality of life. Planning permission will also not be granted for development that will generate unacceptable noise and vibration impacts. Planning permission will not be granted for development sensitive to noise in locations which experience high levels of

noise, unless it can be demonstrated, through a noise assessment, that appropriate attenuation measures will be provided to ensure an acceptable level of amenity for end users and to prevent harm to the continued operation of existing uses.

Impact on Sunlight and Daylight

- 10.28. The impacts of the proposed development in terms of sunlight and daylight would be experienced by occupiers of the adjacent student accommodation 'Where House' to the south west of the proposed annex and 61 Magdalen Road which is a development of eight flats and lies to the south and south-east of the application site.
- 10.29. The impact of the proposed development on the student accommodation to the south-west of the application site would result in some loss of light as a result of the increased height of the proposed development. However, officers recommend that the existing windows serving student bedrooms at ground, first and second floor receive relatively little light as a result of the fairly enclosed nature of the alley that already exists. The proposed replacement annex has been amended to incorporate a pitched roof with a lower eaves height to reduce the light impacts on the rooms. Officers also consider that the orientation of the building (to the north-east of the rooms) means that relatively little light enters the rooms from this side in anycase. Most of the existing student rooms affected would already be breached by the 45/25 degree code with respect to the existing building and there is therefore no additional harm that would arise from these proposals. It is therefore recommended that in the context of daylight and sunlight impacts the proposed development would not be materially harmful in planning terms having considered the requirements of Policy H14 of the Oxford Local Plan (2036) and the 45/25 degree code contained within those policy requirements.
- 10.30. The proposed development would not materially impact on light conditions for occupiers at No. 61 Magdalen Road. The proposed increase in the height and width of the annex building would be orientated to the north-west of the flats and would not lead to a loss of light. Officers consider that the proposed development would comply with the requirements of Policy H14 of the Oxford Local Plan (2036) and the 45/25 degree code having had consideration for the existing sunlight/daylight conditions and the orientation of the building.
- 10.31. Residential properties in Stanley Road to the east of the application site would receive no impact from the proposals in terms of a loss of sunlight or daylight as any additional shading resulting from the increase in size of the building would be cast over the existing courtyard of the application site.

Privacy

- 10.32. The proposed development would contain windows that would face south-westward towards the student accommodation (Where House). Officers have recommended that the windows in this elevation of the proposed annex

are obscure glazed and non-opening (below a height of 1.7m when measured from the finished floor level). This is to protect the privacy of neighbouring occupiers. At the upper floor levels these windows serve bathrooms in anycase but at the ground floor they would serve the community hall (as secondary windows). The benefit of these windows in design terms has already been discussed above; officers consider that there would be no impact in privacy terms subject to the condition as set out above. The proposed rooflights on the south-west roofslope would be set sufficiently high in the roofslope to ensure that there would be no outlook from these windows towards the windows of neighbouring properties.

- 10.33. The proposed south-west elevation (which faces towards the flats at No. 62 Magdalen Road) would have windows at ground floor level which would not impact on privacy for neighbouring occupiers (having considered existing boundary treatments around the application site). There is also a high level window proposed on this elevation which would not offer outlook from the proposed building. The end of the walkway and steps that provides access to the flats would provide some oblique views towards the windows serving the flats at No 62 Magdalen Road but this replicates an existing walkway serving the fire escape for the mosque and would not materially harm the privacy of neighbouring residential occupiers.
- 10.34. Officers have carefully considered the impact of the proposals on the privacy of occupiers at No. 4 and No. 6 Stanley Road. The proposed annex would include the majority of windows facing towards this direction (i.e. the windows in the north-east elevation of the building). The existing building, which has been used as residential accommodation currently has windows facing this direction; these windows afford some view towards private neighbouring rear gardens but the privacy of these occupiers is protected by the fact that the distance between the windows in the annex and the boundary (with No. 4 Stanley Road) is a distance of approximately 14m. The proposed annex would be wider than the existing and would (as a result of the increase length of the building) incorporate more windows and more accommodation providing outlook towards the gardens to the north-west of the application site in Stanley Road. The upper floor windows at first and second floor would be situated approximately 12m from the boundary with No. 4 Stanley Road. Officers are satisfied that in the current context of the application site this would not give rise to a materially harmful impact in privacy terms and the development would comply with the requirements of Policies H14 and RE7 of the Oxford Local Plan (2036).

Outlook

- 10.35. The proposed development would limit views from some of the windows of the adjacent student accommodation as a result of the increased height of the building. However, the existing windows in this location are mostly constrained by the existing building on the site (as well as adjacent buildings including the mosque itself and No. 61 Magdalen Road). As a result, there is no material impact on outlook for the existing student accommodation. Officers are satisfied that all other properties are sited sufficiently far away to protect the amenity of those occupiers with regards to outlook.

Noise and Lighting

- 10.36. The proposed use of the annex as a community hall would lead to an increase in the use of the rear of the site as well as an overall increase in the amount of community uses (including exercise classes etc.) that would take place on the site as a whole. The proposed building would be built to a modern building standard that would largely attenuate noise. The submitted application form suggests that the majority of use would take place in the afternoon; officers have recommended a condition that would ensure that the community hall is only used in the daytime and early evening period (until 8pm) to protect the amenity of surrounding occupiers.
- 10.37. The proposed improvements to the existing courtyard area would mean that this would form part of the wider community spaces on the site, which would be beneficial to the appearance of the site as a whole. The site currently contains similar community uses and the rear aspect of the mosque can be used as a point of access to the main building (as well as the morgue and existing annex). The proposals do not seek to provide any music or noise amplification within the space or on the outside of the proposed building but officers have specifically recommended that a condition is included to preclude this taking place in the future.

Lighting

- 10.38. The proposals do not include any lighting within the courtyard space. The existing area is fairly dark and is typical of a rear garden which reflects the context of this part of the conservation area. Officers have included in the recommendation a condition that would preclude the installation of lighting in the future.

IV. Ecology

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

Ecology Report

- 10.40. The application has been submitted with an ecology report. The proposed development entails the demolition of an existing annex with two-storey and single-storey elements. The project ecologist assessed the annex to be of negligible suitability for roosting bats. The ecologist identified two potential roosting features on the annex, which are described with more clarity in the revised preliminary roost assessment (PRA) report. It is apparent these were not inspected at the time of survey due to inaccessibility. The project ecologist proposes that the gap behind the timber boarding and the surrounding materials are dismantled by hand, under ecological oversight, while the hole in the wall is inspected with an endoscope prior to works

commencing. The nature of the features and location of the application site suggest they are unlikely to support roosting bats. However, due to the inaccessibility of these features, it is considered that the proposed working methodology is appropriate. Officers recommend that this should be secured via planning condition.

European Protected Species

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

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

10.42. Officers are satisfied that European Protected Species are unlikely to be harmed as a result of the proposals.

V. Flooding and Surface Water Drainage

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

10.44. Policy RE4 of the Oxford Local Plan 2036 states that all development proposals will be required to manage surface water through Sustainable

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

- 10.45. The application site lies in Flood Zone 1 which is considered to be low risk of flooding. The application site already contains extensive areas of hard standing and is largely covered with impermeable ground. The proposed development would not increase risk of flooding or give rise to a material impact on surface water drainage in the locality. Officers recommend that the proposed development is acceptable in the context of Policies RE3 and RE4 of the Oxford Local Plan (2036).

VI. Highways and Parking

- 10.46. Policy M1 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport.
- 10.47. Policy M2 of the Oxford Local Plan 2036 states that a Transport Assessment must be submitted for development that is likely to generate significant amounts of movement, in accordance with the requirements as defined in Appendix 7.1. In addition, development which meets the relevant criteria must include a travel plan. Where a Travel Plan is required under this policy and a substantial amount of the movement is likely to be in the form of delivery, service and dispatch vehicles, a Delivery and Service Management Plan will be required.
- 10.48. Policy M3 of the Oxford Local Plan 2036 states that in Controlled Parking Zones or employer-linked housing areas where occupants do not have an operational need for a car where development is located within a 400m walk to frequent public transport services and within 800m walk to a local supermarket or equivalent facilities planning permission will only be granted for residential development that is car-free. In all other locations, M3 states that planning permission will only be granted where the relevant maximum standards set out in Appendix 7.3 are complied with.
- 10.49. Policy M3 of the Oxford Local Plan 2036 states the parking requirements for all non-residential development, whether expansions of floorspace on existing sites, the redevelopment of existing or cleared sites, or new non-residential development on new sites, will be determined in the light of the submitted Transport Assessment or Travel Plan, which must take into account the objectives of this Plan to promote and achieve a shift towards sustainable modes of travel. The presumption will be that vehicle parking will be kept to the minimum necessary to ensure the successful functioning of the development. 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 and the Council will seek a reduction where there is good accessibility to a range of facilities.

Community Hall

- 10.50. The proposals would seek an expansion of existing community uses on the site and would represent a relatively modest increase in floorspace to provide the community hall. The proposals have been specifically sought to address a shortfall in the availability of exercise classes for existing users of the mosque; particularly female members of the community. The layout of the existing mosque does not easily facilitate the use of all of the spaces within the mosque by all members of the community. A transport statement has been provided that suggests that the majority of users of the mosque come from the local area (there is currently a waiting list of 36 individuals who wish to attend classes and this has been used to inform the potential modal share of those likely to use the community hall). Additionally, people attending the mosque were identified in the submitted transport report to live overwhelmingly within the East Oxford, Rose, Hill, Cowley and Iffley areas (92%). Officers also note that the site lies within an area where there are already restrictions on on-street parking (a controlled parking zone). The application site is also within a low-traffic neighbourhood as well as being situated close to Iffley Road which provides both a recently completed 'quick-way' cycle route and regular bus services; this would lend the site to access by non-car modes.
- 10.51. There are no specific proposals for cycle parking for the proposed community hall. Officers have recommended that additional cycle parking is provided within the courtyard space adjacent to the entrance to the proposed community hall. This is recommended to be secured by condition.
- 10.52. Officers note that there are a large number of concerns relating to the existing transport impacts of the site, including the existing mosque and its impacts on car parking and highsway safety in the locality. The proposals relate to the relatively small-scale increase to the community uses on the site and detailed information has been provided about the transport impacts of those proposals. Officers are satisfied that the development would not give rise to an adverse impact on highway safety and would not exacerbate car parking conditions in the locality. The development would comply with the requirements of Policy RE7 of the Oxford Local Plan (2036).

Flats

- 10.53. The proposed development would not provide any car parking for the proposed two flats. There is no car parking provided on the application site for the occupiers of those housing units and they are therefore proposed to be car free for the purposes of the Council's policies (including Policy M3 of the Oxford Local Plan (2036)). Officers are satisfied that this would be acceptable having had regard to the excellent accessibility of the site (as set out above) and also the close proximity to nearby services including the shops in Magdalen Road, Iffley Road and the Cowley Road District Centre.

- 10.54. The proposals include an area for cycle parking within the shared amenity space for the flats. This would be sufficient to meet the requirements of the occupiers of the flats and can be secured by condition.

Construction Traffic

- 10.55. The proposals involve demolition of an existing building and the erection of a replacement building. The site access is constrained and could give rise to a potential impact on users of the adjacent pedestrian alley during the construction phase of development. It is also noted that there are a large number of objections and concerns that relate to highway safety and parking impacts of the proposals. As a result, officers have recommended a condition to require a construction traffic management plan to resolve and manage some of the issues identified and minimise the impact of the construction phase of the development on highway users and residential amenity.
- 10.56. On the basis of the above the proposed development would be acceptable in the context of Policies M1, M3 and M5 of the Oxford Local Plan (2036).

VII. Sustainability

- 10.57. Policy RE1 of the Oxford Local Plan 2036 states that planning permission will only be granted where it can be demonstrated that sustainable design and construction principles, set out in RE1, have been incorporated. It is expected that 25% of energy will be from on-site renewables; water consumption must also meet the requirements of Building Regulations Part G2. An Energy Statement will be submitted to demonstrate compliance with this policy for new-build residential developments (other than householder applications) and new-build non-residential schemes over 1,000m².
- 10.58. The application is accompanied by annotated plans that detail the energy requirements and adherence of the proposals to the latest building regulations standards. The proposed development falls below the threshold for non-residential development requiring specific measures identified in Policy RE2 but would need to meet the requirements relating to the proposed new built dwellings. Officers have sought additional details and are satisfied that the requirements can be met. It should be noted that the existing residential accommodation on the site provides a poor quality of indoor space and energy performance and the proposals represent a very significant improvement. On this basis the development would be acceptable in the context of Policy RE2 of the Oxford Local Plan (2036).

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 consideration indicate otherwise.

- 11.2 In the context of all proposals paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development. This means approving development that accords with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides 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.

Compliance with development plan policies

- 11.4 In summary, the proposed development would provide additional community space and housing and is supported by the overall objectives of the Oxford Local Plan 2036 and Policy S1. The proposals would cause no harm to designated heritage assets including the St Clements and Iffley Road Conservation Area, the proposals are high quality design meet the requirements of Policies DH1 and DH3 of the Oxford Local Plan 2036, the NPPF, and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposals would not be detrimental upon any neighbouring occupiers and would comply with Policies H14 and RE7 of the Oxford Local Plan (2036).
- 11.5 Therefore officers consider that the proposal would accord with the development plan as a whole.

Material considerations

- 11.6 The principal material considerations which arise are addressed above, and follow the analysis set out in earlier sections of this report.
- 11.7 Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out in the report. Therefore in such circumstances, paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 11.8 Officers would advise members that, having considered the application carefully, including all representations made with respect to the application, the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Local Plan 2036 and that there are no material considerations that would outweigh these policies.

- 11.9 It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 of this report.

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.

Build in Accordance with Approved Plans

- 2 Subject to condition 7 and 11, the development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the Local Planning Authority.

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

Materials - Samples

- 3 Prior to the commencement of the approved development details of the materials used in the external construction of the approved development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include samples that shall be made available on site for the inspection by officers of the Local Planning Authority. Only the approved materials shall be used in the external construction of the approved development.

Reason: In the interests of the character, appearance and special significance of the St Clements and Iffley Road Conservation Area and in the interest of high quality design as required by Policies DH1 and DH3 of the Oxford Local Plan (2036).

Windows and Doors – Further Details

- 4 Notwithstanding the requirements of Condition 3 of this planning permission prior to the commencement of the approved development details of the windows and doors to be installed as part of the approved development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include large scale sections that are a scale of 1:5 and details of the materials used in the external construction of the windows and doors including their external finish. Only the approved windows and doors shall be installed.

Reason: In the interests of the character, appearance and special significance of the St Clements and Iffley Road Conservation Area and in the interest of high quality design as required by Policies DH1 and DH3 of the Oxford Local

Plan (2036).

Use of Community Hall

- 5 The approved community hall including the adjoining reception, WC and storage areas at ground floor as identified on the approved floor plans (Drawing No. Madina/01) shall only be used for a use falling within Use Class F2(b) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) or any order revoking and re-enacting that Order with or without modification and shall only be used in conjunction with the mosque or any other place of worship occupying the land at 2 Stanley Road (the land edged in blue on the approved Existing Block location site plan).

Reason: In the interests of providing additional cultural and community space as required by Policy V7 of the Oxford Local Plan (2036), to ensure that the public benefits associated with the development are realised in perpetuity in order that the development is acceptable in the context of Policy DH3 of the Oxford Local Plan (2036) and to ensure that the community hall provided remains part of the existing mosque or premises at 2 Stanley Road so that cumulative impacts of the development are acceptable in the context of Policy RE7 of the Oxford Local Plan (2036).

Use of Dwellings

- 6 The approved dwellings shall only be used in conjunction with the use of the mosque or any other place of worship occupying the land at 2 Stanley Road (the land edged in blue on the approved Existing Block location site plan) and shall only be used as dwellings as defined in Use Class C3 of the Town and Country Planning (Use Classes Order) 1987 (as amended) or any order revoking and re-enacting that Order with or without modification.

Reason: The approved dwellings would not provide sufficient private amenity space for use by occupiers other than occupiers connected with the use of the mosque or any other place of worship occupying the land at 2 Stanley Road (the land edged in blue on the approved Existing Block location site plan) and the use of the dwellings by occupiers not connected with that property could otherwise have a deleterious impact on the provision of a community facility. For these reasons the condition is required in order that the development complies with the requirements of Policies H16 and V7 of the Oxford Local Plan (2036).

Boundary Treatments – Further Details

- 7 Notwithstanding the submitted plans or the provisions of Class A of Part 2, Schedule 2 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 prior to the commencement of the approved development details of the boundary treatments to be installed on the application site shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be installed prior to the occupation of the approved flats or the first use of the community hall whichever is the sooner.

Reason: In the interests of the amenity of the area as required by Policies DH1, DH3, RE7 and H14 of the Oxford Local Plan (2036).

Cycle Store - Dwellings

- 8 Prior to the commencement of the approved development a detailed scheme of cycle parking for the use of the approved community hall shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking scheme shall include the provision of at least six Sheffield stands to be installed within the application site. The approved cycle storage scheme shall be installed on the site prior to the first use of the approved community hall and shall be retained and maintained for that purpose only..

Reason: In the interests of providing for the cycle storage requirements as set out in Policy M3 of the Oxford Local Plan (2036).

Cycle Storage – Community Hall

- 9 Prior to the commencement of the approved development a detailed scheme of cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking scheme shall include the provision of at least six Sheffield stands to be installed within the application site. The approved cycle storage scheme shall be implemented on the site prior to the first use of the approved community hall.

Reason: In the interests of providing for the cycle storage requirements as set out in Policy M3 of the Oxford Local Plan (2036).

Obscure Glazing

- 10 The approved windows on the rear elevation as identified on the approved plans (Drawing No. Madina/05) shall be obscure glazed and non-opening below a height of 1.7m when measured from the finished floor level and shall remain obscure glazed and non-opening below a height of 1.7m when measured from the finished floor level.

Reason: In the interests of the privacy of neighbouring residential uses as required by Policies H14 and RE7 of the Oxford Local Plan (2036).

Hard Landscaping

- 11 Notwithstanding the requirements of Condition 3 prior to the commencement of the approved development a detailed plan for the hard landscaping of the areas shown on the approved ground floor plan (Drawing No. Madina/02) identified as stone slab floor shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the material of any slabs and their external finish. The approved hard landscaping scheme shall be completed in accordance with the approved details prior to the first occupation of the approved flats or first use of the approved community hall whichever is the sooner.

Reason: In the interests of high quality design and the amenity of the area as required by Policies DH1 and DH3 of the Oxford Local Plan (2036).

Landscaping

- 12 Prior to the commencement of the approved development a detailed soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of the number and species of plants to be provided within the areas shown for indicative landscaping on the approved plan (Madina/02). The approved landscaping scheme shall be completed within twelve months of the substantial completion of the approved development or by the end of the first planting season following the substantial completion of the approved development. Any shrubs or trees that die within five years of the completion of the landscaping shall be replaced within twelve months on a like for like basis in accordance with the approved plans.

Reason: In the interests of providing high quality design and landscaping. And to ensure that the development makes a positive contribution to the character, appearance and significance of the Conservation Area as required by Policies DH1, DH3 and G6 of the Oxford Local Plan (2036).

Bin Store

- 13 Prior to the commencement of the approved development details of a bin store shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include scale plans at a scale of 1:50 showing a screened bin store. The approved bin store shall be installed prior to the occupation of the approved dwellings and retained thereafter for that purpose.

Reason: In the interests of providing sufficient screened bin storage for the needs of occupiers as required by Policy H16 of the Oxford Local Plan (2036).

Opening Hours – Community Hall

- 14 The community hall shall only be used between the hours of 8am and 8pm each day from Monday to Sunday (inclusive).

Reason: In the interests of the amenity of neighbouring occupiers as required by Policies RE7 and RE8 of the Oxford Local Plan (2036).

Ecology

- 15 The development hereby approved shall be implemented strictly in accordance with the measures stated in Section 7 of the 'Preliminary Bat Roost Assessment Report' produced by ROAVR I Group and dated 12th June 2023.

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

No Music

- 16 No recorded or live music shall be played within the courtyard or rear aspect of the application site and no speakers or public announcement system shall be installed on any part of the approved development.

Reason: In the interests of the amenity of surrounding occupiers as required by Policies RE7 and RE8 of the Oxford Local Plan (2036).

Car Parking Permit Removal of Entitlement

- 17 The development hereby permitted shall not be occupied until the Order governing parking at Stanley Road has been varied by the Oxfordshire County Council as highway authority to exclude the site, the subject of this permission, from eligibility for residents' parking permits and residents' visitors' parking permits unless otherwise agreed in writing by the Local Planning Authority.

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

Construction Traffic Management Plan

- 18 Prior to the commencement of the approved development a construction traffic management plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted construction traffic management plan shall include details relating to the provision of contractor parking, skip and demolition waste removal, hours of work, safety hoardings (particularly relating to the public highways and the alley connecting Stanley Road and Magdalen Road), and the areas where building materials shall be delivered and stored. The requirements of the approved construction traffic management plan shall be strictly adhered to throughout the construction phase of the approved development.

Reason: In the interests of highway safety and the amenity of surrounding residential occupiers as required by Policies RE7 and RE8 of the Oxford Local Plan (2036).

Energy Requirements

- 19 The approved development shall be carried out in accordance with the energy requirements outlined in the approved plans and meeting the requirements as set out in Policy RE2 of the Oxford Local Plan (2036).

Reason: In the interests of meeting the energy efficiency requirements set out in Policy RE2.

INFORMATIVES :-

- 1 The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Oxford City Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no

one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Oxford City Council prior to commencement of development. For more information see: www.oxford.gov.uk/CIL

- 2 If unexpected contamination is found to be present on the application site, an appropriate specialist company and Oxford City Council should be informed and an investigation undertaken to determine the nature and extent of the contamination and any need for remediation. If topsoil material is imported to the site the developer should obtain certification from the topsoil provider to ensure that the material is appropriate for the proposed end use.

13. APPENDICES

- **Appendix 1 – Site location plan**

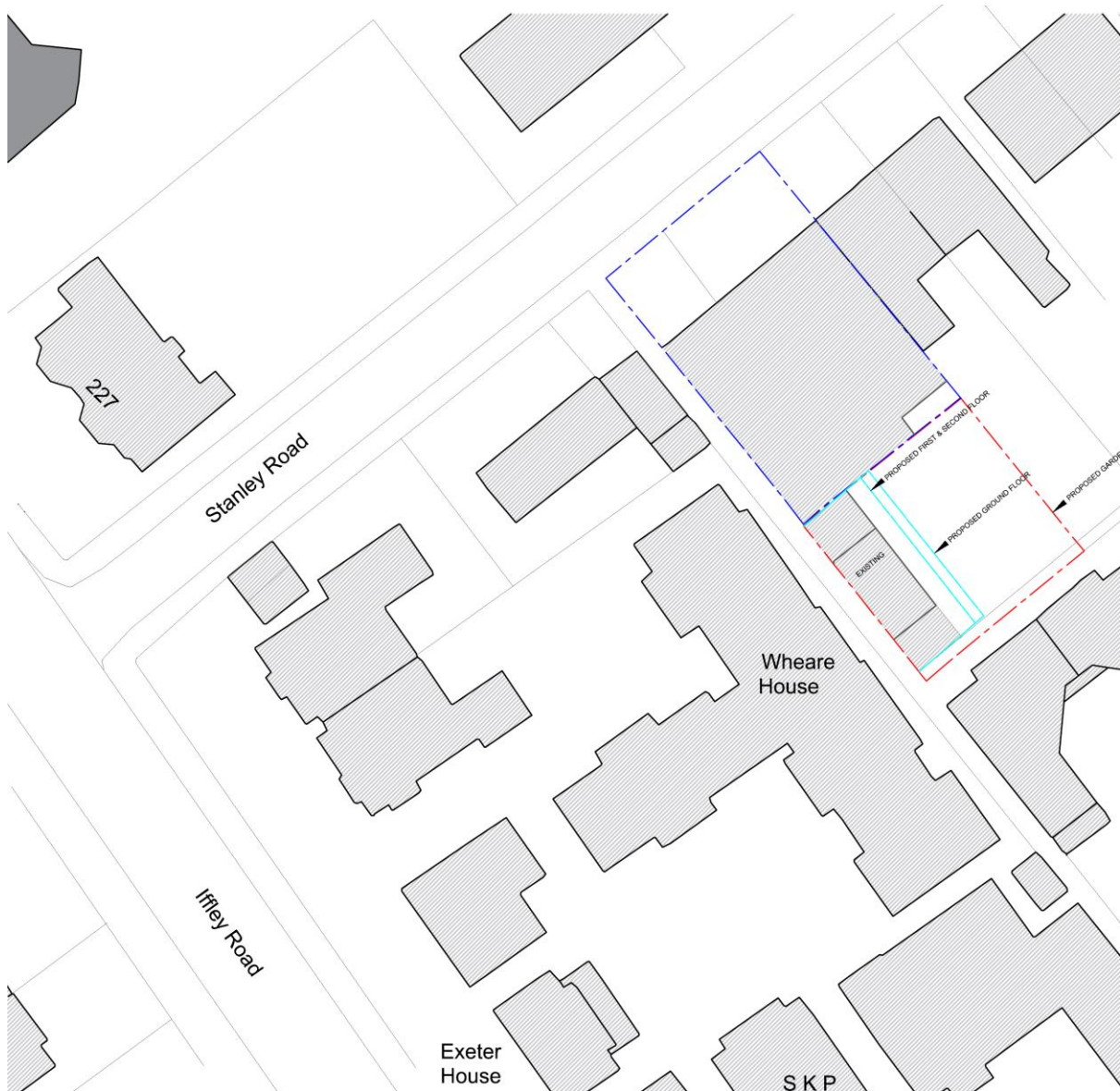
14. HUMAN RIGHTS ACT 1998

- 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 – Site Plan



(NB. Red line shows site, blue shows other land owned by the applicant, turquoise line shows the outline of the proposed extension)

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Minutes of a meeting of the Planning - Oxford City Planning Committee on Tuesday 23 January 2024



Committee members present:

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

Officers present for all or part of the meeting:

Gill Butter, Principal Heritage Officer
Jane Cotton, Planning Lawyer
Robert Fowler, Development Management Team Leader (West)
Mike Kemp, Principal Planning Officer
Joanna Lishman, Senior Planner
Emma Lund, Committee and Member Services Officer
Andrew Murdoch, Development Management Service Manager

Apologies:

No apologies were received.

59. 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.

23/02342/FUL

Councillor Hollingsworth declared that he was the owner of the property which was the subject of the application and stated that he would leave the meeting room whilst the application was considered and would not participate in determining it.

60. 22/00409/FUL: Green Templeton College, Woodstock Road, Oxford OX2 6HG

The Committee considered an application (22/00409/FUL) for the demolition of squash courts, gardener's shed, existing porter's lodge and existing accommodation building; construction of three accommodation buildings to house 51 student study bedrooms, associated communal spaces and landscape on the existing tennis courts site; construction of a new Porter's Lodge and associated office facilities to replace the existing Porter's Lodge and Clock Tower; construction of a new single storey informal study space to replace the existing glass house; construction of a new dining hall and associated facilities replacing the existing Doll building and change of use of residential gardens and retention of building used as a college gym at Green Templeton College, Woodstock Road, Oxford.

The Planning Officer gave a presentation and highlighted the following:

- The application related to development on three parcels of land on the Green Templeton College site which lay to the north of the Radcliffe Observatory quarter: the Tennis Court site (surrounded by a Grade II listed boundary wall), the Dining Hall site and the Gym. With the exception of the Gym, the site lay within the North Oxford Victorian Suburb Conservation Area; the Gym building lay within the Walton Manor Conservation Area. The site was also considered to fall within the wider setting of the Central and Jericho Conservation Areas.
- The proposal for the Tennis Court site included an arrangement of three buildings, centred around an internal garden, containing 53 student rooms in a mix of ensuite and studio rooms. The existing Porter's Lodge and Gatehouse building would be removed and replaced with a new Porter's Lodge building consisting of reception, office and meeting spaces. A new café space would attach to Building A on the western side of the site, replacing the Observatory Garden. A new building was proposed on the site of the Richard Doll building, consisting of dining spaces (relocated from the Observatory building), and kitchen space. The proposal included the retention of the single storey Gym building, located to the north of the Dining Hall.
- The site was considered appropriate for student accommodation as it was on an existing college campus site. It was considered that the siting of the student housing would comply with Policy H8 of the Oxford Local Plan.
- The proposal included the loss of the existing tennis and squash courts. Officers considered that alternative appropriate provision existed within the area and would be available to students, such that the loss of these facilities would not be harmful in terms of sports provision for students. The Gym, which was a highly valued facility, would be retained. Sport England had raised no objection to the proposals, which were therefore considered to comply with Policy G5 of the Oxford Local Plan.
- No additional car parking was proposed: cycle parking was included and would be secured by condition.

- The proposals involved a new opening within the Grade II listed boundary wall, providing a gated entrance giving access into the garden area.
- Whilst the Richard Doll building appeared aesthetically well-designed, there were functionality issues associated with the building and it was also thermally and acoustically inefficient. Renovation had therefore been ruled out. It was noted that neither the Local Plan nor the NPPF included a requirement to consider embodied carbon when considering proposals for the demolition and re-building of existing buildings. The proposed new buildings to replace the Richard Doll building and on the Tennis Court site would be of a high standard in terms of their energy performance and would exceed the requirements set out in Policy RE1 of the Oxford Local Plan. Officers did not therefore object in sustainability terms to the replacement either of the Richard Doll building or the Gatehouse building.
- The proposals would achieve an on-site biodiversity net gain of 16.3% (a correction to the 17% shown in the report), significantly exceeding the 5% statutory requirement for biodiversity net gain. This would be secured by a planning condition.
- Officers considered that there would be a low level of less than substantial harm to both the setting and significance of the Grade I listed Radcliffe Observatory as a result of the partial loss of the views along sections of Woodstock Road as set out in the report. There would be a low level of less than substantial harm as a result of the new openings in the Grade II listed boundary wall, and a low level of less than substantial harm to the Walton Manor Conservation Area arising from the siting of the Gym building. Officers considered that there would be no harm to the North Oxford Victorian Suburb Conservation Area.
- The public benefits offered by the proposal were set out in the report and included the provision of the additional student accommodation; provision of new buildings of a high architectural quality; and significant benefits arising from the re-siting of the kitchen and dining facilities from the Grade I listed Radcliffe Observatory building. In the context of paragraph 202 of the NPPF it was considered that the public benefits of the development would outweigh the identified level of less than substantial harm to heritage assets. Officers considered that the proposals complied with the provisions of the Oxford Local Plan and the NPPF and they were therefore recommended for approval.

Councillor Andrew Gant spoke against the proposal.

Dr Tim Clayden, Bursar, Green Templeton College (the applicant) spoke in favour of the application.

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

- The suitability of the existing Richard Doll building for conversion to provide student accommodation or dining facilities had been investigated. However, for various reasons the building had been determined to be unsuitable for conversion; these reasons were detailed in the report. The buildings which would replace the Richard Doll building would be of a much higher standard in terms of energy efficiency and

sustainability, and its loss would therefore result in greater benefit over the long term.

- The scaling of the tower (which was higher than the adjacent student residential aspect) was intended to provide an architectural hierarchy, defining the entrance to the College and giving it a greater presence on Woodstock Road. A committee member commented that the proposal may contribute towards creating a new character for this part of Woodstock Road.
- A committee member highlighted the importance of the Grade II listed wall and agreed with the officer's assessment that the small entrance and window constituted a low level of less than substantial harm to the heritage asset.
- A Construction Traffic Management Plan was conditioned, which would require construction traffic and delivery vehicles to avoid peak traffic hours.
- The proposal offered benefits in terms of providing modern, more sustainable student accommodation and improved facilities which were of good design. These benefits were considered to outweigh the low level of less than substantial harm arising from the proposal which had been outlined by officers.

On being proposed, seconded and put to the vote the Committee agreed with the officers' recommendation to approve the planning application for the reasons set out in the report, and 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 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 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 Services considers reasonably necessary;
 - finalise the recommended legal agreement or Unilateral Undertaking under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning and Regulatory Services considers reasonably necessary; and
 - on receipt of the completed section 106 legal agreement or Unilateral

Undertaking issue the planning permission.

61. 22/00410/LBC: Green Templeton College, Woodstock Road, Oxford, OX2 6HG

(Note: this application was considered together with application 22/00409/FUL above).

The Committee considered an application (22/00410/LBC) for Listed Building Consent for alterations to grade II listed boundary wall fronting onto Woodstock Road and to curtilage listed walls to former walled garden associated with the construction of new buildings adjacent to and abutting these structures at Green Templeton College, Woodstock Road, Oxford.

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

The Oxford City Planning Committee resolved to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 11 of the 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 the report including such refinements, amendments, additions and/or deletions as the Head of Planning and Regulatory Services considers reasonably necessary.

62. 23/01483/FUL: 13-15 Oxenford House, Magdalen Street, Oxford OX1 3AE

The Committee considered an application (23/01483/FUL) for change of use of the first to fourth floors and part basement and ground floor to provide 55no. ensuite student accommodation rooms (Sui Generis); erection of a roof extension to the front elevation above fourth floor and a two storey roof extension to rear elevation above third floor; alterations to basement to create plant area and bin storage; formation of new entrance lobby to Friars Entry with reception, break out area and cycle storage and alterations to fenestration at 13-15 Oxenford House, Magdalen Street, Oxford.

The Planning Officer gave a presentation, provided the following updates and also highlighted the following:

- Since the committee report was published, the Highways Authority had removed its objection relating to the provision of cycle storage following the submission of amended plans. The cycle storage had been removed from the basement and relocated to the ground floor.
- The latest advice from Highways was that the travel monitoring fee to be secured via a s106 agreement was not now necessary. The mechanism for securing four cycle stands on highway land within Friar's Entry had also been confirmed as being acceptable to be conditioned. A s106 requirement for the contribution towards affordable housing provision remained.

- Condition 13 required correction to refer to 56 cycle spaces (not 55).
- The principle of the proposed development was considered acceptable on the basis that it was an existing city centre site, and the proposal would make best and most efficient use of the land in order to provide sought after student accommodation in a sustainable location.
- The application comprised speculative development: however, it was known that both universities relied on additional market rental accommodation to provide housing for students. The proposal would provide 55 rooms towards meeting this provision, each with ensuite accommodation and shared kitchen.
- Oxenford House contributed positively to the character and appearance of the central conservation area as one of the few remaining mid-20th century buildings in the city centre. The most substantial and visually prominent element of the proposal was the additions to the roof, which would increase the overall height and prominence of the upper floors of the building. However, the roof extension would remain lower than the adjacent Debenhams building and the Randolph Hotel, limiting its impact on the city's roofscape. The extension to the front would be stepped back from the north elevation of the building to maintain views of the roof parapet from street level.
- Officers considered that the proposed materials would respond well to the façade's existing palette, and that the proposal would not alter the composition of the historical skyline as the scale of the proposed development was not of such magnitude as to compete with existing landmarks.
- The development was of a sustainable design and construction and involved retrofitting the building to a high energy sustainability standard.
- On balance it was considered that the development would, by way of replacement of the original glass panels with insulated aluminium panels, erode the distinctive mid-20th century character of the building and lessen its contribution to the character and appearance of the conservation area as a good surviving example of brutalist architecture in the city centre. However, the proportions, arrangement of the primary façade and the fluted concrete would remain unchanged; the latter being the building's most distinctive feature. Therefore it was considered that the proposal would result in less than substantial harm to the central conservation area at the low level. To counter this, an assessment of public benefits had been made and was detailed in the report. There was not considered to be any harm in relation to the setting of the other heritage assets as set out in the report.
- Officers considered that the benefits of the scheme included increased energy efficiency; the contribution to student housing stock; and the improvement to the public realm in Friar's Entry. Collectively, these benefits were considered to outweigh the low level of less than substantial harm which would be caused to the conservation area. The proposal was also considered to preserve the significance of the nearby listed buildings in the setting in which the site was located.

- Officers had concluded that subject to conditions (including soundproofing and retaining the internal layout as approved) the proposed use as student accommodation would not harmfully impact on the existing uses with regard to loss of privacy, noise or odour.
- As the development was in the city centre location, no car parking was proposed. It was proposed that, as some car trips may be generated during the start and end of the academic term, students should be given strict timetables during these periods to load or unload belongings on either Magdalen Street or Beaumont Street. Beyond these timescales, private vehicles would need to use local car parks. This would be subject to a condition requiring a detailed student management plan.
- It was acknowledged that with re-use of the building, and due to the lack of wider surrounding curtilage, there were some practical constraints which meant that the bin store was integrated within the building at basement level. The building was proposed as a managed facility with permanent on-site staff: the refuse and recycling strategy would be for building management operatives to remove the bins from the basement store to the designated collection point at days and times agreed with the refuse collection services as per the current arrangement. It was considered that the development was acceptable in this regard and would not have any adverse highways impacts.
- Subject to conditions, the proposed development was considered to meet policy requirements in relation to all other issues assessed as part of the application, including biodiversity, land quality, air quality, archaeology and drainage. The application was therefore recommended for approval, subject to the conditions in the report and a s106 agreement to secure the financial contribution to off-site affordable housing set out in the report.

Arron Twamley (agent) spoke in favour of the application.

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

- A construction management plan had been conditioned, which included details of the routing of construction traffic and delivery vehicles and means of access. Officers cited examples of developments within similarly busy and central locations in the city centre which had been successfully managed.
- In response to concerns raised by committee members about the arrangements for bin storage and refuse collection, officers cited examples of student accommodation in the city centre where similar arrangements for collection of refuse from a designated area at a separate location were in place and successfully managed. The highways authority was satisfied that the bin storage in the basement was acceptable given the constraints of the site. However, committee members considered that servicing arrangements required a specific condition, given that the building was currently in office use which generated a different nature and volume of waste than a residential use.

- The development would make an efficient use of the building, and the change to its appearance would be minor.

The officer recommendation with the amended condition 13 and with the amended s106 provisions was proposed and seconded. An amendment to the motion to impose a specific condition relating to servicing arrangements was then proposed and seconded and put to the vote and approved.

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 required planning conditions; an amendment to condition 13 to require 56 cycle parking spaces; the addition of a servicing condition; and subject to an affordable housing contribution to be secured by a s106 agreement.

The Oxford City Planning Committee resolved to:

1. **approve the application** for the reasons given in the report subject to the required planning conditions set out in section 12 of the report, an amendment to condition 13 to require 56 cycle parking spaces and the addition of a servicing condition 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 for the financial contribution to off-site affordable housing as 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 including refining, adding to, amending and/or deleting the financial obligation 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 section 106 legal agreement referred to above and issue the planning permission.

63. 23/01482/FUL: 13-15 Oxenford House, Magdalen Street, Oxford OX1 3AE

The Committee considered an application (23/01482/FUL) for change of use of the first to fourth floors and part basement and ground floor to office use (Class E); erection of a roof extension to the front elevation above fourth floor and a two storey roof extension to rear elevation above third floor; internal and external alterations to allow level access and provide lift services to all floors; provision of bin and cycle storage and alterations to fenestration at 13-15 Oxenford House, Magdalen Street, Oxford.

The Planning Officer gave a presentation and highlighted the following:

- The advice from the Highways Authority was that the travel monitoring fee was no longer necessary. The Highways Authority was also satisfied that the four cycle stands on highways land could be secured by a condition. Therefore, there was no requirement for a s106 obligation.
- The assessment of the proposed scheme had considered the loss of the existing uses as set out in the report. The principle of the development was considered acceptable as it was an existing city centre site, making best and most efficient use of the land to provide office use in a sustainable location.
- The proposal was speculative; however, it was acknowledged that the development would provide operational employment of in the region of 184 full-time employment positions based on the floor space and one staff member per 10-13 sqm and the equivalent of 15 full-time employment positions during the construction phase.
- The scheme was considered to cause less than substantial harm to the conservation area at the lower level. However, the assessment of public benefits as required by the NPPF considered that the benefits of the scheme included increased energy efficiency; the contribution to the demand for sustainably located office space; and improvements to the public realm in Friar's Entry which would collectively outweigh the identified low level of less than substantial harm which would be caused to the conservation area. The development would preserve the significance of the nearby listed buildings and the setting in which the site was located and cause no harm.
- The building was proposed as a managed facility, with permanent on-site staff. The refuse and recycling strategy was for building management operatives to move the bins from the ground floor level to the designated collection point.
- Subject to the relevant conditions, the proposed development would meet policy requirements in relation to all other issues assessed as part of the application including biodiversity, land quality, air quality, archaeology and drainage. Officers were therefore recommending approval of the application as set out in the report, subject to conditions.

Arron Twamley (agent) spoke in favour of the application.

The Committee asked questions about the details of the application which were responded to by officers. Committee members again considered that the servicing arrangements required a specific condition.

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

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;
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.

64. 23/02342/FUL: 34 Canal Street, Oxford OX2 6BQ

Councillor Hollingsworth left the meeting room for this item and did not return.

The Committee considered an application (23/02342/FUL) for removal of 1no. rooflight to rear elevation; alterations to fenestration and insertion of 3no. ventilation grilles to front elevation at 34 Canal Street, Oxford.

The Planning Officer gave a presentation and highlighted the following:

- Planning permission was sought for replacement windows and a door, removal of a rooflight and insertion of ventilation grilles.
- Three timber sash windows on the front elevation (one at ground floor and two at first floor) were proposed to be replaced with double glazed timber sliding sash windows of a design which was similar to the existing. The windows were an important feature of the Conservation Area: officers showed a plan which detailed the design of the replacement windows and confirmed that the new sash windows would sit inset from the 19th century brickwork, as existing.
- Officers clarified that the property was situated within an area covered by an Article 4 Direction, which meant that planning permission was required for the works which would otherwise be allowed under permitted development.

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

The Oxford City Planning Committee resolved to:

1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission; and
2. **delegate authority** to the Head of Planning 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.

65. Minutes

The Committee resolved to approve the minutes of the meeting held on 12 December 2023 as a true and accurate record.

66. Forthcoming applications

The Committee noted the list of forthcoming applications.

67. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 8.36 pm

Chair

Date: Tuesday 19 March 2024

When decisions take effect:

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

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

All other committees: immediately.

Details are in the Council's Constitution.

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