Agenda

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OXFORD CITY COUNCIL

Planning - Oxford City Planning Committee

This meeting will be held on:

Date: **Tuesday 17 September 2024**

Time: **6.00 pm**

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

For further information please contact:

Emma Lund, Committee and Members' Services Officer

01865 252367 DemocraticServices@oxford.gov.uk

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

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

Information about speaking and recording is set out in the agenda and on the website

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

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

Committee Membership

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

Councillor Mary Clarkson (Chair)	Marston;
Councillor Laurence Fouweather (Vice-Chair)	Cutteslowe & Sunnymead;
Councillor Mohammed Altaf-Khan	Headington;
Councillor Nigel Chapman	Headington Hill & Northway;
Councillor Barbara Coyne	Headington Hill & Northway;
Councillor David Henwood	Rose Hill & Iffley;
Councillor Alex Hollingsworth	Carfax & Jericho;
Councillor Jemima Hunt	St Clement's;
Councillor Rosie Rawle	Donnington;
Councillor Dianne Regisford	Holywell;
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.

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**	
	Apologies for absence have been received from Councillors Coyne and Clarkson. Councillor Fry will replace Councillor Clarkson for this meeting only.	
2	**Declarations of interest**	
3	**24/00690/FUL: Beaver House and 39-42A Hythe Bridge Street, Oxford OX1 2ET**	15 - 74

Site Address:	Site Of 23-42A, Hythe Bridge Street, Oxford
Proposal:	Demolition of Beaver House and 39-42 Hythe Bridge Street and construction of a new 5 storey building (Class E) with basement. Removal of modern extensions to 42A Hythe Bridge Street, refurbishment and change of use to a flexible use including Classes E and F. Further associated alterations to the site layout to include revised access, creation of a community garden and hard and soft landscaping and infrastructure works
Reason at	The proposals are a major development

Committee:

Recommendation:

The Oxford City Planning Committee is recommended to:

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

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

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

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

4 24/00318/FUL: Land to the North of Goose Green Close, Oxford

75 - 122

Site Address:	Land at Goose Green, Godstow Road, Oxford
Proposal:	Erection of 24 dwellings on Land North of Goose Green
Reason at Committee:	The proposals are major development

Recommendation:

The Oxford City Planning Committee is recommended to:

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

subject to the required planning conditions set out in section 12 of the report and grant planning permission 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 the report including such refinements, amendments, additions and/or deletions as the Head of Planning and Regulatory Services considers reasonably necessary; and

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

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

5 24/01302/FUL: 5000 John Smith Drive, Oxford OX4 2BH

123 - 180

Proposal:	Demolition of existing office building and erection of 1no. laboratory-enabled office building for research and development with ancillary commercial and amenity space (Use Class E). Provision of new access, motor vehicle parking, cycle parking, services infrastructure and landscaping including new amenity space and pedestrian/cycle connection.
Reason at Committee:	The proposal is a major development.

Recommendation:

The Oxford City Planning Committee is recommended to:

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

   - the satisfactory completion of a legal agreement under section106 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 the report including such refinements, amendments, additions and/or deletions as the Head of Planning and Regulatory Services considers reasonably necessary; and

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

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

6 22/02880/RES: Plot 2000, John Smith Drive, Oxford

181 - 234

Site Address:	Plot 2000, John Smith Drive, Oxford, Oxfordshire
Proposal:	Erection of 1no. laboratory enabled office building for research and development with ancillary commercial space (all within use class E). Erection of 1no. building to accommodate motor vehicles, cycles and end of journey facilities. Provision of new access, external visitor cycle parking, landscaping and services infrastructure. Approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to planning permission

	12/01424/EXT. (Amended description, plans and documents).
Reason at Committee:	The proposal is a major development.

Recommendation:

The Oxford City Planning Committee is recommended to:

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

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

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

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

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

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

7 24/01356/FUL: 145 Howard Street, Oxford OX4 3AZ

235 - 258

Site Address:	145 Howard Street, Oxford, OX4 3AZ
Proposal:	Demolition of garage and rear extension. Erection of a part single, part two storey side and rear extension with integral garage.

	Formation of rear dormer and raising of existing ridgeline in association with a loft conversion. Insertion of rooflights and PV panels to front roof slope and an air source heat pump. Alterations to fenestration. (Amended description and plans).
Reason at Committee:	The applicant is a member of staff.

Recommendation:

The Oxford City Planning Committee is recommended to:

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

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.

8 24/01468/FUL: 8 Dunstan Road, Oxford OX3 9BY

259 - 272

Site Address:	8 Dunstan Road, Oxford, OX3 9BY
Proposal:	Erection of a single storey rear infill extension. Removal of 1no. window and 1no. door. Insertion of 4no. windows and formation of stone thresholds to the rear elevation.
Reason at Committee:	The application has been submitted on behalf of a Councillor.

Recommendation:

The Oxford City Planning Committee is recommended to:

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

9 Minutes

273 - 276

Recommendation: to approve the minutes of the meeting held on 20 August 2024 as a true and accurate record.

10 Forthcoming applications

Items currently expected to be considered by the committee at future meetings are listed for information. This is not a definitive list and applications may be added or removed at any point. These are not for discussion at this meeting.

22/02954/OUT: Land at Oxpens Road, Oxford OX1 1TB	Major
22/02955/FUL: Land at Oxpens Road, Oxford OX1 1TB	Major
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
24/00318/FUL: Land to the North of Goose Green Close, Oxford	Major
24/00585/VAR: Car Park, Meadow Lane, Oxford OX4 4BJ	Called-in
24/01104/FUL: 35 Ash Grove, Oxford OX3 9JN	Called-in
24/01344/FUL and 24/01345/LBC: Waynflete Building, 1-8 St Clement's Street and 9-13 St Clement's Street, Oxford OX4 1DN	Major
24/01434/FUL: Stansfield Park, Quarry Road, Oxford	Major
24/01481/FUL: Cinema, George Street, Oxford OX1 2BL	Major
24/01631/FUL: Sandford Gate, Sandy Lane West, Oxford OX4 6LB	Major
24/01780/VAR: Trinity House, John Smith Drive, Oxford OX4 2RZ	Major

24/01397/FUL: The Bungalow, Sandy Lane, Oxford OX4 6LL	Major
24/01821/FUL: Department of Physiology, Parks Road, Oxford OX1 3PT	Major

11 Dates of future meetings

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

15 October 2024

19 November 2024

10 December 2024

21 January 2025

25 February 2025

18 March 2025

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 Registerable 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 **17th September 2024**

Application number:	24/00690/FUL
Decision due by	25th June 2024
Extension of time	27th September 2024
Proposal	Demolition of Beaver House and 39-42 Hythe Bridge Street and construction of a new 5 storey building (Class E) with basement. Removal of modern extensions to 42A Hythe Bridge Street, refurbishment and change of use to a flexible use including Classes E and F. Further associated alterations to the site layout to include revised access, creation of a community garden and hard and soft landscaping and infrastructure works
Site address	Site Of 23-42A, Hythe Bridge Street, Oxford, Oxfordshire – see **Appendix 1** for site plan
Ward	Carfax And Jericho Ward
Case officer	Michael Kemp
Agent:	Mr Timothy Price **Applicant:** Forge Bio GP 2 LTD
Reason at Committee	The proposals are major development

RECOMMENDATION

1.1. The Oxford City Planning Committee is recommended to:

1.1.1. **Approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant 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. **Agree to delegate authority** to the Head of Planning Services to:

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

EXECUTIVE SUMMARY

1.2. This report considers the demolition of Beaver House (29-38 Hythe Bridge Street) and 39-42 Hythe Bridge Street. A new building is proposed across the footprint of the buildings that would be removed, which would provide life sciences space (laboratory and office spaces), alongside café space at ground floor level. The new building would be between three and five storeys in scale.

1.3. The proposals include the refurbishment of the Boatman's Chapel (42A Hythe Bridge Street) to include the demolition of modern single storey rear extensions to the building and its conversion for use as a flexible community space falling within use classes E and/or F. A new garden space is proposed to the rear of the building.

1.4. The proposals would be acceptable in principle and would make a strong contribution towards the city's knowledge economy, whilst also contributing to the wider regeneration of the West End, which is a fundamental purpose of Policy AOC1 of the Oxford Local Plan 2036. The development would provide a new community use and has the potential to provide 810 jobs within its operational phase, a net increase of 190 jobs compared with the employment generating potential associated with the existing space on the site.

1.5. Whilst the loss of a retail unit in the form of the Chinese Supermarket would technically be contrary to Policy V2, there are considered to be material circumstances that justify departure from the policy. Policy V2 cannot be applied in practice given the introduction of Class E permitted development rights and this must be afforded significant weight. The significant regeneration benefits associated with the development and enhancements to the public realm, along with the provision of an alternative employment generating use, whilst considered in relation to the lack of weight that can be applied to Policy V2 of the Oxford Local Plan provides significant grounds to justify departure from Policy V2 of the Oxford Local Plan.

1.6. The proposals would cumulatively equate to a medium level of less than substantial harm to the significance of heritage assets but would deliver significant economic benefits; significant regeneration benefits; provision of dedicated space for community use at 42A Hythe Bridge Street and; biodiversity net gain which would significantly exceed the 10% statutory requirement. As such, the public benefits of the development are considered to be substantial and when assessed in the context of Paragraph 208 of the NPPF it is considered that the benefits would outweigh the medium level of less than substantial harm to heritage assets. The development is therefore considered acceptable when assessed in relation to Policies DH2, DH3 and DH5 of the Oxford Local Plan.

1.7. The proposal would not comply with Policy RE1 however, this is predominantly due to site specific constraints which have impacted on the overall building design. Officers are satisfied that the proposals maximise the opportunity for energy efficiency and carbon reduction, as much as can be achieved considering the specific constraints of the site, as well as delivering a range of other significant regeneration benefits as highlighted within this report. Therefore, it is considered that, in this instance, there are significant grounds to justify departure from Policy RE1 of the Oxford Local Plan.

1.8. The proposals would be car-free and would result in a significant reduction in car parking provision when compared to the existing. Cycle parking would be provided in accordance with the Local Plan standards.

1.9. Subject to conditions, there would be no adverse land contamination, impact on trees, noise pollution, air quality, flood risk or drainage impacts as a result of the proposal.

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

LEGAL AGREEMENT

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

- Financial contribution of £94,458 towards footpath widening.
- Financial contribution of £1,656.75 towards off-site cycle parking.
- Financial contribution of £3265 towards travel plan monitoring.
- Preparation of a Community Employment and Procurement Plan (CEPP) and to secure a monitoring fee for the CEPP.
- A Community Use Programme for 42A Hythe Bridge Street to ensure that public access is secured for use of the building.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

1.12. The proposal is liable for a CIL contribution of £293,942.88.

SITE AND SURROUNDINGS

1.13. The application site includes 3 buildings and surrounding areas of hardstanding and car parking, the buildings on the site are as follows:

- Beaver House (23-38 Hythe Bridge Street). A large four storey building constructed in the early 1970's, which is located on the corner of Hythe Bridge Street and Rewley Road, facing Frideswide Square. The building provides 9935sqm (GIA) of floorspace. The exterior façade consists of a mix of grey concrete and extensive sections of dark coloured glazing across the upper floors. The building is currently used as offices. There is existing parking within the basement of the building, as well as surface level parking

to the rear, which is accessed via an undercroft access from Hythe Bridge Street.

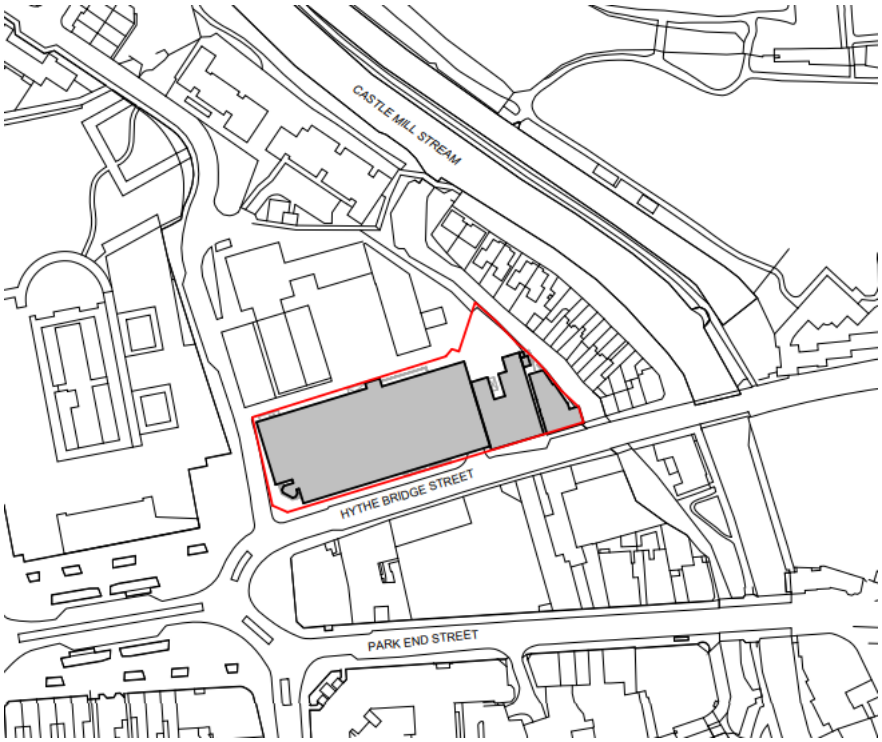
- 39-42 Hythe Bridge Street. A three-storey building constructed in the early 1950's. The building has a red brick façade. The building extends to the rear, stepping down to single storey level. There is an attached red brick chimney to the rear of the building. The ground floor of the building is divided into two units currently used as a Chinese Restaurant and Chinese Supermarket. The upper floors of the building are used for a private educational use.

- 42A Hythe Bridge Street. A single storey building also known as the 'boatman's chapel'. The building has been extended to the rear. The building is currently used as a restaurant. The building was constructed in 1868 to replace the floating chapel at Fisher Row and served the community of boatmen and their families on the Oxford Canal. The building is of social and architectural interest and is a locally listed building, which is included on the Oxford Heritage Asset Register.

1.14. The site is located within the West End area of the City Centre. There are a mix of surrounding land uses. The site to the north is used as a fire station, whilst the Saïd Business School is located to the west on the opposite side of Rewley Road. There is a row of terraced residential properties located to the east and north east of the site on Upper Fisher Row. The gardens of these properties extend up to the 'Wareham Stream' a small watercourse which feeds from Castle Mill Stream. The buildings to the south of the site are of varying character, age and appearance and are used for a variety of uses including retail units, a hotel, a backpackers hostel and nightclub. This site is referred to as the 'island site' within the West End Area SPD and is identified as a potential site for redevelopment to provide a mix of uses.

1.15. Part of the application site, including Nos.39-42 and No.42A Hythe Bridge Street falls within the Central Conservation Area. Beaver House falls outside of the Conservation Area boundary.

1.16. See block plan below:



PROPOSAL

1.17. The application proposes the demolition of Beaver House (29-38 Hythe Bridge Street and 39-42 Hythe Bridge Street. A new building is proposed across the footprint of the buildings that would be removed, which would provide life sciences space (laboratory and office spaces), alongside café space at ground floor level. The new building would be between three and five storeys in scale.

1.18. A café would occupy a section of the ground floor along the Hythe Bridge Street frontage, including a section of the corner with Frideswide Square. Entrances to the building are proposed on the corner of the building facing Rewley Road and Frideswide Square and along the Hythe Bridge Street frontage. A deeper two-level basement is proposed, the basement would house storage space, plant, cycle storage and toilets. Outdoor terraces are proposed on the third and fourth floor of the building, which would function as amenity space for the future occupiers, with planting also proposed. The proposed materials palette consists of a mix of buff, red, pale red and rose red brick with bronze coloured metal cladding and red sandstone cladding on the upper floor of the building. A wider pavement width is proposed along Hythe Bridge Street, which would be up to 4.8 metres, with a minimum of 3 metres width retained to the south of the proposed colonnade.

1.19. The proposals include the refurbishment of the boatmans chapel (42A Hythe Bridge Street) to include the demolition of modern single storey rear extensions to the building and its conversion for use as a flexible community space falling within use classes E and/or F. A new garden space is proposed to the rear of the building.

1.20. Vehicular access to the site would be provided from Hythe Bridge Street between the new building and boatmans chapel. Two accessible parking spaces

would be provided to the rear of the new building and north west of the boatmans chapel. There would be a substantial reduction in parking as existing parking spaces in the basement of Beaver House would be removed and only the two accessible spaces would be provided. In conjunction with the removal of the marked bays in the parking area to the rear of the building, there would be a reduction of 71 spaces from the existing arrangement. A loading bay is proposed to the side of the building for servicing. Cycle parking would be provided within the basement of the proposed building.

1.21. In total the development would create approximately 19,805sqm of floorspace, including the retained original floorspace at 42A Hythe Bridge Street.

1.22. A proposed block plan is shown below:

RELEVANT PLANNING HISTORY

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

68/19764/A_H - Outline application for redevelopment by the erection of a building to provide offices and mail order warehouse for the processing of books with canteen, caretaker flat and ancillary accommodation. Permitted 12th March 1968.

69/19764/A_H - Construction of offices, mail order warehousing with ancillary accommodation and canteen. Permitted 11th March 1969.

70/19764/A_H - Construction of offices and mail order warehousing with ancillary accommodation including a canteen. Permitted 14th April 1970.

73/01254/A_H - Change of use of building from retail sales of second hand furniture to furniture auction rooms. Permitted 25th September 1973.

74/00685/A_H - Erection of generator house on existing roof. Permitted 12th August 1974.

77/00801/A_H - Third floor extension to form directors offices, new boardroom and storage area. Permitted 19th October 1977.

91/00421/NF - Change of use from retail (Class A1) to restaurant (Class A3) excluding take-away service. Permitted 17th July 1991.

92/00209/NF - Single storey rear extension to restaurant and screened area at rear with five escape walkway and guard-rail beside back stream (Additional Plans). Permitted 20th May 1992.

93/01008/NF - Extension to form conservatory annex to existing restaurant including covering in link way, new store and bin store. Refused 10th November 1993.

94/00414/NF - Single storey extension to restaurant for kitchen. Internal alterations to extend customer seating into former kitchen. Provision of disabled W.C. & external ramped access. Alteration to external plant. External store & bin enclosure. Permitted 24th June 1994.

00/00127/NO - Outline application (seeking approval for siting, design & external appearance) for the construction of an extension to provide 3rd floor on roof of existing building, health & fitness centre ancillary to business use below. Permitted 17th April 2000.

01/00756/NFH - Change of Use of part 1st floor and 2nd floor from Class B1 (offices) to Class D1 (education use). Permitted 9th June 2003.

09/01474/FUL - Change of use of 39-42 Hythe Bridge Street from education (use class D1) to offices (use class B1) (First and second floors). Permitted 7th September 2009.

10/03415/FUL - Part change of use of ground floor reception area to provide coffee kiosk (class use A1). (Amended plans). Permitted 7th March 2011.

11/01187/VAR - Removal of condition 3 (occupancy restriction) of planning permission reference 01/00756NFH. Permitted 6th June 2011.

RELEVANT PLANNING POLICY

1.24. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan
Design	131-141	DH1 - High quality design and placemaking DH6 - Shopfronts and signage DH7 - External servicing features and stores
Conservation/ Heritage	195-214	DH2 - Views and building heights DH3 - Designated heritage assets DH4 - Archaeological remains DH5 - Local Heritage Assets
Commercial	85-87	E1 - Employment sites - intensify of uses V2 - Shopping Frontages in the city centre
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 V6 - Cultural and social activities 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
Environmental	123-130; 142-156; 157-175; 180-188; 189-194	RE1 - Sustainable design and construction RE2 - Efficient use of Land RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE5 - Health, wellbeing, and Health Impact Assessment RE6 - Air Quality RE7 - Managing the impact of development RE8 - Noise and vibration RE9 - Land Quality
Miscellaneous	7-11	S1 - Sustainable development AOC1 - West End and Osney Mead

1.25. The draft Local Plan 2040 has been approved by Oxford City Council's cabinet and the period for public consultation has expired. The initial examination hearings took place in summer 2024 with further examination expected in Autumn/Winter 2024. The policies within the draft local plan are, therefore, afforded limited weight at the present time, where considering development proposals. Where Local Plan 2040 policies are applicable they have been referenced within the relevant sections of this report.

CONSULTATION RESPONSES

1.26. Site notices were originally displayed around the application site on 8th April 2024 and an advertisement was published in the Oxford Times newspaper on 11th April 2024.

1.27. The application was readvertised as a departure from the development plan, on the basis that the proposals are considered to be contrary to Policy V2 and RE1 of the Oxford Local Plan (shopping frontages in City Centre and sustainable design and construction) and site notices were displayed around the application site on 7th May 2024 and 20th August 2024 and an advertisement was published in the Oxford Times newspaper on 9th May 2024 and 22nd August 2024.

Statutory and non-statutory consultees

Oxfordshire County Council

Highways

1.28. Initial objection raised within the consultation response date 25th April 2024 for the following reasons:

- The proposed vehicle access is unsuitable for the central location and adequate vehicle and pedestrian visibility splays have not been demonstrated. A Stage 1 RSA has also not been submitted. The application is therefore not in line with paragraph 116 of the NPPF which states that applications for development should create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclists and vehicles.
- The applicant has failed to demonstrate that a refuse vehicle can access and egress the site in forward gear.
- The applicant has failed to demonstrate that the disabled spaces can be accessed, and vehicles can access and egress the site in forward gear.

1.29. Following receipt of further information in direct response to the above points the County Council removed their previous objection in a revised response dated 28th May 2024.

1.30. The access for cyclists will be east of the main reception on Hythe Bridge Street. From the main cycle lobby, there will be two cycle lifts which will lead into the basement cycle parking area. Information has been provided to demonstrate that sufficient capacity is available with the two cycle lifts to accommodate demand in the peak hours. The location of the cycle entrance and access to the basement parking area is considered acceptable.

1.31. The existing vehicle access is located to the east of the main pedestrian access adjacent to 39-42 Hythe Bridge Street. This vehicle access currently serves the service yard, surface level car parking and basement parking. The vehicle access will be moved approximately 25m to the east to accommodate a new access road that serves a loading bay and two disabled parking spaces. The kerb build out on Hythe Bridge Street has been moved towards the west and is now located west of

the access road. The TA states that, as agreed during the pre-application discussions, the proposed access will include a 'blended /Copenhagen' style raised crossing which prioritises pedestrians.

1.32. It should be noted that a S278 Agreement will be required for all alterations to the adopted highway.

1.33. The site will be car free; the vehicle access will be used for accessing the loading bay and the two disabled car parking spaces in the northeastern corner of the site. The existing access to Beaver House includes steps and a disabled ramp which reduce the footway on the northern side of Hythe Bridge Street to approximately 1.3m to 1.6m in places. The applicant proposes to widen the footway slightly and remove the stairs which will widen the footway in front of the building to a minimum width of 2.38m. These proposed footway width increases are welcomed.

1.34. The site is car-free with two disabled parking spaces provided. Oxford City Council does not have parking standards for disabled parking, provision will be considered on a case by case basis. The proposed number of disabled parking spaces appears appropriate. A total of 200 cycle parking spaces have been provided in the basement accessible via two cycle lifts. Appendix 7 of the Adopted Oxford Local Plan 2036 states that the minimum bicycle parking standards for business are 1 space per 90 sqm or 1 space per 5 staff.

1.35. The GIA of the building, excluding the area associated with the basement and plant facilities, is 14,950 sqm. Therefore, in line with Oxford City Local Plan standards, a total of 166 cycle parking spaces are required. The applicant has therefore provided sufficient cycle parking for staff. The Oxford Local Plan does not include minimum standards for visitor parking. However, OCC Technical Advice Note 12 Car and Bicycle Parking states that visitor/short term parking should be convenient and accessible, ideally provided in a prominent location as close as possible to the destination entrance/exit. Oxfordshire County Council minimum cycle parking standards for use class E, as stated in parking Standards for New developments, are 1 space per 100sqm for staff and 1 space per 250 sqm for visitors. This would therefore require 150 spaces for staff and 60 spaces for visitors.

1.36. It was agreed at pre-application discussions that, as there is not sufficient space to provide additional visitor cycle parking externally, this requirement could be incorporated within the long stay store. However, it is considered that a contribution to additional city centre cycle parking is also required as it is likely that a number of visitors to the new development prefer to park their bicycle on-street in the city centre and walk the final section to the site to avoid the basement parking, which would require forward planning and might take additional time. Such a contribution would be in line with CIL requirements as it would be necessary to make the development acceptable in planning terms and directly related to the development.

1.37. The applicant proposes to provide 4% accessible/enlarged Sheffield Stands, 47% Sheffield stands and 49% double stacked. The proposed cycle parking mix is considered acceptable. The development will provide one locker per long stay

space and a total of 10 showers. This exceeds the Local Plan requirements and is therefore considered acceptable.

1.38. Refuse collection will be undertaken from the service yard located to the rear of the building. Swept path analyses of a refuse vehicle, a 10m rigid vehicle and an 8m Box Van have been included in the TA. As the site is situated in a central location near principal public transport routes, a Delivery and Servicing Plan is required and should be secured by condition.

1.39. Information from the applicant states that a total of 997 people would be the maximum occupancy of the site, with a typical occupancy of 798 people. The proposed development will be car-free, there will therefore be no employee or visitor vehicle trip to and from the site apart from a very small number of taxi trips. The applicant anticipates a 1% peak hour taxi mode share which would result in 4 two-way vehicle movements.

1.40. The net trip generation assessment suggests that the proposed development would result in a total person trip increase of 136 two-way person trips in the AM peak and 101 two-way person trips in the PM peak. The majority of the increased person trips would be made by bicycle and bus.

1.41. During the pre-application process it was decided that a Pedestrian Comfort Level Assessment should be undertaken, and this has been included in Appendix G of the TA. The information demonstrates that the slightly widened footways in front of the development are of sufficient width to accommodate future existing pedestrians as well as the additional pedestrians resulting from the proposed development. However, Hythe Bridge Street is a key link between the city centre and Oxford Railway Station. The pedestrian survey conducted by the applicant shows hourly two-way pedestrian flows exceeding 900 in the PM peak hour and this is likely to increase in the next few years. Improvements, similar to what has been provided on Frideswide Square, will be required to provide a suitable pedestrian corridor from the city centre to the railway station.

1.42. A traffic filter will be introduced on Hythe Bridge Street just north of the roundabout with Park End Street to help reduce congestion in and around central Oxford. The filter will restrict daytime traffic to vehicles with a permit. As complementary proposals for Hythe Bridge Street have not yet been finalised, carriageway width requirements are currently unknown. The applicant has therefore agreed to provide a Section 106 contribution towards future footway widening and landscaping improvements once the future nature of Hythe Bridge Street is known.

1.43. A Full Travel Plan will be required for this development. This should be produced prior to first occupation and then updated within 3 months of full occupation once an adequate survey opportunity is available. The travel plan should meet the criteria set out within appendix 5 of the OCC guidance document ‘Transport for New Developments – Transport Assessments and Travel Plans March 2014’. A £3,265 (RPI index linked April 2024) travel plan monitoring fee will be required to enable the travel plan to be monitored for a period of five years.

Drainage

1.44. No objection subject to conditions.

Canals and Rivers Trust

1.45. No comments to make.

Oxford Preservation Trust

1.46. Objects to the planning application for the following reasons:

- The proposed new building is of a much larger scale and massing than the existing one, especially at its upper storeys. Its will inevitably dominate Frideswide Square through sheer size and bulk, rather than contributing to the interest and variety of the streetscape in a way which complements the neighbouring buildings.
- OPT notes that the application site sits within an area that is earmarked for change within the City Council's City Centre Action Plan and the West End Spatial Framework. This does not, however, give a green light to build something that is insensitive to its surroundings and the wider city as a whole.
- NPPF guidance stresses the importance of considering the impact on designated heritage assets. OPT's view is that this proposal will cause harm to designated heritage assets including the Castle Mound Scheduled Monument, St Michael's Tower and the adjoining Central (City & University) Conservation Area.
- The harm will be twofold: Historically significant views of the green setting beyond the city will be obscured. For many centuries, from the 11th century onwards, the purpose of these views was primarily defensive. The historical significance of these views – and of the designated heritage assets from which they are viewed – will be permanently harmed if they are obscured.
- Currently, 360° views across the city from these vantage points enable the appreciation and understanding of a varied skyline representing centuries of evolution within its landscape setting. The height and bulk of the proposed building will dominate the skyline, drawing the eye away from the rich roofscape which surrounds it.
- OPT considers that the current scheme does not comply with the requirements of Local Plan policy DH2, DH3 or the guidance found within the High Buildings TAN. OPT believes that more thoughtful and sensitive design can be found to ensure that what is built preserves the views, avoids harming designated assets and enhances, rather than detracts from, the skyline of the city.
- The proposed mainly flat roof, with two large central chimneys makes no reference to the character of the surrounding development, or the characteristics that make the Conservation Area special. The overall massing, design and bulk of the proposed building will also have an adverse visual impact at street level, changing the character of the conservation area, where the majority of buildings are much smaller in scale.
- It is regrettable, in terms of sustainable development, that the existing building is to be demolished. The Energy Statement submitted should clearly assess the full carbon cost of demolition and new build, using a

whole life carbon assessment. The proposed replacement building should also achieve the highest possible standards of sustainability to mitigate against the impacts of demolition.

Thames Valley Police

1.47. Do not object but have made the following comments in relation to the proposed development:

- The recommendations of Secured by Design Commercial 2023 should be used as the minimum standard across the development. Once tenants for the building are identified, I recommend a Security Needs Assessment (SNA) is completed by a competent Suitably Qualified Security Specialist (SQSS). This assessment should then be used to inform the design and specification of access points and controls, CCTV systems, alarms and any additional lighting requirements throughout the development.
- Unable to locate detailed landscaping or boundary treatment plans within this application. The rear servicing yard should be enclosed and secured to prevent unauthorised access, and it is unclear what boundary separates the lab building and community use garden. Ask that details are provided prior to permission being granted.
- Unable to locate any plans for temporary visitor cycle storage. Permitting short term visitors into the main cycle storage for the development may present issues regarding access control and undermining secure lines into the development. Ask that details are provided as to how temporary visitor cycle storage will function. Cycle storage facilities should be covered by CCTV and fully access controlled. Internal cycle stores must be compartmentalised with no more than 70 cycles per compartment
- Unable to locate detailed landscaping plans, however buildings should be provided vehicle mitigation measures such as bollards along the perimeter where it abuts the road/car parking, to mitigate against the risk of accidental or deliberate vehicular incursion or ram raid type attacks.
- It is unclear from plans how post deliveries will be managed outside of the buildings opening hours. All buildings should facilitate postal deliveries either via secure external post boxes certificated to DHF TS009, or via through-the-wall post boxes into a container also rated to protect against arson attacks.

Thames Water

1.48. Thames Water would advise that with regard to foul water sewerage network infrastructure capacity, Thames Water not have any objection to the above planning application, based on the information provided and subject to the suggested conditions.

1.49. With regard to surface water network infrastructure capacity, Thames Water would not have any objection to the above planning application, based on the information provided.

1.50. Following initial investigations, Thames Water has identified an inability of the existing sewage treatment works infrastructure to accommodate the needs of this

development proposal. Thames Water has contacted the developer in an attempt to agree an infrastructure and phasing strategy for sewage treatment but has been unable to do so in the time available and as such Thames Water request a condition requiring that confirmation is provided that either:- all sewage works upgrades required to accommodate the additional flows from the development have been completed; or - a development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied.

1.51. The proposed development is located within 15m of a strategic water main. Thames Water request that the following condition be added to any planning permission. Request that a condition be attached stating that no piling shall take place until a piling method statement has been submitted to and approved in writing by the local planning authority in consultation with Thames Water.

1.52. 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 attached to any planning permission requiring that 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.

Active Travel England

1.53. No specific comments – refer to ATE standing advice.

Historic England

1.54. The Beaver House building is outside the conservation area, unlisted, and built in 1971-72 by the Oxford Architects Partnership for Blackwells' headquarters. Externally the building does have some external architectural qualities in the mould of 'high tech' architectural style, however the interiors appear of very limited or no architectural note. Whilst the building has some architectural merit it isn't a positive townscape feature adjacent to the conservation area in terms of building rhythm, activity at street level and materials. However, it may be possible to imaginatively reuse the building whilst addressing some of these issues.

1.55. The proposed demolition of the existing Beaver House presents an opportunity to deliver new townscape that enhances the setting of the conservation area as seen looking west along Hythe Bridge Street. As considered above, 37-42 Hythe Bridge Street is a modestly positive building group in the conservation area and the proposed demolition would result in some harm to it. The proposed replacement building (the whole building, only part of which would sit in the conservation area) appears of similarly modest/ quiet architectural language and it appears intentionally so, so it sits comfortably along Hythe Bridge Street. Its greater height and massing will be perceptible from street level looking west but will appear as a stepped change in scale and is therefore unlikely to harm one's experience of the conservation area from the ground - this is principally because

of the stepped building height from east to west. However, from high vantage points, including those from Castle Mound and St George's Tower, the scale of the proposed new building would, in our opinion, feel out of scale in relation to the conservation area it sits adjacent to. The height and mass of the upper parts of the building are lacking in the 'lively' qualities which are achieved by varied roof heights, pitched roofs and chimneys across the historic city and to which the Local Plan and TAN 7 steer new development in terms of architectural qualities. Another key detractor for the designs is that it would partially obscure, permanently, some of the landscape beyond Oxford seen out to the north west from Castle Mound/ St George's Tower which is an informative view that helps situate the city within its surroundings, and which is valued for 2 key reasons. The first reason is that, for the defensive structure of the Castle Mound clear views to surrounding landscape was strategically critical, to see those coming from afar. And so, the proposals would diminish the historical significance of the defensive structure. Many centuries of development have obscured what would have been a much more open vista but any remaining is precious and, because it is now only relatively small views out, very delicate to even small-scale changes. Secondly, the views across Oxford from high points within the conservation area enable appreciation to the modern viewers of many centuries of history in the view, the time-depth of the city, and are rightly greatly valued. Buildings with large footprints and unrelieved mass, such as that proposed, that obscure what is beyond it diminished the viewer's ability to appreciate these qualities. The proposed two central chimneys particularly stand out, which rise up to meet the ridgeline in views from Castle Mound. The odd juxtaposition it creates draws the viewer's eye to them, increasing the dominance of the building from this vantage point.

1.56. In design terms, we feel there remains an opportunity for the redevelopment of Beaver House to create improved townscape and roofscape, that adds to the character of the city of Oxford. We understand the proposed use poses considerable limits on achieving a varied and lively roof form because of the need for such large floorplans. The requirements set out for the proposed used result in upper floors that are large in scale (relative to the historic and valued character of Oxford) and distinctly lacking in lively character. It appears, from the development of these proposals, that locating a use which is not able to provide the roofscape, variation in heights and massing at upper levels indicates the use may not be a suitable one for this site. There may be other uses for the site that support the aims of the West End and Osney Mead SPD but result in less heritage harm.

1.57. The approach to soften the outline of the building, relies in part on green roofs. This is probably maintainable in the short to medium term. However, as the building enters middle age where even the best designs can begin to feel less loved, its less clear and there may be little incentive to maintain these areas, particularly considering the proposed use of the building. A more honest approach, which attempts to create an attractive roof-scape in its own terms would be preferred. This includes the design approach for the chimneys. If this is the least visible location these chimneys can be placed, more could be done architecturally to assimilate these with the building below, so they seem part of the whole. If a livelier roof form cannot be achieved, the alternative is to reduce the massing. In our view a smaller footprint on the fourth floor, particularly at its western and eastern ends, would reduce the dominance and bulk of the development, as seen from St Georges Tower and Castle Mound, and add a more notable variation to

the roof form. Such a reduction would also allow more of the open landscape to the northwest to remain visible from St George's Tower and Castle Mound.

1.58. In its current form, there would be clear harm from the proposals to the Central Conservation Area and Castle Mound. In the language of the NPPF this harm would be less than substantial and at the lower end of that range. In accordance with paragraph 201, your Council will need to consider whether it is possible to develop the site in a manner that avoids (or reduces) harming the scheduled monument and conservation area, through design revisions to the building's mass and shape at upper levels, which will otherwise permanently obscure in part the visual presence of the landscape beyond Oxford to the north west. Having made a judgement on this you will need to give great weight to the conservation of the scheduled monument and conservation area and weigh up the heritage harms against the public benefits of the scheme in its assessment.

National Highways

1.59. No objection. It is understood that the proposed development will remove existing car parking spaces and be a car-free (with two accessible car parking spaces). We are therefore content that the proposal will unlikely impact the safe and efficient operation of the strategic road network.

Oxford Civic Society

1.60. Unable to support the application for the following reasons as summarised below:

1.61. Demolition of this large building contradicts environmental and climate change concerns as widely held by the public and expressed in local and national documentation. The building was designed on Burolandschaft principals and was laid out open plan and thus capable of supporting labspace spatial requirements. If the appearance is considered to be "out of date" it denies the historic context in which it was built and its association with one of, if not the leading local family owned publishers and book sellers. A place is made of expressions of time. If the building is energy inefficient then the argument should be made for recladding not for demolition.

- The assertion that Oxford requires more labspace is arguable. At our pre-application meeting with the design team that there was no dedicated client. It is in effect a speculative venture.
- The assertion that a new building will offer employment is irrelevant. So will the existing.
- The design exploits the height limit on buildings in Oxford and as anticipated results in a flat roof skyline which erodes the essential character of the historic city. The building design lacks an understanding of its context. A broken skyline is crucial to the conservation of the city's character.
- The building is sited at a key entrance to the city. Visitors and commuters are now given a memorable architectural entrance with a corner tower and iconic period architecture. The proposed building has nothing of the arrival experience one should expect when leaving Oxford Station and moving into the city centre. The elevations comprising of panels of different coloured brick work have nothing to do with any historic dimensional refences such as old plots but merely

relate to a new structural grid which has no place significance. The resulting proportions of the façade divisions and use of the materials does not respond to its single use. The result is a poorly conceived appearance which is out of scale with its physical and historic urban context.

- Height in itself is not necessarily a bad thing. Opportunities to bring carefully located and considered variety in the façade composition have been ignored. For example, a greater emphasis at the critical corner would improve the townscape quality and a broken skyline would be more appropriate in the city context.
- The proposal gives nothing to the public realm. Opportunities for a wider public footpath have been ignored and the uses at ground floor level give little to create an active edge. The loss of the retail uses at numbers 39 onwards exacerbates the issue. The lack of some public use within the building frontage is regrettable.
- The large access driveway to blue badge parking is regrettable and appears to contradict the statements for improving community use of this precious city centre land. Whilst provision of such parking in a city which is promoting a car free environment is contentious, the length of driveway is not inevitable. Much of this land should be given over to the planted area near the stream to bring a little more biodiversity to the area.
- The retention of the Boatman's Chapel is welcome. The loss of its use as a restaurant is less so. The proposed community use lacks credibility. Where for example is the housing and who will care for the building and its garden?
- The proposed frontage planting lacks conviction and practicality. Will the two trees beneath the canopy survive? There is little in the proposal which shows any consideration or gain for public benefit or any appreciation of an opportunity for making this a memorable experience on entering a renowned university city.

Environment Agency (EA)

1.62. The EA initially objected to the proposals on biodiversity grounds, firstly because of the risk to nature conservation posed by the insufficient buffer provision from the Wareham Stream and its associated riparian habitat and secondly, because of the encroachment of the development onto the Wareham Stream buffer zone.

1.63. Following amendments to the scheme the EA removed their first objection on 26th July 2024.

1.64. Further information and design amendments were submitted by the applicant which the EA responded to with the following comments: "We note and welcome the enhancements to the Wareham stream outlined in paragraph 4.6 of the "10370_Beaver House, Oxford_Biodiversity Gain Plan_v3.0.pdf" document. This text lists the planting of shrubs and plugs throughout the marginal habitat, the removal of litter and large debris and the introduction of 200mm, locally sourced river terrace gravels to the stretch of the Wareham stream that flows adjacent to the development site. Specifically the works proposed within the channel will both enhance and create spawning habitat, bolstering the sounding area's capacity to support young fish populations. We consider these enhancements to be appropriate measures for mitigating the development's significant encroachment into the watercourse and ultimately achieving ecological betterment, as evidenced

by the proposed 20.80% net gain. Subject to the conditions below, we therefore withdraw our previous objection dated 26 July 2024 relating to the development's risk to nature conservation."

1.65. The EA confirmed on 20th August 2024 that there were no outstanding objections subject to conditions.

Public representations

Oxford Bus Company

1.66. Support the planning application for the following reasons as summarised below:

- The site is in a highly sustainable location in terms of accessibility to public transport links both bus and rail.
- Support the growth of world class research and development activities in the most sustainable locations in the city.
- This accessibility also has direct relevance for attracting talent to the technology biosciences and research cluster. Supporting access to a high-quality lifestyle, while avoiding car dependency, is essential to ensuring the growth of the innovation economy is undertaken on the most sustainable basis possible.
- The proposals have substantially evolved over their genesis and in particular, result in a built form that sits more comfortably in their context; while also creating greatly improved animation and surveillance over Park End Street than is provided by Beaver House. This is necessary for a key gateway site directly on one of the two main walking and cycling routes between the station and the city centre.

1.67. A total of 15 public comments have been received in objection to the planning application, the comments are summarised below:

- Concern about loss of Bangkok House restaurant.
- Internal features of Bangkok House must be preserved.
- Object to removal of existing buildings on environmental grounds.
- The proposed buildings are unattractive.
- Object to removal of businesses run by Oxford's ethnic minorities (Chinese supermarket)
- Concern regarding scale and height of proposed building.
- Consider the architectural design of the building to be "heavy and aggressive".
- The increasing height of modern buildings is ruining the architectural skyline of the city.
- There will be disruption during construction process concern that road closures and diversions will be required.
- Question need for further life sciences buildings in Oxford.
- Questioned whether the site is a suitable location for life sciences development.
- Council need to be sure that no animal testing will be carried out on site.
- The Boatman's Chapel building must be retained.

- 39-42 Hythe Bridge Street are in keeping with the character of the area and should be retained.
- Building design is not a significant improvement on the existing design.
- Loss of energy and carbon and resource generation associated with the demolition of the existing buildings and construction of the new buildings.
- Query the sustainability and energy performance of the new buildings.
- Concern regarding community garden and noise and impact on privacy on adjoining residents at Upper Fisher Row. It is unclear what screening would be provided.
- It is proposed that the Community Garden will be closed at night, however it is unclear what time this will be specifically.
- Concern regarding access to the garden and potential for drug dealing, crime and anti-social behaviour. A CCTV camera will not be adequate, query how access into this space would be managed.
- A managed urban wild space of scientific value that could also be of educational value, involving supervised school visits would be preferred.
- Concern regarding impact on light and overshadowing of properties at Upper Fisher Row.
- Removal of parking spaces could lead to unauthorised parking on Rewley Road.
- Development would set an unwelcome precedent for development of the 'island site' opposite.
- A mix of housing and small business premises would be a more positive use of the site.
- The façade facing Frideswide Square would be unappealing and out of scale with the 1930s Royal Oxford Hotel on the opposite corner.
- For the pedestrian, it simply extends the lack of visual interest at ground level currently provided by Beaver House much further along the street.
- The loss of restaurants and the supermarket reduces the streets status as a destination rather than a thoroughfare.
- Beaver House should be adapted rather than demolished given the environmental costs.
- The architectural design has the standard copy-paste appearance of modern urban architecture with no reference to Oxford's heritage.
- There is no justification for the demolition of Nos. 39-42 Hythe Bridge Street or the redevelopment of the former boatman's chapel. The 1930s neo-classical façade of the former is attractive and makes a positive contribution to the streetscape.
- Concerns about increased traffic generation.
- Concerns about cumulative impacts of construction traffic and existing works to Station bridge and Botley Road.

1.68. A total of 12 public comments have been received in support of the planning application, the comments are summarised below:

- The existing building is unattractive, and the replacement is an improvement in design terms.
- The design is sympathetic to the character of the area and attractive.
- The proposals would provide much needed lab space for the city.

- The proposals would add jobs to the area during operational and construction phases of development.
- Support density of the development.
- Proposals would help in leading to redevelopment of the surrounding area.
- The site has good access to public transport and is accessible by active travel.

1.69. 3 general comments were submitted:

- Planting and landscaping needs to be maintained and maintenance should be a condition on any planning approval.
- "Proposed basement 02 plan" is now inconsistent with the other documents as it does include the bottom of the bicycle lifts (which is "Proposed ground floor plan"), nor any bicycle storage. The "Transport Assessment" requires 200 secure bike spaces (these are in the original basement plan).
- The "application form" states there are no existing cycle spaces. However there are bike racks in the basement car park of Beaver House (at present which are used by the current staff) The net difference in cycle spaces is therefore overstated.
- It is unclear how the community hub would operate.

PLANNING MATERIAL CONSIDERATIONS

1.70. Officers consider the determining issues to be:

- Principle of development
- Design and Heritage
- Neighbouring amenity
- Health Impact
- Transport
- Ecology
- Trees
- Flooding/drainage
- Land Quality
- Air Quality

Principle of development

<u>Proposed Use</u>

1.71. Policy E1 of the Oxford Local Plan states that planning permission will be granted for the intensification, modernisation and regeneration for employment purposes of any employment site if it can be demonstrated that the development makes the best and most efficient use of land and does not cause unacceptable environmental impacts and effects.

1.72. Beaver House (28-38 Hythe Bridge Street) is listed as a Category 2 employment site in the Oxford Local Plan. The proposals involve the regeneration of this part of the site to intensify its use as employment space, therefore, the redevelopment of Beaver House complies with Policy E1 of the Local Plan.

1.73. The upper floors of Nos.39-42 are used for private tuition and are classed as an educational use. Policy E2 of the Oxford Local Plan relates to educational uses but does not include any provisions relating to the loss of educational uses and the Local Plan is otherwise silent on this matter, therefore the loss of educational uses on the site would not conflict with the Local Plan. The Local Plan is also silent in respect of the principle of siting employment uses on sites that do not fall under an existing employment use, except where there is a conflict with other policies such as where there is a loss of housing or retail within a designated retail frontage.

1.74. The application site falls within the West End and Osney Mead Area of Change. Policy AOC1 of the Local Plan aims to facilitate the regeneration of the area and is permissive of new development, which provides a vibrant mix of uses and maximises the areas contribution to Oxford's knowledge economy. In providing new high-quality laboratory and office space, the proposals would make a strong contribution towards the city's knowledge economy, whilst also contributing to the wider regeneration of the West End, which is a fundamental purpose of Policy AOC1. Policy WEAOF of the Council's Emerging Local Plan, whilst afforded limited weight, similarly reflects the aims of Policy AOC1 of the Local Plan in terms of encouraging wider regeneration in the area.

1.75. Paragraph 87 of the NPPF states that planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative, or high technology industries, and for storage and distribution operations at a variety of scales and in suitably accessible locations. The Council's vision for the redevelopment of the West End aligns with the NPPF in this regard and the proposals would provide approximately 13,000sqm of NIA lab and office space which would help to facilitate the growth of knowledge industries in the form of life sciences within a central and sustainable location in the city.

1.76. The application is supported by an Economic Statement, which assesses the economic value that the proposed development could potentially deliver. The Economic Statement estimates that the development has the potential to provide 810 jobs within its operational phase, a net increase of 190 jobs compared with the employment generating potential associated with the existing space on the site. The Economic Statement outlines that the total GVA of the proposed uses is expected to be worth approximately £72,500,000 per year, compared with the existing uses which are estimated to be worth £21,100,000 per year an increase of £50.4m per year. The economic benefits of the development are therefore considered to be substantial.

1.77. The applicant has 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.

1.78. It is proposed that No.42A Hythe Bridge Street is used for community purposes. The principle of providing new cultural and community facilities within the City Centre is supported under Policies V6 and V7 of the Oxford Local Plan.

Loss of Retail Use

1.79. Hythe Bridge Street lies within a City Centre shopping frontage, as defined within the policy map accompanying the Oxford Local Plan. Policy V2 of the Oxford Local Plan states that planning permission will only be granted at ground floor level within the city centre for the following uses:

a) Class A1 (retail) uses; or
b) Class A2 – A5 (financial and professional services, restaurant, pub and take-away) uses where the proposed development would not result in the proportion of units at ground floor level in Class A1 use falling below 60% of the total number of units within the defined Primary Shopping Frontage or 40% of units in the Secondary Shopping Frontage; or
c) Other town centre uses where the proposed development would not result in the proportion of units at ground floor level in Class A1 use falling below 60% of the total number of units in the Primary Shopping Frontage or below 40% of the total number of units in the Secondary Shopping Frontage and where the proportion of Class A units at ground floor level does not fall below 85% in the Primary Shopping Frontage or the Secondary Shopping Frontage.

Planning permission will be granted for development of upper storeys for housing, student accommodation and other uses appropriate to a town centre as long as the functioning of the ground floor unit(s) in the shopping frontage is not undermined. In exceptional circumstances, planning permission will be granted for changes of use from A1 or other A class uses to other town centre uses that would lead to a breach of the ground floor percentage thresholds, if it is demonstrated that changes in the retail circumstances of Oxford city centre mean that there is no longer demand for the existing levels of A1 or other A class units, and if sufficiently robust evidence is provided to clearly demonstrate that the uses proposed would not adversely impact the function, vitality and viability of the particular street frontage itself or the shopping frontage as a whole.

1.80. Nos.39-42 includes two ground floor units, which are used as a Chinese restaurant and a Chinese Supermarket. No.42A is currently occupied by a Thai Restaurant. The ground floor frontage of Beaver House is used wholly as office accommodation. Of these units, only the Chinese Supermarket would be classed as falling under a retail use.

1.81. Policy V2 of the Oxford Local Plan predates changes to the Use Classes Order 1987, which was introduced on 1st September 2020. The former use classes A1 (retail), A2 (financial and professional services), A3 (restaurants) and parts of Class D1 were merged into a single use class (Class E). The changes afford greatly increased flexibility for buildings to be used for a range of purposes, without

the need for planning permission to be sought to change the use of a building. This is a material consideration which impacts upon the weight that can be given to Policy V2, where assessing the loss of retail uses within the City Centre, as planning permission is not required to change the use of existing shops to uses falling within Class E.

1.82. Policy C1 of the Emerging 2040 Oxford Local Plan, which relates to town centre uses, no longer includes specific reference to shopping frontages in the City Centre. The policy instead states that new Class E and other town centre uses will be permitted within the city centre. The policy includes emphasis on retaining active frontages at ground floor level, given that this is a key tool in achieving vibrancy, securing activity at ground floor level. Streets where active frontages must be retained are defined on the Policies Map for each centre. Within those defined active frontages, a minimum threshold is set for the proportion of Class E (commercial, business and service uses) at ground floor level.

1.83. The proposal would result in the loss of a single retail unit (Chinese supermarket) as well as two restaurants (former Class A3). The proposed café and research and development uses would each fall under Class E. The proposed life science use comprises office space which is classed as a main town centre use as well as laboratory space, which is not specifically classed as a main town centre use within the NPPF. The café space would be classed as a main town centre use. The proposals include the provision of community space falling within use Class F1, which is also not specifically classed as a main town centre use, although it is reasonable to consider that this is a use that contributes to the vitality of the City Centre. The design of the proposed building includes active frontages facing Hythe Bridge Street and Rewley Road, which in design terms is an enhancement on the existing ground floor elevation of Beaver House, which is set at a higher level than Hythe Bridge Street and features obscure glazing with raised access ramps which creates a very poor relationship with the public realm, reducing activity and interaction with the street frontage.

1.84. Policy V2 of the Oxford Local Plan is permissive of other town centre uses where the proposed development would not result in the proportion of units at ground floor level in Class A1 use falling below 60% of the total number of units in the Primary Shopping Frontage or below 40% of the total number of units in the Secondary Shopping Frontage and where the proportion of Class A units at ground floor level does not fall below 85% in the Primary Shopping Frontage or the Secondary Shopping Frontage. Since the introduction of the wider use Class E, the Council are no longer recording units as Class A1 retail when undertaking City Centre use surveys. The most recent surveys undertaken in 2022 indicates that 75.47% of the units fall under a Class E use, which includes each of the former Class A uses. Where assessed in relation to Policy V2 of the Oxford Local Plan it is likely that the development would result in the proportion of the (former) Class A units at ground floor level falling below 85% in the secondary shopping frontage. Whilst the loss of a retail unit in the form of the Chinese Supermarket would technically be contrary to Policy V2, there are considered to be material circumstances that justify departure from the policy. As noted, Policy V2 cannot be applied in practice given the introduction of Class E permitted development right and this must be afforded significant weight. The proposed office and café uses would be classed as main town centre uses, whilst laboratory space also falls

within Class E. The proposed life science use is also consistent with the Council's vision for redevelopment and regeneration within the West End area of the city as outlined under Policy AOC1 of the Local Plan. The proposals provide active frontages at ground floor level along the Hythe Bridge Street frontage consistent with Policy C1 of the Emerging Local Plan, whilst providing notable improvements to the public realm which are discussed in further detail in the section of the report below.

1.85. In summary the significant regeneration benefits associated with the development and enhancements to the public realm, along with the provision of an alternative employment generating use, whilst considered in relation to the lack of weight that can be applied to Policy V2 of the Oxford Local Plan provides significant grounds to justify departure from Policy V2 of the Oxford Local Plan.

Design and Heritage Impact

Design Approach

1.86. 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.

1.87. 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.

1.88. 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.

1.89. 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.

1.90. The design of the building adopts a cluster approach comprising of multiple articulated bays which together form a cohesive whole. The cluster approach was selected to ensure that the building design is suitably articulated to provide visual interest and to break down, what would otherwise be, a very large building mass. Additionally, the cluster approach allows the building to respond more effectively to the surrounding context by modulating the height of the building and stepping down towards the Boatman's Chapel and residential areas beyond the red line.

1.91. The materiality of the building has been informed by the material context surrounding the site including brick, stone and granite, with glazing and metal cladding highlighting the ground floor level. Consideration has been given to the building proportions and rhythm and the proposals successfully address the important corner which fronts Frideswide Square.

1.92. Flues are proposed at roof level, however these have been positioned so as to minimise visibility from street level and to reduce the impact on the green backdrop of the hill line when viewed from key view points within the city.

1.93. In terms of public realm, the proposal would deliver a number of significant improvements when compared to the existing arrangement. Increased visibility and activation at ground floor level would be provided by increasing the amount of glazing along the street frontage to 'showcase science' and locating the café and community uses along Hythe Bridge Street. Additionally, it is proposed to widen the existing footpath and improve the pedestrian experience along Hythe Bridge Street with additional planting and upgraded surface treatment.

Heritage Impact

1.94. The eastern part of the site, including 39-42 Hythe bridge Street and Boatman's Chapel is included within the boundary of the Central (University and City) Conservation Area, and is further identified as being part of the Western Fringe character zone, which has more successive chapters of industrial development from the 18th century onwards and a more varied use compared to the traditional core of the Central Conservation Area.

1.95. The site is also in close proximity to several prominent designated heritage assets, including various grade I listed buildings at Worcester College and Worcester College grade II* Registered Park and Garden, Oxford Castle, and the scheduled ancient monuments of Oxford Castle Mound and Rewley Abbey.

1.96. 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).

1.97. 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.

1.98. 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."

1.99. 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.

1.100. 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.

1.101. Beaver House was built in 1971, and although the building has typical characteristics of late 20th century architectural design including large scale use of glass and concrete, it is considered to not be of exceptional design quality. Whilst the building is large and presents a landmark as entering the historic core of Oxford, between the train station and the central core, it is more the scale and materials than the architectural quality that is noticeable. Whilst this building historically was the headquarters of Blackwells, it is more the original bookshops on Broad Street that have the associative historical significance. Given this, there is no objection from a heritage perspective to the demolition of Beaver House.

1.102. The proposal includes the demolition of 39-42 Hythe Bridge Street, this three-storey brick building with stone detailing and timber sash windows is noted to be a positive contributor to the character and appearance of the conservation area. Whilst the building has somewhat been altered, particularly with the ground floor shop fronts which are quite untidy, it is still largely legible as a historic terrace, however it is largely stripped of historic fabric internally due to several office uses over the past 70 years. Interestingly, to the rear there is a tall brick chimney stack, this is suspected to be from a historic boiler room, or potentially from uses that pre-date the existing building, as it is characteristic of the industrial western fringe in this area. Given the architectural detailing present within the principal elevation of this building and the historical interests in this area from continued phases of

development in the 19th and early 20th century, it is considered the demolition of this building constitutes a low level of less than substantial harm to the character and appearance of the conservation area, as it will constitute a total loss of significance. The supporting documentation submitted with the application presents a robust argument for demolition, as the additional floorspace needed to make the scheme a viable project cannot be delivered through conversion of the existing buildings as part of the scheme and retrofitting the existing building is not possible due to the level of intervention required. Therefore, it can be considered this level of harm is justified to bring forward a sustainable and economically viable scheme.

1.103. Boatman's Chapel, 42A Hythe Bridge Street, is identified on the Oxford Heritage Asset Register and is locally listed. The building is identified on the Central (University and City) Conservation Area Appraisal as being a positive contributor to the character and appearance of the conservation area. The proposals are to retain and retrofit this building for a flexible community use, which could be seen as an enhancement. The materials identified on the proposed plans include cast iron rainwater goods, timber framed windows and matching bricks, to ensure the external appearances are sympathetic, however further details of the fenestration should be requested by condition, alongside a further condition seeking a material schedule for works to this building and requirement for them to be viewed on site prior to the commencement of works. Internally, the proposals include bespoke timber fittings, a new timber floor and sustainable upgrades such as insulating lining added to the walls and between the roof rafters. The proposals include a significant proportion of demolition; however, this is largely orientated to the unsympathetic modern extensions to the rear and utilising the land gained for landscaping and a community garden which is positive and will improve the views across to the site from Castle Mill Stream. Ultimately this is a positive element to the scheme, creating an accessible community asset in a locally significant building. Community access will be secured in the s106 agreement.

1.104. The proposed replacement building is substantial in scale, increasing the footprint of the existing Beaver House and increasing the height, this will also have an impact on the character and appearance of the conservation area, particularly when entering/exiting the historic core of Oxford. The visual impacts of this application are demonstrated within the Views Study and the Townscape, Landscape and Heritage Assessment (TLHA) documents submitted within the application.

1.105. There are several areas presented within the proposal that causes impact to the historic environment. Namely, the impact on the proposed views, the demolition of the non-designated heritage assets as well as the impact on the character and appearance of the conservation area, therefore it is considered the proposals cumulatively equate to a medium level of less than substantial harm.

1.106. 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:

- Significant economic benefits resulting from the provision of 13,000sqm high quality research and development and office space to meet an identified demand for R&D and life science space in Oxford offering the potential to provide 810 jobs. Provision of community employment during the operational and construction phases of the development.
- Significant regeneration benefits within the West End area through the removal of Beaver House and replacement with a building of a significantly enhanced design on a prominent site. Enhancements to the public realm through improvements to the pedestrian infrastructure and activation of the street scene.
- Provision of dedicated space for community use at 42A Hythe Bridge Street.
- Biodiversity net gain exceeding the 10% statutory requirement.

1.107. The public benefits of the development are considered to be substantial in social, economic and environmental terms and where assessed in the context of Paragraph 208 of the NPPF it is considered that the benefits would outweigh the medium level of less than substantial harm to heritage assets. The development is therefore considered acceptable where assessed in relation to Policies DH2, DH3 and DH5 of the Oxford Local Plan.

Archaeology

1.108. The development involves groundworks in a location that has potential for medieval and post-medieval remains. The site is located on the periphery of Rewley Abbey, a Cistercian Abbey and Studium Generale (college of higher learning) for the order, that was established in 1281 and closed in 1536 as part of Henry VIII's dissolution of the monasteries. The 16th century Agas map shows a wall along the northern Hythe Bridge frontage (through the Beaver House site) which is likely to be the outer precinct wall, with a gate house located to the west (outside the site) and a water course directly behind the wall (through the Beaver House site). A second linked channel to the north is likely to be the moat around the Abbey inner precinct. Later 18th century maps show a large residence located to the east of the Beaver House plot with associated garden.

1.109. An archaeological borehole transect completed in 2023 by Oxford Archaeology revealed alluvial deposits underlying modern made ground, which may evidence the moat of Rewley Abbey. This was located to the north of the proposed Beaver House extended footprint. The limited geotechnical work within the existing Beaver House footprint suggests that the existing basement is excavated into the natural gravel with evidence for thick modern made ground over gravel outside the basement footprint. The test pits and boreholes may have missed any infilled watercourse located just north of the street frontage.

1.110. In line with the National Planning Policy Framework and Policy DH4 of the Oxford Local Plan, any consent granted for this application should be subject to conditions to secure controlled demolition, staged archaeological recording and historic building recording.

Sustainability

1.111. 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.

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

- Fabric first approach to reducing energy demand in line with the energy hierarchy, targeting best practice building form and thermal performance from the Low Energy Transformation Initiative (LETI) Climate Emergency Design Guide. Fabric performance of the building has been carefully designed to balance heat loss, heat gain and daylight access. The form factor minimises the impact of façade losses and gains on the energy demand of the building.

- Maximised efficiency for the operational use of the building including lighting efficacy and controls, thermal performance and ventilation.

- Air Source Heat Pumps (ASHP)

- Photovoltaics (PV)

1.113. The proposed development has demonstrated that is would be possible to achieve a BREEAM Outstanding rating.

1.114. Despite the comprehensive measures proposed the development would fail to achieve the 40% reduction in carbon emissions required by Policy RE1, instead achieving a 34% reduction when compared to the current Part L 2022Building Regulations. The proposal would therefore be contrary to Policy RE1 and has been advertised as a departure from the development plan.

1.115. Whilst the failure to comply with the 40% carbon reduction target would be contrary to Policy RE1, there are considered to be material circumstances that justify departure from the policy. Fundamentally, the issues preventing a policy compliant scheme are the combination of the high energy demand required for research and development laboratories, and the site specific constraints associated with development located both within, and immediately adjacent to the conservation area, in close proximity to a number of listed buildings and within the more constrained urban city centre environment.

1.116. The site specific constraints and heritage sensitivities have had numerous implications for the building design, namely, the reduction in the amount of roof area, the inclusion of green terraces and the 'stepping' of the roof form, all of which have been developed in order to respond to (and reduce harm to) Oxford's historic skyline. Therefore, while these measures have been positive in addressing significant concerns about design and heritage, they have subsequently reduced the amount of roof areas that can be utilised for PV panels. The visibility of the building from important view points in the city and the lack of available roof space is an important distinction between this site and other recently consented R&D developments that are located outside of Oxford's historic core.

1.117. Officers have robustly reviewed the building designs and modelling data and challenged the applicant to seek improvements that have resulted in improvements to the energy performance of the buildings resulting in the proposed 36% carbon reduction.

1.118. In summary, there a number of competing material considerations that officers have had to weigh up in determining whether the application would be acceptable despite not complying with Policy RE1. As set out above, great weight must be given to the significance of heritage assets and in responding to these assets there has been a notable impact on the proposed building design specifically the reduced the amount of available roof space which can be utilised for PV panels. Officers are satisfied that the proposals maximise the opportunity for energy efficiency and carbon reduction, as much as can be achieved considering the specific constraints of the site, as well as delivering a range of other significant regeneration benefits as highlighted within this report. Therefore, it is considered that, in this instance, there are significant grounds to justify departure from Policy RE1 of the Oxford Local Plan.

Amenity

1.119. 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.

1.120. A number of residential properties are located close to the site to the east and north east. This includes Nos.43 to 46 Hythe Bridge Street and Nos.1 to 12 Upper Fisher Row. Each of the properties are located on the opposite side of Wareham Stream, a small watercourse and have rear gardens of varying size.

1.121. The side elevation of Beaver House is located between 23 and 40 metres from the rear gardens of the nearest properties located at Upper Fisher Row and Hythe Bridge Street and between 41 and 52 metres from the rear elevation of the properties at Upper Fisher Row. Several of the adjoining properties have been extended at single storey level. Beaver House measures 18 metres to the roof

ridge across the majority of the building, including the three-storey east elevation nearest the adjoining properties. Across a small section of the building there is a plant enclosure which raises the overall height of the building to 22.7 metres. No.9 Upper Fisher Row is a two-storey detached property that is notably set back from the other houses at Upper Fisher Row and immediately adjoins the Wareham Stream watercourse. There is a distance of 30 metres between the side elevation of Beaver House and the rear elevation of this property.

1.122. 39-42 Hythe Bridge Street is a three storey building at the front which steps down to two storeys and single storey at the rear. The three-storey section of the building measures 11 metres in height and is located between 23 and 29 metres from the rear gardens of No.43 Hythe Bridge Street and No.1 Upper Fisher Row. The two-storey section of the building is located approximately 22 metres from the nearest neighbouring gardens, whilst the single storey section of the building is located 14 metres from the nearest neighbouring gardens. The two-storey section of the building is located between 33 and 36 metres from the rear elevations of the nearest neighbouring dwellings at Upper Fisher Row. The single storey extension to the rear of No.42A Hythe Bridge Street is located between 11 and 15 metres from the rear gardens of the adjoining properties at Upper Fisher Row and Hythe Bridge Street and 20 metres from the rear elevation of the houses.

1.123. The three-storey section of the proposed building measures 12 metres to the roof ridge, whilst the four-storey section measures 16.4 metres to the roof ridge with the five storey section of the building measuring 20.5 metres to the roof ridge. The three-storey section of the building would be sited approximately 14 metres from the rear of No.9 Upper Fisher Row, the closest property to the building and 21 metres from the rear elevation of No.8 Upper Fisher Row. The four-storey section of the building would be sited approximately 20 metres from the rear elevation of No.9 Upper Fisher Row and 25 metres from the rear elevation of No.8 Upper Fisher Row. The five storey section of the building would be sited approximately 19 metres from the rear elevation of No.9 Upper Fisher Row and 26 metres from the rear elevation of No.8 Upper Fisher Row. The three-storey section of the building would be sited between 13 and 21 metres from the rear gardens of the nearest neighbouring properties in Upper Fisher Row and Hythe Bridge Street, whilst the four-storey section of the building would be sited between 18 and 28 metres away from the gardens of the nearest neighbouring properties. The five-storey section would be located approximately 21 to 30 metres away from the gardens of the nearest neighbouring properties.

1.124. The proposed building would be cumulatively larger than the existing development on the site, although there are sizeable existing buildings on the site, in particular Beaver House. The proposals retain appropriate separation to the existing houses and weight should be given to the City Centre location of the site and the need to ensure that the development makes optimum use of land within an area of the West End where there is strategic focus on regeneration. Officers consider that the scale is appropriate where considering the impact on the adjoining homes and consider that the development would not have an overbearing impact.

1.125. Roof terraces are proposed at second and third floor level, which would provide communal outdoor amenity areas for the occupiers of the building. Accounting for

the buildings proximity to the adjoining gardens and houses, the siting of the terraces have the potential to increase overlooking of the adjoining properties resulting in a loss of privacy for existing occupants. Accounting for this, it is necessary to require the addition of privacy screening along the eastern side of the terraces to an appropriate height that screens views below into the adjoining gardens and dwellings. This could consist of a combination of appropriately designed screens in conjunction with planting. It is considered that this would appropriately mitigate overlooking of the adjoining properties. Windows are proposed at first and second floor level along the eastern elevation of the building within the three-storey section of the building closest to the adjoining properties. Officers consider that it would be necessary to condition that these windows are fitted with obscured glazing to safeguard the privacy of the adjoining occupiers and conditions have been included to secure these measures.

1.126. The buildings to the south of the site are used for a range of purposes and including a furniture store, nightclub, backpackers' hostel and hotel. It is considered that the siting of the development would not adversely affect the function of any of these adjoining uses, particularly where accounting for the scale of the existing building. Hotel/hostel uses are not subject to the same amenity standards as residential dwellings and the hotel and hostel rooms are already overlooked by Beaver House and the siting of the building, whilst larger in scale would not significantly increase the degree to which the rooms would be overlooked.

1.127. A Daylight and Sunlight Assessment has been prepared and submitted as part of the planning application. There are two windows in the rear elevation of No.9 Upper Fisher Row, consisting of a small window serving a bathroom and a larger window serving a kitchenette/living space. This is one of three windows serving this room, the other being located on the east elevation of the building. The largest proportional reduction in light resulting from the development would be to this window, which would be 15%, this is within the BRE guidelines, which recommend that percentage reduction to light should be no more than 20%. The applicant's Daylight and Sunlight Assessment suggests that just one room that will experience a proportional No Sky Line (NSL) reduction of more than the guideline 20% which is within 11 Upper Fisher Row and would be 21.8%, marginally in excess of the BRE guidance. The largest proportional reduction in Annual Probable Sunlight Hours to any window would be 14.5%, which is to a window serving 9 Upper Fisher Row, this is within the guideline 20%. Overall, the impact of the development on natural light to the rooms and internal spaces within the surrounding properties is anticipated to be very low compared with the baseline situation.

1.128. The impact of the siting of the proposed buildings has been assessed in relation to the extent to which there would be a loss of light to the adjoining gardens, based on the proportion of the area of each garden that is able to receive at least 2 hours of sunlight on 21st March. There would be a small percentage reduction in sunlight to the gardens of several of the properties in particular No.10 (11%), No.7 (11%), No.6 (10%) and No.5 (9%). The greatest loss of light would be to the garden area of No.8 Fisher Row, where sunlight would be reduced from 42% to 35%, equating to a percentage reduction of 16.6%. This does not however exceed BRE guidance relating to loss of light, which recommends that any increase in overshadowing should not be greater than 20% of its former value. The siting of the buildings would

result in the sunlight to Nos. 1 and 6 Upper Fisher Row falling below the recommended BRE guidance that 50% of all gardens receive at least 2 hours of sunlight on 21st March. However, the percentage reduction in direct sunlight would be small at 5% and 10% respectively and the sunlight levels would fall only slightly below 50% at 46 and 48% respectively.

1.129. Taking the above factors into account officers consider that the development would comply with Policies H14 and RE7 of the Oxford Local Plan.

1.130. Policy RE8 of the Oxford Local Plan states that planning permission will only be granted for development proposals which manage noise to safeguard or improve amenity, health, and quality of life. The application is accompanied by a Noise Impact Assessment which provides an appropriate analysis of the impact of the development on the amenity of surrounding uses, including the nearest residential uses. The proposals include the provision of plant associated with extract equipment and Air Source Heat Pumps. Subject to the fitting of attenuation to the plant and a conditional requirement limiting that noise from the proposed installations located at the site shall not exceed the existing background level, it is considered that the noise generation associated with the plant and mechanical equipment would not have a significantly adverse impact on the amenity of surrounding uses.

1.131. The proposals include outside spaces at ground floor level to the rear of No.42A Hythe Bridge Street and terraces at third and fourth floor level on the new building. It is considered that activity within these areas and general activity associated with the building would not be harmful to the amenity of the surrounding residential uses, accounting for the City Centre location and surrounding uses, which includes nighttime uses. To prevent disturbance to surrounding neighbours a condition should be required specifying that garden to the rear of No.42A shall not be used beyond 11pm. Subject to appropriate conditions it is considered that the development would not have an adverse impact on the amenity of surrounding land uses by reason of noise disturbance and the development would comply with Policy RE8 of the Oxford Local Plan.

Health Impact

1.132. Local Plan Policy RE5 seeks to promote strong, vibrant and healthy communities and reduce health inequalities. The application has been supported by a Health Impact Assessment (HIA) which considers the health impacts of the proposed development.

1.133. In particular the following provisions are likely to contribute positively towards promoting strong, vibrant and healthy communities:

- Reduction in parking and associated vehicle movements – reducing congestion, promoting sustainable travel and improving air quality.
- Improvements to the public realm and activation of the street, including the widening of pavements to promote walking and safety of the environment for pedestrians using a key thoroughfare.

- Improvements to the safety and security of the public realm through designing out existing opportunities for crime and through improved lighting. Secured by Design accreditation to be achieved.
- Creation of high-quality employment opportunities during the operational and construction phases of the development including local employment opportunities to be secured through the CEPP.

1.134. In terms of the impact of the development on community health and wellbeing it is considered that there would not be any significant harm and the impacts of the development that have the potential to cause harm such as noise or impacts associated with the construction phase can be appropriately mitigated. Officers therefore consider that the proposals would comply with Policy RE5 of the Oxford Local Plan.

Transport

1.135. 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.

1.136. Policy M3 of the Oxford Local Plan states that 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.

1.137. The existing vehicle access is located to the east of the main pedestrian access adjacent to 39-42 Hythe Bridge Street. The vehicle access will be moved approximately 25m to the east to accommodate a new access road that serves a loading bay and two disabled parking spaces.

1.138. There are currently a total of 66 car parking spaces located on the site within the basement of Beaver House and at ground floor to the rear of Beaver House and Nos.39-42A Hythe Bridge Street. The parking is currently accessed via an undercroft access that crosses the pavement between Beaver House and Nos.39-42. Two accessible parking spaces would be retained to serve the building, which would be located in the north east corner of the site to the rear of Beaver House. This is justified in operational terms as a level of disabled parking provision is required to facilitate access for all users.

1.139. In total the proposals would result in a net reduction of 64 parking spaces. The site is within the City Centre and is in a highly sustainable location that falls within 200 metres Oxford Railway Station, bus stops benefitting from frequent services as well as two public car parks at Worcester Street and Oxford Railway Station.

Gloucester Green Bus Station is also within 300 metres of the site. Given the sustainable location of the site, no general parking provision would be required or expected to serve the proposed uses and the loss of 64 parking spaces is supported. The applicant's Transport Assessment estimates that the reduction in on-site parking would equate to a net reduction of 53 two-way vehicle trips in the AM peak and 57 two-way vehicle trips in the PM peak. This would be beneficial in terms of highway safety and amenity and would assist in reducing traffic congestion, consequently also improving air quality. The reduction in parking would align with Policy M3 of the of the Oxford Local Plan as well as Policy M1, which promotes a modal shift away from private car use, towards active travel and uptake of public transport including bus and rail.

1.140. There would be servicing needs associated with the proposed development. A loading bay is proposed to the new life sciences building, which is of a size large enough to accommodate a 10m rigid truck at once or the equivalent to two 7.5t box vans at the same time. The applicant's Transport Assessment states that the development could generate a demand for 16 daily servicing vehicles, comprising 13 LGV's and 3 HGV's. Servicing and well as access to the disabled parking spaces would be provided via a new service route to the side of the proposed building.

1.141. Policy M4 of the Oxford Local Plan requires that 25% of parking spaces should be fitted with electric vehicle charging points. Where applying this ratio at least one of the two disabled parking spaces would be required to be fitted with an EV charge point.

1.142. A Copenhagen style crossing is proposed over the new access into the site. Details of the final design of the crossing have been requested by the County Council as part of a planning condition. A S278 Agreement will be required for all alterations to the adopted highway. Pedestrian and vehicle visibility splays have been shown at the site entrance on a plan submitted by the applicants which demonstrates that adequate visibility can be achieved.

1.143. The access for cyclists will be east of the main reception on Hythe Bridge Street. From the main cycle lobby, there will be two cycle lifts which will lead into the basement cycle parking area. Information has been provided to demonstrate that sufficient capacity is available with the two cycle lifts to accommodate demand in the peak hours. A total of 200 cycle parking spaces are proposed within the building within the basement of the building. The proposed mix of cycle parking would be as follows:

- Accessible / Enlarged Sheffield Stand: 4% - 8 spaces
- Sheffield Stand: 47% - 94 spaces
- Double Stacked: 49% - 98 spaces

1.144. The 2036 Local Plan sets out a requirement of one shower per 500 sqm for the first 1,000 sqm of floor space, with one shower per 4,000 sqm thereafter. Based on this requirement, the proposed development would be required to provide six showers. 10 showers are proposed within the building which would exceed this requirement.

1.145. Hythe Bridge Street is a key link between the city centre and Oxford Railway Station with a significant amount of pedestrian traffic which will increase with the proposed development. The existing access to Beaver House includes steps and a disabled ramp which reduce the footway on the northern side of Hythe Bridge Street to approximately 1.3m to 1.6m in places. The applicant proposes to widen the footway slightly and remove the stairs which will widen the footway in front of the building to a minimum width of 2.38m and would improve accessibility for pedestrians. A Pedestrian Comfort Level Assessment was undertaken which demonstrates that the slightly widened footways in front of the development are of sufficient width to accommodate future existing pedestrians as well as the additional pedestrians resulting from the proposed development.

1.146. The pedestrian survey conducted by the applicant shows hourly two-way pedestrian flows exceeding 900 in the PM peak hour and this is likely to increase in the next few years. Improvements, similar to what has been provided on Frideswide Square, will be required to provide a suitable pedestrian corridor from the city centre to the railway station. A traffic filter will be introduced on Hythe Bridge Street just north of the roundabout with Park End Street to help reduce congestion in and around central Oxford. The filter will restrict daytime traffic to vehicles with a permit. As complementary proposals for Hythe Bridge Street have not yet been finalised, carriageway width requirements are currently unknown. A financial contribution to future improvements adjacent to the site is considered appropriate. Based on a site frontage of 120m and 2m widening, which costs £787,15 per metre, a total cost of £94,458 has been calculated. The calculation is based on the cost of widening the northern footway only.

1.147. There is currently not sufficient space within the site to provide external visitor cycle parking, and a contribution towards city centre cycle parking to provide an additional 10 spaces is required. The cost for one Sheffield stand (two cycle parking spaces) is £331.35, therefore a contribution of £1,656.75 is required.

1.148. A condition will require the submission and approval of a construction traffic management plan to ensure that the proposed works would not impact on the transport network or neighbouring amenity.

1.149. In conclusion, subject to the conditions and obligations set out above, officers consider that the transport impacts of the proposal would be acceptable and in accordance with Local Plan Policies M1, M2, M3, M4 and M5.

Ecology

1.150. Policy G2 of the Oxford Local Plan states that development that results in a net loss of sites and species of ecological value will not be permitted. Policy G2 of the Oxford Local Plan requires that all developments achieve a 5% net gain in biodiversity on greenfield sites or brownfield sites that have become vegetated. From 12th February 2024 it is now mandatory that all developments achieve a 10% net gain in biodiversity, this applies to all developments submitted after this date, therefore the proposed development would be expected to demonstrate compliance against the higher standards adopted nationally.

1.151. The majority of the site consists of previously developed land comprising buildings or tarmac parking, there is an area of overgrown and unmanaged mixed shrub and brambles within the car park area adjoining the Wareham Stream and eastern boundary of the site, however the site is of very low ecological value overall. The site is identified as having a low or negligible potential to support most protected species given the developed nature of the site, however the site is identified as offering moderate potential to support foraging and commuting bats given its location adjoining a watercourse and the presence of scrub habitat on site. The site is identified as offering low potential for roosting bats given the adjoining urban environment, lighting and noise. No.42A Hythe Bridge Street was assessed as having potential to support roosting bats, the building was surveyed and identified the likely absence of roosting bats within the building.

1.152. A biodiversity net gain plan has been submitted in support of the planning application. It is proposed that additional mix scrub planting would be provided on the site. Whilst landscaping is proposed within the upper floor terraces of the building. Accounting for the current low biodiversity value of the site, this would equate to an 871.62% net gain in habitat units. Additional encroachment into the watercourse and riparian area of the Wareham Stream is not proposed and there would be a neutral (0%) impact on the watercourse.

1.153. To address comments made by the EA the application also proposes enhancements to the Wareham Stream which would include the planting of shrubs and plugs throughout the marginal habitat, the removal of litter and large debris and the introduction of 200mm, locally sourced river terrace gravels to the stretch of the Wareham stream that flows adjacent to the development site. Specifically the works proposed within the channel would both enhance and create spawning habitat, bolstering the sounding area's capacity to support young fish populations. These works would mitigate the proximity of the development to the watercourse and achieve an ecological betterment (20.80% net gain).

1.154. As such the proposals would exceed the requirements of Policy G2 of the Local Plan.

Trees

1.155. 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.

1.156. There are no trees falling within the site itself, however the tree survey contained in the applicant’s Arboricultural Impact Assessment (AIA) identifies 8 trees on third party land outside the site, which could be impacted by the works. The AIA identifies that all but one the trees (T7 willow) would be retained. The willow tree proposed for removal is identified as being within a poor condition.

1.157. Tree planting is proposed within the garden area to the rear of No.42A Hythe Bridge Street and adjacent to the parking and access areas within the site as well as on the upper floor roof terraces, resulting in a significant increase in tree canopy

cover across the site. A landscaping plan would be required by planning condition outlining the specific details of soft landscaping and tree planting. Subject to securing an acceptable landscaping plan by condition, the proposals would not impact detrimentally on existing trees and would be compliant with Policy G7 of the Oxford Local Plan.

Flooding

1.158. 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).

1.159. 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.

1.160. The site primarily lies within Flood Zone 2 and is therefore considered to be at a high risk of flooding. A small section of the eastern part of the site that adjoining the Wareham Stream watercourse lies within Flood Zone 3 and therefore considered to be at a very high risk of flooding. A small part of the western edge of the site lies within Flood Zone 1 and is at a low risk of flooding.

1.161. The combined footprint of the existing buildings measures 1343sqm, whilst the footprint of the proposed buildings would measure 1059sqm which equates to a reduced footprint of 284sqm and therefore the development would not result in the loss of floodplain storage which would require compensation elsewhere.

1.162. The proposed drainage strategy includes the incorporation of SuDS, namely blue roofs which would connect to a rainwater harvesting and attenuation tank within the basement of the building. Permeable paving is proposed as surfacing for the access roads, hardstanding and disabled parking bays. Outfall discharge is proposed into the Wareham Stream to the east of the site.

1.163. A detailed surface water drainage scheme will be required by planning condition prior to the commencement of development along with a record of completed SuDS prior to the first use of the building.

1.164. Subject to conditions the proposals are considered to comply with Policies RE3 and RE4.

Land Quality

1.165. The site has had former potentially contaminative industrial and commercial uses and therefore there are likely to be potential contamination risks present at the site. A ground investigation has been completed at the site which has identified moderate groundwater contamination risks and potential hydrocarbon vapour risks which require detailed further assessment and possible remediation works to be completed.

1.166. The investigation was relatively limited in scope due to access restrictions and there are several areas of the site that have not been fully investigated for contamination risks. This includes the properties at 39-42a Hythe Bridge Street. It is also apparent that sampling data may be compromised due to limitations of the technique used to sample groundwater and no hydrocarbon vapour risk assessment has been completed. It is acknowledged within the submitted geo-environmental report that a full contamination risk assessment has not been achieved and recommends further investigation works.

1.167. It is possible that the hydrocarbon contamination identified on site may be emanating from an off-site source, such as the adjacent fire station to the northern boundary. In this regard, it is recommended that monitoring for fire fighting chemicals should also be performed in any future groundwater analysis to include PFAS substances. As the site investigation data set is considered insufficient for the characterisation of contamination risks across the whole site. It is therefore considered necessary to undertake further site investigation in all areas of the site to also include those areas of the site that were inaccessible. This may be better achieved post site demolition. The submitted conceptual site model will then need to be updated, once the further investigation works is complete, to confirm contamination risks across the site and whether any remedial treatment works are required.

1.168. A further contamination risk assessment is therefore required by planning condition, which will need to be carried out, completed and submitted for approval prior to the commencement of development (excluding demolition) to manage any risk of contamination in accordance with Policy RE9 of the Oxford Local Plan.

Air Quality

1.169. 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).

1.170. The baseline assessment shows that the application Site is located within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council (OCC) for exceedances of the annual mean NO2 air quality objective (AQO).

1.171. The energy strategy for the proposed development will be all-electric and not rely on the use of combustion sources as a primary energy supply. High efficiency heat pumps and a significant photovoltaic array have been incorporated to provide an all-electric, fossil free heated and cooled building. As no combustion sources are proposed, no local air quality impacts are anticipated and hence a detailed assessment of the impacts of combustion emissions from an associated energy plant have been screened out.

1.172. Except for the two disabled parking spaces, the development will be car free. A total of 64 car parking spaces will be removed from the basement and existing yard, which means there will be an overall reduction in parking provision on-site. This will result in a net reduction of 150 trips in the AM peak hour and 159 trips in

the PM peak hour, with compensating increases in trips undertaken by public transport, walking and cycling.

1.173. 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 there is a medium risk of dust soiling impacts due to the proximity of existing receptors to the proposed development. The sensitivity of the area for human health was classified as “low risk”. The risk of dust causing a loss of local amenity and increased exposure to PM10 concentrations has been used to identify appropriate dust mitigation measures. Provided these measures are implemented and included within a dust management plan, the residual impacts are considered to be not significant. It is proposed that a dust management plan would be secured by planning condition.

1.174. An accompanying Travel Plan has been prepared to support the planning application to encourage sustainable transport choices by employees and visitors and to reduce single occupancy vehicle trips. The success of the Travel Plan will be monitored against clearly defined targets related to travel. It will be monitored for a period of 5 years post full occupation. If the Travel Plan is not meeting its targets at the end of the initial period of monitoring, the Travel Plan will be reviewed and remedial measures will be implemented, to be agreed with the Oxford City Council and Oxfordshire County Council.

1.175. Based on the information above, it is considered that air quality should not be viewed as a constraint to planning, and the Proposed Development conforms to the air quality principles of National Planning Policy Framework and Policy RE6 of the Oxford Local Plan.

Utilities

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

1.177. A Utilities Report has been submitted in support of the application which demonstrates that discussions have been commenced with SSEN regarding the relocation of an existing substation within the basement of the existing building.

1.178. Thames Water have been consulted as part of this application and have suggested conditions.

1.179. There is no requirement for a gas supply to the proposed development.

1.180. The existing water, electricity and telecommunications arrangements would be retained in relation to no. 42A Hythe Bridge Street.

1.181. In light of the above, it is considered that the proposed development would comply with Policy V8 of the Local Plan.

CONCLUSION

1.182. 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.

1.183. 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.

1.184. 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.

1.185. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the NPPF, and relevant policies of the Oxford Local Plan 2016- 2036, when considered as a whole.

1.186. The proposals would be acceptable in principle and would make a strong contribution towards the city's knowledge economy, whilst also contributing to the wider regeneration of the West End, which is a fundamental purpose of Policy AOC1. The development would provide a new community use and has the potential to provide 810 jobs within its operational phase, a net increase of 190 jobs compared with the employment generating potential associated with the existing space on the site.

1.187. Whilst the loss of a retail unit in the form of the Chinese Supermarket would technically be contrary to Policy V2, there are considered to be material circumstances that justify departure from the policy. Policy V2 cannot be applied in practice given the introduction of Class E permitted development right and this must be afforded significant weight. The proposed office and café uses would be classed as main town centre uses, whilst laboratory space also falls within Class E. The proposed life science use is also consistent with the Council's vision for redevelopment and regeneration within the West End area of the city as outlined under Policy AOC1 of the Local Plan. The proposals provide active frontages at ground floor level along the Hythe Bridge Street frontage consistent with Policy C1 of the Emerging Local Plan, whilst providing notable improvements to the public realm. Therefore the significant regeneration benefits associated with the development and enhancements to the public realm, along with the provision of an alternative employment generating use, whilst considered in relation to the lack of weight that can be applied to Policy V2 of the Oxford Local Plan provides significant grounds to justify departure from Policy V2 of the Oxford Local Plan.

1.188. The proposals would cumulatively equate to a medium level of less than substantial harm to the significance of heritage assets but would deliver significant

economic benefits; significant regeneration benefits; provision of dedicated space for community use at 42A Hythe Bridge Street and; biodiversity net gain which would significant exceed the 10% statutory requirement. As such, the public benefits of the development are considered to be substantial and where assessed in the context of Paragraph 208 of the NPPF it is considered that the benefits would outweigh the medium level of less than substantial harm to heritage assets. The development is therefore considered acceptable where assessed in relation to Policies DH2, DH3 and DH5 of the Oxford Local Plan.

1.189. The proposal would not comply with Policy RE1 however, this is predominantly due to site specific constraints which have impacted on the overall building design. Officers are satisfied that the proposals maximise the opportunity for energy efficiency and carbon reduction, as much as can be achieved considering the specific constraints of the site, as well as delivering a range of other significant regeneration benefits as highlighted within this report. Therefore, it is considered that, in this instance, there are significant grounds to justify departure from Policy RE1 of the Oxford Local Plan.

1.190. The proposals would be car-free and would result in a significant reduction in car parking provision when compared to the existing. Cycle parking would be provided in accordance with the Local Plan standards.

1.191. Subject to conditions, there would be no adverse land contamination, impact on trees, noise pollution, air quality, flood risk or drainage impacts as a result of the proposal.

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

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.

   A follow-up site investigation scheme shall be completed, based on the current Phase 1 and Phase 2 report to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site. This shall include the recommendations supplied in the Phase 1 and Phase 2 Report provided by RSK (March 2024) with an expanded groundwater monitoring scheme.

   An options appraisal and remediation strategy, which has been informed by the results of the site investigation and the detailed risk assessment referred to above, shall be submitted giving full details of the remediation measures required and how they are to be undertaken.

   Phase 3 requires that a remediation strategy, validation plan, monitoring plan and a verification plan be submitted to and approved in writing by the Local Planning Authority to ensure the site will be suitable for its proposed use. The details shall include the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identify any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

   The development shall be carried out in accordance with the approved details unless otherwise agreed 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.

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 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 – Monitoring and Maintenance Plan

6. The development hereby permitted shall not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.

   Reason: This condition seeks to ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 180 of the National Planning Policy Framework.

Contamination – Watching Brief

7. 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

8. No development shall take place until the complete list of site-specific dust mitigation measures and recommendations that are identified on Page 8 (paragraph 5.1.16) of the Air Quality Assessment that was submitted with this application, are included in the site's Construction Environmental Management Plan (CEMP). The CEMP will need to be submitted to and approved in writing by the Local Planning Authority. 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.

   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.

Visibility Splays – Access

9. No development shall commence unless and until full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed in strict accordance with the approved details and shall be retained and maintained as such thereafter. Agreed vision splays shall be kept clear of obstructions higher than 0.6m at all times.

   Reason: To ensure a safe and adequate access.

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 of the Oxford Local Plan 2036.

Delivery and Servicing Plan

11. The development shall not be occupied until a delivery and servicing management plan has been submitted to and approved in writing by the Local Planning Authority. The delivery and servicing management plan will include details of delivery times which must be outside network peak hours. The

development shall thereafter be carried out strictly in accordance with the approved delivery and servicing management plan.

Reason - In the interests of highway safety and to comply with Government guidance within the National Planning Policy Framework.

Construction Traffic Management Plan

12. A Construction Traffic Management Plan (CTMP) shall be submitted to the Local Planning Authority and agreed 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 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 in accordance with Policy M2 of the Oxford Local Plan.

Travel Plan

13. Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

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

Piling Method Statement

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

    Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure in accordance with Policies RE3 and V8 of the Oxford Local Plan.

Water Network Upgrades

15. 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 in accordance with Policies RE3 and V8 of the Oxford Local Plan.

Sewage Network Upgrades

16. No development shall be occupied until confirmation has been provided that either:- all sewage works upgrades required to accommodate the additional flows from the development have been completed; or - a development and infrastructure phasing plan has been agreed with the Local Authority in consultation 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: Sewage Treatment Upgrades are likely to be required to accommodate the proposed development. Any upgrade works identified will be necessary to avoid sewage flooding and/or potential pollution incidents in accordance with Policies RE3 and V8 of the Oxford Local Plan.

Demolition

17. No demolition shall take place until the applicant, or their agents or successors in title, has submitted a demolition statement that details how demolition will be undertaken in such a manner as to facilitate post demolition archaeological trial trenching and mitigation. 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 medieval and postmedieval remains in accordance with Policy DH4 of the Oxford Local Plan.

Archaeology

18. No development shall take place until written schemes of investigation (WSI) have been submitted to and approved by the local planning authority in writing for Stage 1) post demolition trial trenching and Stage 2) further mitigation. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSIs, which shall include the statement of significance and research objectives, and

    - The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
    - The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

    Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Late Saxon, medieval and post-medieval remains in (Policy DH4 of the Oxford Local Plan).

Historic Building Recording

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

    Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including early modern structures (Local Plan Policy HE2, Local Plan Submission Draft Policies DH4).

Noise Limits – Plant

20. The noise emitted from the proposed installations 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,” with all machinery operating together at maximum capacity.

    Reason**:** To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise from plant/mechanical installations/equipment in accordance with Policy RE8 of the Oxford Local Plan.

Anti-Vibration – Plant Equipment

21. Prior to use, machinery, plant or equipment 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 ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with Policy RE8 of the Oxford Local Plan.

Noise – Emergency Plant

22. Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10 dB one metre outside any premises.

    The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency loss of power. Testing of emergency plant and generators hereby permitted shall be carried

out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

Reason**:** To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise from plant/mechanical installations/equipment in accordance with Policy RE8 of the Oxford Local Plan.

Surface Water Drainage Strategy

23. Not to commence Development until a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority.

    The scheme shall be provided in full in accordance with the approved details before the development is first occupied and shall include:

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

    Reason: To ensure development does not increase the risk of flooding elsewhere; in accordance with Policies RE3 and RE4 of the Oxford Local Plan.

Infiltration

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

    Reason: This condition seeks to ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 180 of the National Planning Policy Framework.

Record of Completed 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 Polices RE3 and RE4 of the Oxford Local Plan.

Dewatering

26. The development hereby permitted may not commence until such time as a scheme to:
    • specify the type of groundwater management.
    • secure de-watering of the site • specify the manner of groundwater remediation methods.
    • Identify method of disposal of any contaminated groundwater abstracted and measures to prevent dewatering causing further migration of contamination.
    • secure the protection of the nearby watercourse Castle Mill Stream (WFD designation GB106039030334).

    has been submitted to, and approved in writing by, the Local Planning Authority.

    Any such scheme should include a maintenance program of the facilities to be provided. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the Local Planning Authority.

    Reason: This condition seeks to ensure that the proposed dewatering does not harm the water environment in line with paragraph 180 of the National Planning Policy Framework.

Underground Tanks

27. The development hereby permitted may not commence until such time as a scheme to install any underground tanks has been submitted to, and approved in writing by, the Local Planning Authority.

The scheme shall include the full structural details of the installation, including details of: excavation, the tanks, tank surround, associated pipework and monitoring system. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes subsequently agreed, in writing, by the local planning authority.

Reason: To ensure that the underground storage tanks do not harm the water environment in line with paragraph 180 of the National Planning Policy Framework and Position Statement D2 and D3 of the 'The Environment Agency's approach to groundwater protection'.

Storage of Oils, Fuels or Chemicals

28. Details of any facilities for the storage of oils, fuels or chemicals associated with this development shall be submitted to and approved by the Local Planning Authority. The details shall include:
• secondary containment that is impermeable to both the oil, fuel, chemical and water, with no opening used to drain the system.
• a minimum volume of secondary containment at least equivalent to the capacity of the tank plus 10% or, if there is more than one tank in the secondary containment, at least equivalent to the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest.
• all fill points, vents, gauges and sight gauge located within the secondary containment.
• associated above ground pipework protected from accidental damage.
• below ground pipework having no mechanical joints, except at inspection hatches and have either leak detection equipment installed or regular leak checks.
• all fill points and tank vent pipe outlets designed to discharge downwards into the bund. The scheme shall be implemented as approved prior to any storage of oils, fuels or chemicals.

Reason: To ensure that the proposed , does not harm groundwater resources in line with paragraph 180 of the National Planning Policy Framework and position statement D1 of 'The Environment Agency's approach to groundwater protection'.

Boreholes

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

Reason: This condition seeks to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 180 of the National Planning Policy Framework and

Position Statement A8 of 'The Environment Agency's approach to groundwater protection'.

Hours of Use – External Garden

30. The outdoor garden area located to the rear of 42A Hythe Bridge Street shall only be used during the following times: Monday to Sunday - 10:00 - 23:00.

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

Privacy Screening - Terrace

31. A design and specification of privacy screening to be installed adjoining the upper floor terraces located along the east elevation of the proposed building shall be submitted to and be approved in writing by the Local Planning Authority before first occupation of the development. The approved screening shall be retained thereafter.

    Reason: To limit overlooking to preserve the privacy and amenity of adjoining residential occupiers in accordance with Policies H14 and RE7 of the Oxford Local Plan 2036.

Boundary Treatments

32. Prior to commencement of above ground works, details of the proposed boundary treatments shall be submitted to, and approved by, the Local Planning Authority. Details shall include, as a minimum:

    - A plan to show the location and extent of the proposed boundary treatments;
    - Plans to show the proposed height and dimensions;
    - Samples of the proposed materials.

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

    Reason: In the interests of the visual appearance of the area, safety, and to preserve residential amenity in accordance with Policies DH1, DH5 and H14 of the Oxford Local Plan.

Obscured Glazing

33. Prior to the first occupation of the development, all windows located along the east elevation of the new building at first and second floor level shall be fitted with obscure glazing which shall be retained thereafter.

    Reason: To limit overlooking to preserve the privacy and amenity of adjoining residential occupiers in accordance with Policies H14 and RE7 of the Oxford Local Plan 2036.

Landscape and Ecological Management Plan (LEMP)

34. No development shall take place until an updated landscape and ecological management plan (LEMP) that outlines the delivery mechanism and long term (minimum of 30 years) maintenance plans for the enhancement measures listed in the "10370_Beaver House, Oxford_Biodiversity Gain Plan_v3.0.pdf" has been submitted to, and approved in writing by, the Local Planning Authority. The LEMP shall be carried out as approved and any subsequent variations shall be first agreed in writing by the Local Planning Authority.

    The LEMP shall include the following elements:
    • Details of the new and enhanced habitats to be created on site to achieve 20.80% uplift in watercourse units (i.e., shrub planting and introduction of gravels). This should list the species to be planted on site (species should only be UK natives, ideally of local provenance).
    • Indicative diagrams (including cross sections) of the proposed measures (i.e., showing extent of the enhanced area).
    • Details of long term maintenance regimes (i.e., ongoing removal of large debris and litter).
    • Details of named body responsible for and adequate financial provision for the delivery of all the measures proposed to achieve the 20.80% uplift in watercourse units and comply with the proposed BNG scheme.
    • Details of named body responsible for and adequate financial provision for maintenance of all the measures proposed to achieve the 20.80% uplift in watercourse units and comply with the proposed BNG scheme.
    • Details of the timeline and schedule for the enhancement works. Paragraph 3.13 of the "10370_Beaver House, Oxford_Biodiversity Gain Plan_v3.0.pdf" document, states there will be a 2 year delay before the implementation of the habitat enhancement and creation work. The LEMP should confirm both whether this is from the start of construction and, the duration of time scheduled to implement the proposed measures.
    • Monitoring protocols to assess the effectiveness of the enhancement measures and of the management strategies themselves. This should allow for necessary adjustments to achieve set targets through review and adaptive management.

    Reason: In accordance with paragraphs 180 and 186 of the NPPF and Policy G2 of the Oxford Local Plan 2036.

Landscape Scheme

35. Notwithstanding the approved plans, prior to the occupation of the development a comprehensive Landscape Scheme shall be submitted to and be approved in writing by the Local Planning Authority.

    The Landscape Scheme shall include plans to show:

    • details of the external hard landscaping and surface treatments including street furniture, bollards and benches,

• details of soft landscaping including areas to be grassed or finished in a similar manner,
• proposed new tree, shrub and hedge planting.

The scheme shall show details of all planting areas, tree and plant species, numbers and planting sizes. The entire approved Landscaping Scheme shall be completed by the end of the planting season immediately following the completion of each phase or sub-phase or the site being brought into use, whichever is the sooner.

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

Landscape Proposals: Reinstatement

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

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

Construction Environmental Management Plan (CEMP)

37. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This shall deal with the treatment of any environmentally sensitive areas. It will detail the works to be carried out showing how the environment will be protected during construction works.

    The CEMP shall include details of the following:

    • The timing of the works.
    • The measures to be used during construction to minimise any environmental impacts of the works, including potential disturbance. This should include:
        o The measures to physically protect the buffer zone during mineral extraction (i.e., protective fencing).
        o Any necessary pollution protection methods, particularly for dust, silt/sediment, and other harmful substances such as oil that could otherwise pollute the watercourse.
        o Responsible management bodies of buffer zone's protection
    • A map or plan showing habitat areas to be specifically protected during the works.
    • Any necessary mitigation for protected species (i.e., fish).
    • Construction methods and schedule.

• Named body/bodies responsible for particular activities associated with the CEMP (i.e., an Ecological Clerk of Works).

The works shall be carried out in accordance with the approved method statement.

Reason: In accordance with paragraphs 180 and 186 of the NPPF and Policy G2 of the Oxford Local Plan 2036.

Flood Risk Assessment (FRA)

38. The development shall be carried out in accordance with the submitted flood risk assessment (ref 3142, rev 02, dated February 2024) and the following mitigation measures it details:
• Finished floor levels shall be set no lower than 57.55 metres above Ordnance Datum (AOD), in accordance with section 4.1.4 of the FRA.
• There shall be no increase in built footprint within the 1% AEP plus 30% climate change flood extent, in accordance with 4.1.3 of the FRA.

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

Reason: In accordance with paragraph 172 of the NPPF and Policy RE3 of the Oxford Local Plan 2036.

Copenhagen Style Crossing

39. The development shall not be commenced until details of a Copenhagen style raised crossing, located as indicated on drawing no. 22-190-T-011 (Pedestrian and Access Visibility Splay), have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety.

APPENDICES

- **Appendix 1 –** Site location plan

HUMAN RIGHTS ACT 1998

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

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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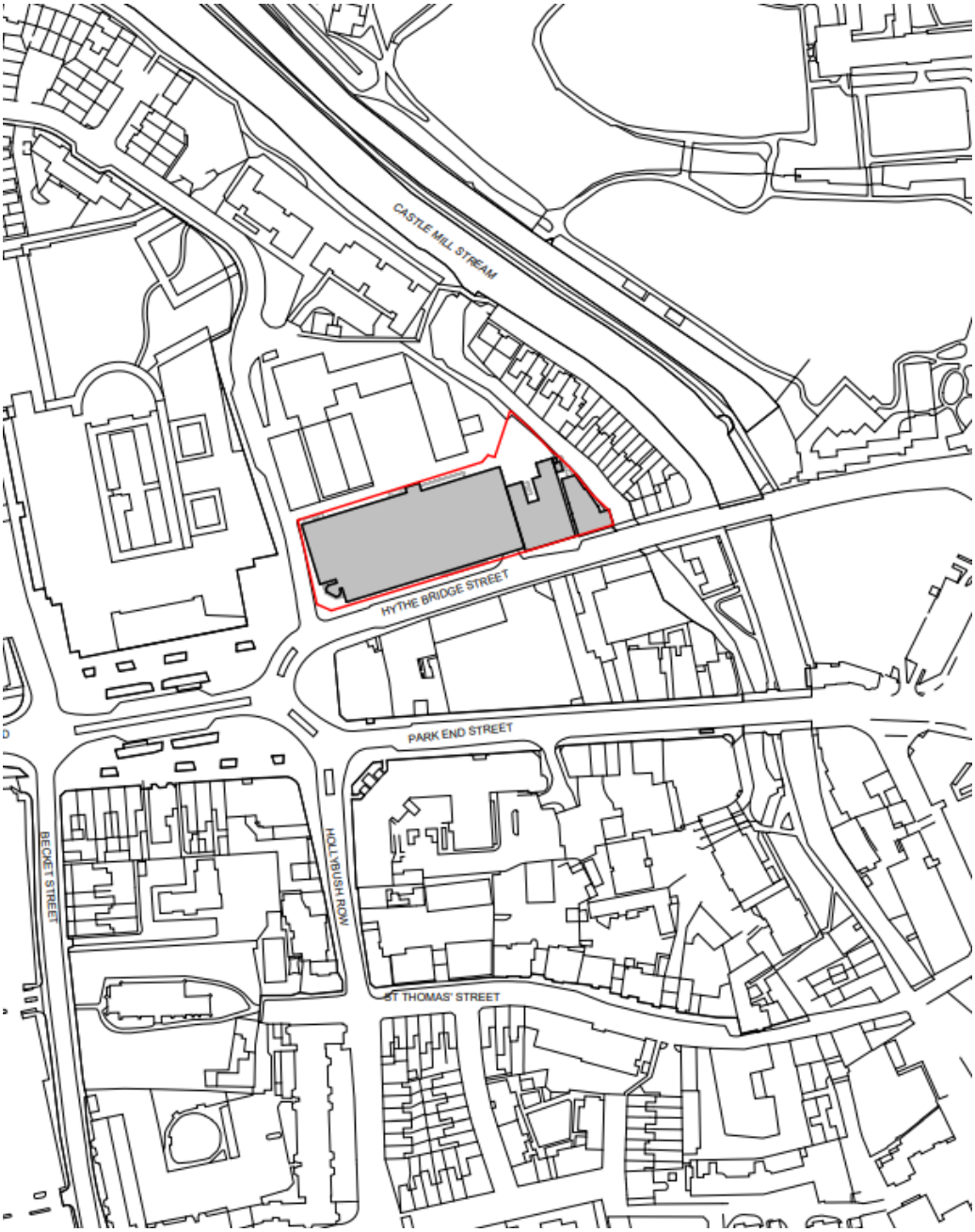
Appendix 1 – Site Location Plan

24/00690/FUL
Site Of 23-42A, Hythe Bridge Street, Oxford, Oxfordshire



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Oxford City Planning Committee			**17th September 2024**
Application number:	24/00318/FUL		
Decision due by	8th May 2024		
Extension of time	27th September 2024		
Proposal	Erection of 24 dwellings on Land North of Goose Green		
Site address	Land at Goose Green, Godstow Road, Oxford, Oxfordshire – see **Appendix 1** for site plan		
Ward	Wolvercote Ward		
Case officer	Michael Kemp		
Agent:	Mr John Gale	**Applicant:**	Hill Residential and OX Place
Reason at Committee	The proposals are major development		

1. RECOMMENDATION

1.1. The Oxford City Planning Committee is recommended to:

1.1.1. **Approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 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.

1.1.2. **Agree to 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 Services considers reasonably necessary; and

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

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

2. EXECUTIVE SUMMARY

2.1. This report considers a residential development consisting of 24 dwellings, vehicular and pedestrian accesses, and the provision of public open space. The proposed housing would be located in the north and north eastern parts of the site with the remaining parts of the site proposed as public open space, landscaping and accesses.

2.2. The site consists of a 1.3ha area of undeveloped greenfield land located to the north west of Wolvercote. The site lies in the south west corner of the Oxford North site as defined within the Northern Gateway Area Action Plan (AAP), but lies outside of the site area benefitting from hybrid planning permission under application 18/02065/OUTFUL. The site contains open areas of grassland and a number of trees, particularly along the south and eastern boundaries of the site. The site lies within the Wolvercote with Godstow Conservation Area.

2.3. The quantum of homes proposed would however be 4 dwellings higher than the quantum permitted under Policy NG2 of the AAP. The quantum of up to 500 dwellings, was based on the cumulative impact of housing development on the site, including the environmental effects, impact of traffic generation and impact upon local services. As the proposed development would exceed 500 dwellings, where assessed cumulatively in conjunction with the hybrid planning permission on the Oxford North site, the development would be classed as constituting a departure from Policy NG2.

2.4. Notwithstanding the conflict with Policy NG2, there is an appropriate basis to consider that departure from this policy is acceptable, providing that the additional 4 dwellings do not have a harmful impact in terms of wider environmental effects or other negative effects such as from a heritage or amenity perspective. Providing that the development achieves compliance with the development plan framework and national planning policy as a whole, officers consider that in principle of 4 additional dwellings on the site would be justified.

2.5. 12 of the proposed dwellings (505) would be affordable housing and the proposed housing mix is considered to be acceptable. The design would represent a continuation of the consented Canalside dwellings which are located immediately adjacent to this site which would be an acceptable approach.

2.6. The impact of the proposed development would have an impact on the openness on the adjoining green belt land belt in spatial and visual terms given that the development would result in the direct loss of an area of open space that is particularly visible in immediate views from the south from Joe White's Lane. This would be replaced by an extension of the adjoining urban development. Notwithstanding this, the development would be of a low height, commensurate with that of the adjoining development on the Canalside site. In terms of wider views beyond Joe White's Lane, the development would not be seen or experienced given its low height, intervening development and vegetation cover

and therefore its wider impact on how the openness of the green belt is experienced would be limited to more immediate views. Where accounting for the allocation of the land within the AAP, the limited quantum of units and the low height of the development and the provision of substantial intervening open space of a natural character, officers consider that the development would not have a harmful impact on the openness of the greenbelt and how this is experienced in spatial and visual terms. It is therefore considered that the development would not conflict with Paragraph 137 of the NPPF or Policy G3 of the Oxford Local Plan.

2.7. Officers consider that there is clear and convincing justification for the low level of less than substantial level of harm to heritage assets in line with Paragraph 208 of the NPPF. The public benefits of the development, in particularly the benefits of providing additional affordable dwellings, to address high demand for housing 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 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2.8. The impacts on amenity of existing and future occupiers are considered to be acceptable.

2.9. The proposal would achieve a forecast 76.62% reduction in carbon emissions, where assessed against the Part L 2021 building regulations baseline requirement. This would significantly exceed the 40% reduction required under Policy RE1.

2.10. In order to achieve the required 5% biodiversity net gain, a biodiversity enhancement scheme will be required which sets out a strategy for the delivery of offsite BNG through an appropriate offsetting provider. This will be required within an accompanying Section 106 agreement.

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

3. LEGAL AGREEMENT

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

- Provision of a minimum of 50% affordable housing.
- Requirement to provide on-site delivery of biodiversity net gain and to enter into an agreement to deliver any shortfall in biodiversity off-site through a suitable provider.
- Special Education Needs and Disabilities (SEND) financial contribution of £17,948.
- Financial contribution of £2255 towards expansion and efficiency of Household Waste Recycling Centres (HWRC).

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for a CIL contribution of £611,884.99

5. SITE AND SURROUNDINGS

5.1. The site consists of a 1.3ha area of undeveloped greenfield land located to the north west of Wolvercote. The site lies in the south west corner of the Oxford North site as defined within the Northern Gateway Area Action Plan, but lies outside of the site area benefitting from hybrid planning permission under application 18/02065/OUTFUL. The site contains open areas of grassland and a number of trees, particularly along the south and eastern boundaries of the site. The site lies within the Wolvercote with Godstow Conservation Area.

5.2. The site adjoins the Canalside parcel of the Oxford North development site, which benefits from reserved matters approval for 317 homes under permission 22/00675/RES. Construction has commenced on the site, with completion of the first units scheduled for completion in September 2024. The Canalside Park also adjoins the site to the west, this is a large area of public open space approved under planning application 22/00081/RES which has been designed a natural landscaped open space to serve the Canalside development at Oxford North and the wider area of Wolvercote. The park also contains swales which function as sustainable drainage for the site. The area connects through the park linking Canalside to Joe White's Lane and Wolvercote. Landscaping work is underway with the park scheduled for completion ahead of occupation of the first homes on the Canalside site.

5.3. The Leonardo Royal Hotel is located to the north east of the application site, the hotel has been subject of a series of extensions which are located close to the site boundary.

5.4. Goose Green Close adjoins the development site to the south east, this is a residential cul-de-sac of two storey dwellings constructed in the 1980's. A brick bungalow (No.30 Godstow Road) adjoins the north east corner of the site, located on a plot which includes a large front and rear garden. No.30 Godstow Road adjoining this property is another brick bungalow of a similar character. To the south east of these properties is Manor Farm, a Grade II listed 17th Century stone Farmhouse.

5.5. Joe White's Lane is located to the south of the site, which is a gravel path leading between Wolvercote and the Oxford Canal and is a public right of way. Goose Green lies to the south of Joe White's Lane. This is an area of common land benefitting from public access and consists of natural open space, including open areas of grassland and wooded areas. The Oxford Canal lies to the south of Goose Green.

5.6. The proposed site plan is included below:

6. PROPOSAL

6.1. A residential development is proposed which would consist of 24 dwellings, vehicular and pedestrian accesses, and the provision of public open space. The proposed housing would be located in the north and north eastern parts of the site with the remaining parts of the site proposed as public open space, landscaping and accesses.

6.2. 12 of the proposed dwellings would be located immediately to the east of the southernmost terrace of houses located on the Canalside development site. The 12 homes would consist of a linear terrace of three storey houses, which would front the south eastern edge of primary loop road through the Canalside site and a secondary street in the south east corner of the Canalside site, replicating the form and layout of the adjacent terrace in Canalside.

6.3. The remaining homes would be located at the end of the secondary street in the north east corner of the site. A spur road is proposed off the existing secondary street into this part of the site, with the housing facing this street which terminates in a courtyard type arrangement. A mix of two and three storey houses are proposed, alongside an apartment building containing three apartments. There is notable topographic change across the site and the houses are stepped accordingly with some sections of the houses reading as one/two or three storeys depending on the aspect.

6.4. Vehicular access to the site would be provided through the Canalside development site to the north west. Two access points consisting of a left in only access from the westbound section of the A40 and an east/west traffic light controlled access

have been created into the Canalside site and would serve the development. No vehicular access would be provided from Godstow Road or Goose Green Close. The proposed houses would adjoin and would be accessed from the secondary street that would be constructed to serve the housing in the south east corner of the Canalside site.

6.5. A pedestrian and cycle route link is proposed, connecting to Goose Green Close in a position to the south of No.1 Goose Green Close. Currently this property benefits from an access driveway with off-street parking. The pedestrian/cycle route would be located in the position of the driveway, with 2 replacement parking spaces created for this property to the north of this access and to the rear of the house.

6.6. As noted, there is a significant change in land levels, with the northern section of the site being significantly higher than the land to the south. To negotiate the difference in levels, a combination of stepped and ramped accesses are proposed as a means of providing level access and DDA compliant pedestrian and cycle connections between the site and Wolvercote.

6.7. The southern sections of the site would consist of public open space. The landscape design and use of the space is intended to be consistent with the adjoining Canalside Park. The space would consist of open areas of grass, biodiverse planting, and multiple trees. The pedestrian and cycle track through the public open space would connect with an adjoining route through the adjoining Canalside Park which provides access to Joe White's Lane and the central and western parcels of the Canalside site.

6.8. An L shaped parcel of the site located in the north east corner would be retained for the purposes of providing ecological enhancement and would be inaccessible to the public. Gated access to this space would be provided for maintenance purposes.

7. RELEVANT PLANNING HISTORY

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

7.2. The following applications at Oxford North are relevant to the proposed scheme:

- 18/02065/OUT - (i) Outline application (with all matters reserved save for "access"), for the erection of up to 87,300 sqm (GIA) of employment space (Use Class B1), up to 550 sqm (GIA) of community space (Use Class D1), up to 2,500 sqm (GIA) of Use Classes A1, A2, A3, A4 and A5 floorspace, up to a 180 bedroom hotel (Use Class C1) and up to 480 residential units (Use Class C3), installation of an energy sharing loop, main vehicle access points from A40 and A44, link road between A40 and A44 through the site, pedestrian and cycle access points and routes, car and cycle parking, open space, landscaping and associated infrastructure works. Works to the A40 and A44 in the vicinity of the site.

(ii) Full application for part of Phase 1A comprising 15,850 sqm (GIA) of employment space (Use Class B1), installation of an energy sharing loop, access junctions from the A40 and A44 (temporary junction design on A44), construction of a link road between the A40 and A44, open space, landscaping, temporary car parking (for limited period), installation of cycle parking (some temporary for limited period), foul and surface water drainage, pedestrian and cycle links (some temporary for limited period) along with associated infrastructure works. Works to the A40 and A44 in the vicinity of the site. (Amended plans and additional information received 19.06.2019) – Approved 23rd March 2021

- 22/00081/RES - Construction of a Spine Road for access to Phases 1b, 1c and 1d of the Oxford North development and the provision of landscaping to create Canalside Park. Approved 26th August 2022

- 22/00675/RES - Details of reserved matters (appearance, landscaping, layout and scale) for the erection of 317 dwellinghouses. Approved 4th November 2022

- 22/00675/NMA2 - Non-Material amendment to planning permission 22/00675/RES to allow a minor amendment to the description of development by removing the specific number of dwellings (317) from the description. Approved 7th February 2024

24/00411/VAR - Variation of condition 2 (accordance approved plans) of planning permission 22/00675/RES Details of reserved matters (appearance, landscaping, layout and scale) for the erection of dwellinghouses (use class C3) to allow two additional 3-bed flats, relocation of cycle storage and a reduction in car parking. Pending Consideration.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Oxford Local Plan 2016-2036	Northern Gateway Area Action Plan	Wolvercote Neighbourhood Plan:
Design	117-123, 124-132	DH1 - High quality design and placemaking	NG7 – Design and amenity	
Conservation/ Heritage	184-202	DH2 - Views and building heights DH3 - Designated heritage assets DH4 - Archaeological remains		

Housing	59-76	H1 - Scale of new housing provision H2 - Delivering affordable homes H4 - Mix of dwelling sizes H10 - Accessible and adaptable homes H14 - Privacy, daylight and sunlight H15 - Internal space standards H16 - Outdoor amenity space standards		
Natural environment	91-101	G2 - Protection of biodiversity geo-diversity G3 - Green Belt G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	NG8 – Oxford meadows	GBS1 - Publicly Accessible Green Space GBS5 - Biodiversity GBS6 - Green space in developments
Social and community	102-111			GBS3 - Playing Fields, Playing Areas
Transport	117-123	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	NG4 – Sustainable travel NG5 – Highways access NG6 – Car parking	CHS1 - Community Connectivity CHS2 - Electric Vehicle Charging Points CHS3 - Safe Access Routes CHS4 - Travel Plans
Environmental	117-121, 148-165, 170-183	RE1 - Sustainable design and construction RE2 - Efficient use of Land	NG9 Energy and resources	BES2 - Air Pollution BES3 - Noise Pollution BES4 - Drainage and Flooding

		RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE5 - Health, wellbeing, and Health Impact Assessment RE6 - Air Quality RE7 - Managing the impact of development RE8 - Noise and vibration RE9 - Land Quality		
Miscellaneous	7-12	S1 - Sustainable development	NG2 – Mix of uses NG11 – Delivery and implementation	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 1st March 2024 and an advertisement was published in the Oxford Times newspaper on 22nd February 2024. The application was advertised as a departure from the development plan in relation to the number of dwellings permitted under Northern Gateway Area Action Plan Policy NG2.

Statutory and non-statutory consultees

Oxfordshire County Council

Highways

9.2. The Transport statement includes a vehicle swept path analysis for a medium sized car, a refuse vehicle and emergency service vehicles. The swept path analysis demonstrates that all vehicles can safely and easily enter/exit the site and manoeuvres within the site.

9.3. The development will include the provision of 18 allocated parking spaces and 2 visitor parking spaces. It is noted that the number of allocated parking spaces is below the maximum standards included in policy M3 of the local plan, however, the number of parking spaces are accepted as proposals are in line with the rates provided in the adjoining Oxford North Developments as requested during pre-app. EV charging points will need to provided for each of the allocated parking spaces and visitor parking spaces to ensure that the proposals meet the requirements of policy M4 of the Oxford Local Plan.

9.4. A total of 160 cycle parking spaces are to be provided as part of the proposals. This equates to 2 cycle parking spaces per bedroom which is in accordance with County standards. Further details will need to be submitted regarding the cycle sheds being provided for the affordable dwellings and the communal cycle store which will serve the residents of the apartment building.

9.5. Cycle parking spaces provided at the apartment building should be in the style of a Sheffield stand, which are individually installed permanently into the floor material (e.g. not toast-rack style stands bolted to the floor). Double decked or vertical cycle parking should not be used.

9.6. Section 5 of the transport statement provides details regarding the expected trip generation at the site. The proposals are set to generate 12 two-way trips during the Am peak hour, 13 two-way trips during the PM peak hour and a daily total of 112 two-way trips. The proposed trip rates for the new dwellings are considered acceptable for a development of this size in this location. The additional AM and PM trips are unlikely to have a severe impact on the local highway network in traffic and safety terms.

9.7. The site only meets the threshold required for a Residential Travel Information Pack. This should be produced prior to first occupation and then distributed to all residents at the point of occupation. This will ensure all residents are aware of the travel choices available to them from the outset.

9.8. Initial advice was that an obligation to enter into a S278 Agreement will be required to secure a suitable means of access into the site. The County Council have amended this advice to suggest a suitably worded condition requiring details of the means of access between the land and the highway to be submitted for approval in writing.

Drainage

9.9. No objection subject to conditions including the requirement to provided a surface water drainage scheme and a record of the completed SuDS.

Education

9.10. Government guidance is that local authorities should secure developer contributions for expansion to special education provision commensurate with the need arising from the development. The proposed development is expected to further increase demand for places at SEN schools in the area, and a contribution towards expansion of SEN school capacity is therefore sought based on the percentage of the pupil generation who would be expected to require places at a special school, based on pupil census data. The requested financial contribution is £17,948.

Waste Management

9.11. The development will increase domestic waste arisings and the demand for all waste management services including Household Waste Recycling Centres (HWRCs) and therefore a financial contribution of £2255 directed towards expansion and improving the efficiency of HWRC's is required.

Thames Water

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

9.13. The application indicates that surface water will not be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position. Thames Water would advise that with regard to foul water sewerage network infrastructure capacity, Thames Water would not have any objection to the above planning application, based on the information provided.

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

Wolvercote Neighbourhood Forum

9.15. Object to the planning application and recommended that the development should be refused for the following three reasons:

1. The plans propose inadequate car parking provision for residents at the south east end of the development. There will be twelve dwellings located there, but with no 'on plot' spaces for cars and, between them, only six on-street 'dedicated resident spaces', with another two parking spaces for 'visitors'. The DAS does not explain how these few resident parking spaces will be allocated among the dwellings, or whether it will be a free-for-all. Nor does it say whether residents will have access to the 'visitors' spaces. Suggest the scheme could be made acceptable by revising the layout of the south east end of the development to remove the parking deficiency. There needs to be sufficient resident parking spaces for one per dwelling, and some spaces for visitors. In addition, all the on-street parking bays should be provided with access to EV charging.

2. Share the concern expressed by Natural England about the potential for hydrological problems resulting from changes to ground water and surface water flows arising from this development. Immediately down the hill from it is the ancient right-of-way Joe White's lane and then the precious green space (common land) Goose Green, and housing at Goose Green Close. Also close by is an important SSSI Wolvercote Green, and the Oxford Meadows SAC. The development should not be permitted to proceed until a hydrological impact assessment has been carried out, that demonstrates beyond reasonable doubt that the scheme will never cause harm to any of these. This is necessary to ensure the scheme's compliance with WNP Policy BES4.

3. The developers currently expect a negative Biodiversity Net Gain of -4.52 %. Permission should not be given to this development until the applicant has shown convincingly how this figure will be increased to +10%, as it should be under current legislation and for consistency with WNP Policy GBS5 (which requires a net gain of biodiversity).

9.16. The WNF are pleased, however, to see that the plans now include a ramp at the far south east end of the development, from the housing down to green space below.

Thames Valley Police

9.17. Submitted the following comments in relation to the planning application:

- Chapter 7 of the Design and Access Statement (page 123) is an accurate representation of the pre-application feedback provided.
- Maintain concerns with the proposed low estate railing fences to vulnerable rear gardens backing onto Canalside Park. Some plots appear to remain vulnerable with exposed rear boundaries – plot 12 and 21 for example appear to lack defensible planting.
- Maintain concerns that hedge planting will not provide sufficient protection to exposed plots for a number of years, and plans indicate hedge planting may be located a distance away from dwelling boundaries whereby space behind them will allow a person access to the estate railings to climb and gain access to the rear garden.
- Unable to locate a boundary treatment plan within this application and ask that this is submitted for review and approval prior to permission being granted.
- Unable to locate the landscape architect plans referenced (proposed site topography and detailed landscape strategy) and ask that these are submitted for review and approval prior to permission being granted.
- Pleased to see the applicant wishes to obtain SBD accreditation and request a condition requiring this.
- Ask that a lighting scheme is conditioned for submission.

Environment Agency

9.18. No comments received following consultation.

Natural England

9.19. Initial comments received on 28th February 2024 raised an objection based on the need for the applicant to provide a Project level HRA to demonstrate that there will be no adverse impact on the integrity of Oxford Meadows SAC as a result of the development in relation to the sites balanced hydrological regime.

9.20. Following the submission of the HRA Technical Update July 2024 Natural England have removed their objection.

Oxford Civic Society

9.21. Have sought clarification regarding how the development fits in with the Oxford North Canalside Housing and whether the development offers greater diversity given that it appears to be taking up the last vestige of available open land close to the Goose Green wooded area.

Active Travel England

9.22. Do not wish to comment.

Historic England (HE)

9.23. The proposed development site is located approximately 200m north-east of the Scheduled Monument (SAM) (NHLE 1010717) at Port Meadow and Wolvercote Common. HE requested further information so that the impact of the development on the SAM could be properly assessed.

9.24. Following receipt of the LVIA showing views towards the site from the SAM and an accompanying technical note, HE has advised that they do not object to the planning application and defer to the views of your specialist conservation and archaeological advisers, as relevant.

Public representations

9.25. A total of 18 public comments have been received in objection to the planning application, the comments are summarised below:

- Concern regarding impact on ecology – the site should be left undeveloped.
- The proposals would increase traffic within the area.
- The development would place further pressure on sewerage infrastructure which is already operating above capacity.
- Existing services should be upgraded before further development is permitted as there is pressure on schools and health facilities in the area.
- There would be a damaging impact on the Oxford Meadows SAC in terms of the hydrological regime.
- There would be an impact on the setting of the scheduled ancient monument (Port Meadow).
- Natural England have requested preparation of a project level HRA.
- The HRA for the Northern Gateway Area Action Plan notes that the groundwater within the Alluvium on site It requires that the drainage strategy and design for the future development should consider carefully the impact of the proposed development on the groundwater regime if the proposed development includes the introduction of impermeable surfaces over that very small part of the site as defined as Alluvial Ribbon.
- The proposals would result in the loss of a further area of green space.
- The proposals would represent overdevelopment of the site diminishing the sense of privacy and community and may lead to a loss of personal space and decreased interaction among neighbours, weakening the social fabric of the community.
- The development is being built on Green Belt land.
- The scale, density and design of the proposed housing does not fit with Wolvercote's historic village character.

- The development will bring in light, noise and traffic pollution.
- Increased traffic pressure on Wolvercote roundabout.
- Concern regarding the impact of the development on Joe White's Lane. There is a need to maintain the rural feel of the lane for both wildlife and those walking along it. Any planting along the lane should be increased not decreased.
- Development has the potential to increase flood risk.
- Insufficient information has been provided regarding the affordable housing, whether this will be private sale or socially rented.
- There is excess pressure on existing facilities including the school and GP surgery.
- Concern about impact of the development on sewage infrastructure from increased housing development.
- There is already high noise generation from the A34 and there has been no mitigation provided for this.
- Concern regarding impact on No.2 Goose Green Close with regards to overlooking, noise and pollution. Concern regarding security and is the access gate appears to back onto an access road.
- There would be a loss of wildlife habitat as a result of the development.
- Not enough outdoor amenity space for future occupants.
- The proposed houses would be too close together and there would be overlooking of neighbour's gardens.
- Biodiversity net gain should be delivered on site.
- There would be an increase in footfall with residents using Godstow Road which could increase noise, litter and possibly crime.
- Water from underground tanks that store runoff water will seep into the ground and will run into its lowest level via Lower Wolvercote which is vulnerable to flooding.
- The fences, walls and roads will further remove habitat and transit space for local animals.
- The plot should be left wild or passed into the trust of a local wildlife organisation.
- The proposers have not taken sufficient account of the landscape setting and archaeological impact, as they are statutorily required to do, as laid out in the Historic England and Natural England objections.
- The scale, density and design of the proposed housing does not fit with Wolvercote's historic village character.
- In previous consultations the importance of Joe White's Lane was recognised with its historic hedgerows and fringing of trees. This is not reflected with the proposed development and would not maintain the integrity of an ancient and historically significant byway. Any planting along the lane should be increased not decreased.

9.26. 1 comment has been received in support of the application. The comment in support is summarised below:

- There is a need to provide additional homes locally and nationally and the development would be on marginal land relative to more important areas that should be protected (Wytham and Port Meadow).

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Design and Heritage Impact
- Sustainability
- Residential amenity
- Transport
- Ecology
- Trees
- Flooding
- Land Quality
- Air Quality

Principle of development

Provision of Housing

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

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

10.4. Policy H1 of the Oxford Local Plan outlines that the majority of the Council's housing need would be met through sites allocated in the Oxford Local Plan, however in addition to housing which would be delivered on allocated sites windfall delivery of housing on sites not specifically allocated within the Local Plan remains important in terms of meeting the Council's housing needs.

10.5. The development site, alongside the adjoining land at Oxford North is not allocated within the Oxford Local Plan, however the land falls within the parameters of the Oxford Northern Gateway AAP. Policy NG2 of the Oxford Local Plan outlines that planning permission will be granted at the Northern Gateway for up to 500

homes. Outline planning permission was granted for 480 homes under the hybrid planning permission for Oxford North, of which reserved matters approval has been granted for 317 homes at Canalside. Beyond the permitted homes falling under the outline and reserved matters permissions, Policy NG2 allows for the provision of 20 further homes. Various supporting documents accompanying the hybrid planning application include references to the application site being developed in the future, namely the Environmental Statement, Site Masterplan and Design and Access Statement and the accompanying Section 106 agreement, which includes a requirement to ensure that access can be provided into the application site via Canalside. The suitability of the site for development is therefore acknowledged within Policy NG2 of the Area Action Plan.

10.6. The quantum of homes proposed would however be 4 dwellings higher than the quantum permitted under Policy NG2 of the AAP. The quantum of up to 500 dwellings, was based on the cumulative impact of housing development on the site, including the environmental effects, impact of traffic generation and impact upon local services. As the proposed development would exceed 500 dwellings, where assessed cumulatively in conjunction with the hybrid planning permission on the Oxford North site, the development would be classed as constituting a departure from Policy NG2.

10.7. Notwithstanding the conflict with Policy NG2, there is an appropriate basis to consider that departure from this policy is acceptable, providing that the additional 4 dwellings do not have a harmful impact in terms of wider environmental effects or other negative effects such as from a heritage or amenity perspective. Providing that the development achieves compliance with the development plan framework and national planning policy as a whole, officers consider that in principle of 4 additional dwellings on the site would be justified.

10.8. The Northern Gateway Area Action Plan also pre-dates the Oxford Local Plan, which includes the requirement under Policy RE2 that development proposals must make best use of site in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford, as well as ensuring relevant criteria are addressed namely: density, scale of development, ensuring opportunities for maximising development are fully explored and that the built form and layout is appropriate for the site. Paragraph 125 of the NPPF similarly places particular emphasis on ensuring that homes are not built at low densities and that developments make optimal use of the potential of sites to deliver homes. The wider transport, environmental, design and heritage implications are addressed in detail in the following sections of this report and officers consider that the additional 4 units, which is a very minor increase in the number of dwellings allowed for under Policy NG2 of the Area Action would be acceptable in principle as the proposals would make for a more efficient use of land in a manner which is commensurate with the character of the site and surrounding area.

Affordable Housing and Mix of Units

10.9. Policy H2 of the Oxford Local Plan states that on self-contained residential developments where sites have a capacity for 10 or more homes (gross) or exceed 0.5 ha, a minimum of 50% of units on a site should be provided as homes that are

truly affordable in the context of the Oxford housing market. At least 40% of the overall number of units on a site should be provided as on-site social rented dwellings.

10.10. The introduction of the Government's First Homes Policy requires from 28 December 2021 that on all sites where affordable housing is to be provided that a minimum of 25% of all affordable homes are made available as First Homes (capped at a maximum price of £250,000 outside of London). The Council have prepared a Technical Advice Note (TAN) which advises how the introduction of First Homes affects the application of Policy H2 of the Local Plan. The TAN outlines that where accounting for the requirement that 25% of the affordable housing must be provided as first homes, the remaining provision of affordable housing shall consist of 70% social rented homes and 5% intermediate housing.

10.11. The applicant's Planning Statement outlines that 12 (50%) of the 24 dwellings would be affordable. Initially the proposed tenure split included the provision of 8 socially rented dwellings (66%), 3 first homes (25%) and 1 shared ownership home (8%). The originally proposed target housing mix however slightly underdelivered on the target housing mix for socially rented dwellings, falling short of the 70% requirement. Given the number of affordable homes to be delivered, the mix of units cannot align strictly to the target housing mix outlined in the TAN. In this instance officers advise that priority must be given to ensuring that the socially rented accommodation exceeds the 70% target requirement outlined in the TAN as the need for socially rented housing is greatest within the city. A further social rented dwelling was therefore needed to achieve compliance with the 70% target requirement. The requirement to provide 25% of the housing as first homes means that delivery of the additional socially rented unit must be prioritised over the provision of intermediate (shared ownership housing) and therefore the applicant's revised target mix excludes the provision of the previously proposed shared ownership home. The target housing mix as taken from the applicant's planning statement is included below:

Dwelling Size	Social Rented	Affordable Ownership		TOTAL
		First Homes	Shared ownership	
One Bed Apartment	2	1	0	3
Two Bed House	0	2	0	2
Three Bed House	5	0	0	5
Four Bed House	2	0	0	2
TOTAL	**9**	**3**	**0**	**12**

Table 1: Affordable Housing Mix on the Proposed Site – updated June 2024

10.12. The above affordable housing tenure mix would consist of 75% socially rented homes and 25% first homes. The proposed affordable housing tenure split is considered acceptable given the need to prioritise delivery of socially rented homes over shared ownership housing and provision of a shared ownership home would result in under delivery of socially rented housing below the 70% target requirement.

10.13. Policy H4 of the Oxford Local Plan states that planning permission will be granted for residential development that is demonstrated to deliver a balanced mix of dwelling sizes to meet a range housing needs and create mixed and balanced communities. Policy H4 outlines a target mix for affordable homes applicable only to developments of 25 or more units which are outside of the City Centre or District Centres, or on sites of 0.5ha or greater.

10.14. 24 dwellings are proposed on the site; however, the application site is larger than 0.5ha in area (1.3ha), therefore the proposed target housing mix would be expected to comply with Policy H4 of the Oxford Local Plan. The target housing mix required under Policy H4 is as follows:

- 1 bedroom – 20-30%
- 2 bedroom – 30-40%
- 3 bedroom – 20-40%
- 4+ bedroom - 8-15%

10.15. In terms of the proposed mix of unit sizes for the affordable accommodation, which is shown in table 1 above, this would be as follows:

- 1 bedroom – 25%
- 2 bedroom - 17%
- 3 bedroom - 41%
- 4 bedroom – 17%

Where assessed against Policy H4 of the Oxford Local Plan, the proposals would result in an under delivery of 2-bedroom homes and minor over-provision of 3- and 4-bedroom homes. The Council's affordable housing team have been consulted on the size of affordable homes proposed on the site. They have advised that the latest housing register identifies that the greatest need in Oxford amongst bands 1-3 (those considered to be priority need) is for three-bedroom homes (524), followed by one-bedroom homes (496) and just short of this two-bedroom homes (478). The need for four-bedroom homes is 155. On this basis the mix of unit sizes is based on assessed need. On this basis, the housing mix is considered to be acceptable.

Design and Heritage

<u>Design, Scale and Siting</u>

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 layout of the development has been designed to read as a continuation of the adjacent built form on the Oxford North Canalside site. The siting of proposed Plots 1 to 12 would align with the side elevation of the adjacent terrace of houses within the Canalside development and would provide a frontage to the adjoining

secondary street, which is located to the north of the application site, which serves the approved houses located to the south of the Leonardo Royal Hotel. A two-storey apartment building is also proposed, which would contain three flats.

10.18. The proposed three storey terrace of homes replicates the design, scale, form, and materiality of the adjoining terrace of houses within the Canalside site and consists of a mix of pitched and flat roofed houses. The materials treatment would be a mix of red, light buff and grey brick. The further homes proposed at the end of the new street would be within a courtyard arrangement. There would be a mix of two and three storey homes within this section of the site. The design approach would read as a continuation of the design language of the adjacent Canalside site. The use of materials and dwelling design at the Canalside site has been developed following contextual analysis of existing housing typologies in Wolvercote and North Oxford. Whilst the architectural design approach is contemporary, it is considered that this the appropriate given the need to create a new and unique sense of place within the Oxford North development whilst respecting local design characteristics.

10.19. The housing within the immediate area is characterised by late 20th Century housing consisting of a mix of detached, semi-detached and small terraces of houses, usually two storeys in scale, typically constructed from brick materials. The proposed housing would be two or three storeys in scale and of a modest scale commensurate with the character of the existing housing in the area.

10.20. The development site lies on the edge of the Northern Gateway AAP area and consequently development on the site would be visually prominent in important public views from the south from Joe White's Lane. The scale of the proposed housing has been limited to a maximum of two to three storeys in scale, which is commensurate with development on the adjoining Canalside site. Development on the Oxford North site as approved under hybrid permission 18/02065/OUTFUL was accompanied by a building heights parameter plan, which set a maximum height for all buildings across the development site. The parameter plan did not cover the site at Goose Green subject of this planning application. Building heights on the adjoining site were kept low at +74AOD to limit the prominence of any development on the site in immediate and wider landscape views. The proposed development on the Goose Green site would be consistent with the scale of the adjacent development on the Canalside site and officers consider that the scale and height of the buildings would be appropriate where considering the landscape and visual impact within key public views from the south and west from Joe White's Lane.

10.21. There is a considerable topographic difference in site levels between the northern and eastern sections of the site where the proposed housing would be located and the lower sections of the site which would consist of an extension to the Canalside Park. The proposed housing would be stepped in response to the difference in levels across the site, which officers consider is appropriate and has been achieved successfully in design terms, avoiding the proposed housing in the eastern sections of the site from appearing overly prominent. Access is discussed in the relevant section of this report; however, it should be noted that to achieve inclusive access, a ramp is required between the upper section of the site and the path along the Canalside Park, which provides an important route to the local

services, facilities and bus stops in Wolvercote to the east. The ramp has been designed in an appropriate manner, one which harmonises appropriately with the landscape design of the adjoining park.

10.22. Policy G8 of the Oxford Local Plan requires that new developments incorporate green infrastructure within the development proposals where relevant. This includes public access, health and recreation uses and biodiversity linkages with existing green and blue infrastructure, biodiversity and SuDS features. Policy NG7 of the NGAAP requires that 15% of the total site area for the Northern Gateway and 15% of each residential parcel of development on the site shall be provided as green open space.

10.23. The proposals involve what is effectively in design terms and extension of the adjoining Canalside Park. This would cover a substantial proportion of the site area and would be an attractive and well-designed area of public green space available to future residents and existing residents in Wolvercote. Approximately 6841sqm of public open space would be provided within the development, which would equate to approximately 53% of the total site area. The park includes extensive tree and scrub planting and is intended to read as a natural open space as opposed to a formal parkland environment which provides a natural edge and landscaped buffer to the south of the Oxford North site. The space will include planting that would contribute towards biodiversity net gain and includes swales which form part of the sustainable drainage scheme. Officers consider that the landscape design for the space would be an attractive asset for existing and future residents and the proposals would comply with Policies DH1 and G8 of the Oxford Local Plan and Policy NG7 of the NGAAP.

10.24. Policy GBS3 of the Wolvercote Neighbourhood Plan requires that all new development proposals of more than 10 dwellings must include provision for Childrens Play Areas that are safe and nearby (within 100 metres). Formal equipped play areas have been approved at Oxford North within 300 metres of the site at the Central Park within the Canalside development site and as part of a recent reserved matters approval on the Central Parcel of the Oxford North Site to the east of the Red Hall (24/00318/FUL). It is not intended that the application would include a similar formal equipped play area. The landscaping strategy contained within the applicant's Design and Access Statement indicates that informal play would be provided within the park and courtyard areas of the landscaping, it is unclear however what would specifically be provided and officers recommend that a condition is attached requiring that details of a play strategy including any features/equipment are set out.

<u>Impact on Green Belt</u>

10.25. The application site was removed from the Oxford Green Belt prior to the adoption of the Northern Gateway Area Action Plan. Joe White's Lane and Goose Green and all land between the edge of the site and the Oxford Canal remains within the Oxford Green Belt. A very small section of land to the north of Joe White's Lane, which contains trees, hedgerow and a ditch is also within the green belt boundaries, although this land is not included within the red line site area boundary.

10.26. Whilst no development is proposed within the Green Belt there is a requirement to consider whether the proposals would preserve the openness of the Green Belt in accordance with Paragraph 137 of the NPPF and Policy G3 of the Oxford Local Plan, which is relevant given that the site is adjacent to land remaining within the Green Belt. The site adjoins the Canalside development and reads as a continuation of this development in terms of its scale and siting, though the development would result in the loss of a further area of what remains open undeveloped green space, albeit that this land formed part of the wider AAP development area for Oxford North.

10.27. The impact of the proposed development would have an impact on the openness on the adjoining green belt land belt in spatial and visual terms given that the development would result in the direct loss of an area of open space that is particularly visible in immediate views from the south from Joe White's Lane. This would be replaced by an extension of the adjoining urban development. Notwithstanding this, the development would be of a low height, commensurate with that of the adjoining development on the Canalside site. In terms of wider views beyond Joe White's Lane, the development would not be seen or experienced given its low height, intervening development and vegetation cover and therefore its wider impact on how the openness of the green belt is experienced would be limited to more immediate views. Where accounting for the allocation of the land within the AAP, the limited quantum of units and the low height of the development and the provision of substantial intervening open space of a natural character, officers consider that the development would not have a harmful impact on the openness of the greenbelt and how this is experienced in spatial and visual terms. It is therefore considered that the development would not conflict with Paragraph 137 of the NPPF or Policy G3 of the Oxford Local Plan.

Heritage Impact

10.28. The application site lies within the Wolvercote with Godstow Conservation Area, whilst the development would also lie within the setting of the Grade II listed Manor Farm.

10.29. 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).

10.30. In line with Paragraph 201 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.

10.31. 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.”

10.32. 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 205 of the NPPF requires 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 (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 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.

10.33. 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.

10.34. A distinctive group of larger houses have been designed on a north-east/south-west alignment looking out over open land towards Jo White’s Lane and the canal. The proposed development has been designed to pick up and follow the design principles of the Canalside development, picking up the alignment of the group of larger houses and then transitioning at its south-eastern end into a mews courtyard, with a mix of housing types, forms and massing that will be similar in language to those on Canalside. The slightly smaller houses in the mews reflect the scale and rhythm of the short terraces of Goose Green Close.

10.35. The complexities of the site’s challenging topography have been overcome in a reasonably elegant and unostentatious manner that will enable full accessibility with a good connection to the existing settlements at Wolvercote.

10.36. The open green space within development, together with the linear footpath that is Joe White’s Lane and the retained open space within the Canalside development will contribute to the more rural settlement character that predominates in Upper Wolvercote.

10.37. The setting of Port Meadow does not extend to this part of the settlement. The meadow lies to the south and beyond the canal and railway. The bridges that cross those transport links obstruct any views and visual connection between the site and the scheduled ancient monument and the heights of the houses in the proposed development would not be such that they would protrude above the treeline, tree canopies that are dense and completely visually impermeable in summer as well as almost entirely impermeable in winter months. Furthermore, the development site sits between two other developments at Goose Green Close

and the other, Canalside presently under construction. Any additional built form that might be seen from the Canal or Joe White's Lane at the edge of the conservation area will be seen as a continuation of these two developments and with these as well as the existing hotel buildings to the north of the site as a backdrop. From Port Meadow the railway line and the canal with their high arched bridge carrying the village road over would screen out or obstruct any possible views of the proposed development.

10.38. There would be no perceptible change to the green fringed, rural character of the settlements that make up the conservation area, the proposed development would be seen embedded in existing and developments currently under construction and the important green space that fringes Jo White's Lane the canal and the north-eastern boundary of the conservation area at Goose Green would remain sufficiently unchanged to preserve that character. The proposed development would not be visible in either summer or winter from either the closest, northern edge of Port Meadow or in views from footpaths that cross that open land. Church Farmhouse and its setting are sufficiently enclosed and discrete that the development would not make a visual impact on them.

10.39. In the context of Paragraph 208 of the NPPF, where a development proposal will lead to a very low level less than substantial harm to the significance of a designated heritage asset including the setting of the conservation area, this harm must be weighed against the public benefits of the proposal. The public benefits of the proposals are considered to be:

- The provision of 24 houses, including the provision of 12 affordable homes, which would provide and important contribution towards meeting local housing need, in particular the need for affordable homes.
- The provision of high quality public open space.
- Enhanced pedestrian and cycle connectivity between Oxford North and Wolvercote and important public rights of way and recreational resources and local services and facilities.
- Delivery of at least 5% biodiversity net gain through a combination of on-site and off-site enhancement measures.

10.40. Within this context, 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, in particularly the benefits of providing additional affordable dwellings, to address high demand for housing 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 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

<u>Archaeology</u>

10.41. An archaeological evaluation was carried out on site by trial trenching as the site was thought to contain potential for prehistoric and Romano-British activity as well as potential for medieval settlement or fringe settlement activities. An archaeological trial trench evaluation by the applicant's consultants in June 2024 in accordance with a Written Scheme of Investigation (WSI) agreed with the

Councils Archaeologist. The evaluation recorded only a single Roman feature (likely a field ditch) which included Roman pottery. The Council's Archaeologist has advised that no further archaeological recording or investigation will be required.

Sustainability

10.42. Proposals for development are expected to demonstrate how sustainable design and construction methods will be incorporated in line with Policy RE1 of the Oxford Local Plan. All development must optimise energy efficiency by minimising the use of energy through design, layout, orientation, landscaping and materials, and by utilising technologies that help achieve Zero Carbon Developments. The Policy requires that planning permission will only be granted for development proposals for new build residential developments which achieve at least a 40% reduction in the carbon emissions from code 2013 Building Regulations, which has now been superseded by the 2021 Part L Building Regulations. Given that the previous regulations have been superseded, it is a requirement that new planning applications are measured against the 2021 Part L standards for the purposes of considering carbon reduction against Policy RE1.

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

- High efficiency heating and cooling systems.
- Ventilation systems with heat recovery.
- Low energy lighting
- High efficiency appliances and ancillary equipment.
- High standards of fabric efficiency and air tightness.

10.44. The submitted energy statement includes the incorporation of air source heat pumps and solar photovoltaic systems within the proposed housing as a renewable energy system.

10.45. The incorporation of the proposed measures would achieve a forecast 76.62% reduction in carbon emissions, where assessed against the Part L 2021 building regulations baseline requirement. This would significantly exceed the 40% reduction required under Policy RE1.

Residential Amenity

<u>Adjacent Residential and Non-residential uses</u>

10.46. 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.

10.47. Nos.1-6 Goose Green adjoin the eastern boundary of the site. 8 of the proposed houses are located within the eastern part of the site, however an L shaped area, which is proposed as a target delivery area for biodiversity enhancement between

proposed Plots 13 and 2 and the properties in Goose Green Close. This area would have a width of between 10 and 21 metres and would include significant planting, providing a buffer and visual screen between the proposed housing and existing housing at Goose Green Close.

10.48. There would be a separation distance of between 24 and 27 metres between the rear elevation of proposed Plots 17-19 and Nos.4-6 Goose Green Close. There would be a distance of 20 metres between the rear elevations of Plots 17-19 and the rear gardens of Nos.4-6 Goose Green Close and 30 metres, where measured between the rear elevations of proposed Plots 15 and 16 and the garden of No.6 Goose Green. There would also be a separation distance of at least 30 metres between the rear elevations of Plots 13 and 14 Goose Green Close and No.30 Godstow Road, whilst the windows of this property would not be directly overlooked owing to the position of No.30.

10.49. Nos.1 and 2 Goose Green would not be overlooked directly by any of the proposed houses, whilst there would be a separation distance of 22 metres between the rear elevation of proposed plot 20 and the rear garden of No.3 Goose Green Close, this extends to 24 metres to No.2 Goose Green Close.

10.50. There is a notable difference in levels between the rear elevation of the proposed houses closest to the eastern boundary and the adjoining properties at Goose Green Close. The buildings along this boundary would however be limited to two storeys and are of a relatively low height, such that officers consider that the development would not have an overbearing impact on the neighbouring houses, by reason of scale. Accounting for the above mentioned separation distances between the proposed and existing houses and accounting for the orientation and position of the existing housing in relation to the proposed dwellings, officers consider that the development would not result in unacceptable overlooking of the adjoining properties.

10.51. The Leonardo Royal Hotel extends close to the boundary of the site, however the Canalside development site at Oxford North lies between the development site and the edge of the hotel boundary. The separation distance is such that there would not be any adverse impact on the function of the hotel and general amenity of this building.

10.52. The siting of the proposed housing is positioned and orientated in a manner which would not compromise the amenity of the adjoining housing which benefits from reserved matters permission on the Canalside site. The layout is designed to read as a continuation of the adjacent development and Proposed Plots 1 to 12 align with the side elevation of the adjacent terrace of homes on the Canalside site, whilst Plot 13 would similarly aligns with the side elevation of the single detached home located in the south east corner of the Canalside site. The siting and scale of the units would ensure that there would be no adverse impact on the amenity of these adjoining plots which benefit from reserved matters permission.

10.53. Officers therefore consider that the design, scale and siting of the proposed housing would have no adverse impact on the amenity of existing occupiers and the development would comply with Policies H14 and RE7 of the Oxford Local Plan.

Future Occupiers

10.54. Policy H15 of the Oxford Local Plan states that planning permission will only be granted for new dwellings that provide good quality living accommodation for the intended use. All proposals for new build market and affordable homes (across all tenures) must comply with the MHCLG's Technical Housing Standards – Nationally Described Space Standard Level 1. Each of the proposed units has been assessed as compliant with Nationally Described Housing standards and the development and internal spaces are considered to be of an appropriate standard, which would comply with Policy H15 of the Oxford Local Plan.

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

10.56. Each of the proposed houses would benefit from private rear gardens of an appropriate size, depth and orientation. The proposed ground floor flat would benefit from an external terrace, whilst the two first floor flats would each benefit from external rear facing balconies. Officers therefore consider that the proposed dwellings would benefit from appropriate areas of outdoor amenity space for future occupiers and the proposals are considered to comply with Policy H16 of the Oxford Local Plan.

10.57. The sizing of the internal dwellings and rooms would each comply with Nationally Described Space Standards and the development is considered to comply with Policy H15 of the Oxford Local Plan.

Health Impact

10.58. Local Plan policy RE5 seeks to promote strong, vibrant and healthy communities and reduce health inequalities. The application has been supported by a Health Impact Assessment (HIA) which considers the health impacts of the proposed development.

10.59. The proposed development would provide 24 new homes to meet the Oxfords Housing Needs. 12 (50%) of the homes would be affordable, which would have a positive social impact.

10.60. The proposed development would promote active travel through the provision of new cycle and pedestrian routes through the site, which will benefit future occupiers and existing residents by providing connections between Oxford North and Wolvercote. The proposed access ramp would ensure equal access for all users including users with disabilities.

10.61. Car parking would not exceed the Council's maximum parking standards, whilst all allocated parking spaces and 25% of non-allocated spaces would be fitted with EV charging points. The Energy Strategy sets out that the development would achieve high standards of energy efficiency which includes a 76.62% reduction in carbon emissions, where assessed against the Part L 2021 building regulations baseline requirement.

10.62. The proposals include the provision of an extensive area of public open space which connects into a larger area of open space on the adjoining Canalside site. This provides an attractive area of space for future residents and local residents of Wolvercote. The park will also provide for the delivery of biodiversity net gain, as well as providing an alternative area of public open space to reduce recreational pressure on surrounding open spaces, particularly Port Meadow which has particular ecological sensitivities as an SAC.

10.63. The development is designed in a manner which is considered to minimise opportunities for crime and anti-social behaviour, and it is a condition of the planning permission that the development must achieve secured by design certification.

10.64. A financial contribution towards Special Educational Needs provision is sought by legal agreement as the County Council have identified improvements required to SEND provision in the local area and this will proportionately cover any additional impact that the development would generate.

10.65. In summary the development is considered to have a positive impact in promoting strong, vibrant and healthy communities and reducing health inequalities in particular through the provision of new homes (50%) of which would be affordable, improvements to active travel infrastructure, biodiversity enhancements and the provision of new public open space. The development is therefore considered to comply with Policy RE5 of the Oxford Local Plan.

Transport

10.66. 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.

10.67. Vehicular access to the site would be provided through the adjacent Canalside development leading from the A40. The proposed accesses were designed to accommodate a development of 20 homes on the Goose Green site. Provision was included in the site layout to allow for an access road to be formed into the site in a position parallel to the adjoining southernmost homes in the Canalside site. As the developer is Hill, who are carrying out development on the adjoining land, this allows for use of the existing secondary access street off the primary loop road through the Canalside site to also serve the development site subject of this planning application. This is considered to be a logical and acceptable access arrangement. A new road would also be formed within the site, which would serve 9 of the proposed houses and the apartment building. This new section of road

would extend off the secondary road in a position in the north east corner of the site and would be a 6 metre wide shared surface.

10.68. The Transport statement includes a vehicle swept path analysis for a medium sized car, a refuse vehicle and emergency service vehicles. The swept path analysis demonstrates that all vehicles can safely and easily enter/exit the site and manoeuvres within the site.

10.69. Section 5 of the applicant's Transport Statement provides details regarding the expected trip generation at the site. The proposals are set to generate 12 two-way trips during the AM peak hour, 13 two-way trips during the PM peak hour and a daily total of 112 two-way trips. The proposed trip rates for the new dwellings are considered acceptable for a development of this size in this location. The additional AM and PM trips are unlikely to have a severe impact on the local highway network in traffic and safety terms and it is considered that the development would not conflict with Policy M2 of the Oxford Local Plan or Paragraph 115 of the NPPF. The assessed impact of the development on the function of the A40 and Wolvercote Roundabout is to be negligible.

10.70. The County Council had advised that the applicant would be required to enter into a Section 278 Agreement to secured the formation of appropriate access into the site to be secured through the S106 Legal Agreement accompanying the planning application. As the adjoining road has not been adopted at the current time, the County Council have since advised that details of the means of access including position, layout, construction, drainage, and visibility splays should instead be secured by planning condition and officers support this recommendation.

10.71. The site only meets the threshold required for a Residential Travel Information Pack. This should be produced prior to first occupation and then distributed to all residents at the point of occupation. This will ensure all residents are aware of the travel choices available to them from the outset. A condition requiring the submission of a Residential Travel Information Pack is therefore recommended.

10.72. Policy M3 of the Oxford Local Plan states that in Controlled Parking Zones (CPZs) or employer-linked housing areas (where occupants do not have an operational need for a car) where development is located within a 400m walk to frequent (15minute) public transport services and within 800m walk to a local supermarket or equivalent facilities (measured from the mid-point of the proposed development) planning permission will only be granted for residential development that is car-free. In all other locations, planning permission will only be granted where the relevant maximum standards set out in Appendix 7.3 are complied with. Policy NG4 of the NGAAP requires compliance with the Sites and Housing Plan, which was superseded by the adopted Oxford Local Plan and is therefore considered out of date.

10.73. The surrounding streets within Wolvercote do not currently fall within a CPZ. There are existing bus stops located 380 metres to the north west of the site on the A40 adjacent to Oxford North that benefit from frequent services to the City Centre, as well as services to Headington, Witney and less frequent Oxford Tube services to London. There is a further bus stop to the east of the site on Godstow

Road, which also benefits from frequent services to the City Centre. There are currently two stores within 800 metres of the site, which would be classed as a supermarket in accordance with the definitions outlined in the Oxford Local Plan, namely M&S Food (390 metres) and Wolvercote Superstore (680 metres).

10.74. Upper Wolvercote, including Goose Green Close now falls within a Controlled Parking Zone which has recently been implemented, although this does not cover the application site or the Oxford North development. As the site does not fall within the CPZ it would not be required that the development should be car free in accordance with Policy M3 of the Oxford Local Plan.

10.75. A total of 18 allocated car parking spaces and 2 visitor spaces will be provided on-site within the proposed development. In terms of allocated parking, this equates to 0.75 allocated spaces per dwelling, which would be equivalent to the number of spaces that are proposed on the adjacent Canalside site and below the maximum parking standards specified under Policy M3 of the Oxford Local Plan. In the case of Plots 1-12, which are the three storey townhouses, parking would be provided on plot within integral garages, in the case of the remaining houses parking would be provided within bays adjoining the street through the site.

10.76. Policy M4 of the Oxford Local Plan requires that all allocated residential parking spaces and 25% of unallocated parking spaces should be fitted with electric vehicle charging points. A condition requiring the specification and location of EV charging infrastructure will be required.

10.77. Cycle parking will be required for all residential dwellings in accordance with the Council's minimum standards outlined under Policy M5 of the Oxford Local Plan. Policy NG4 of the NGAAP requires compliance with the cycle parking standards set out in the now superseded Sites and Housing Plan, therefore the existing Local Plan standards should be applied where considering the provision of cycle parking on the development site. A total of 160 cycle parking spaces are to be provided as part of the proposals. This equates to 2 cycle parking spaces per bedroom and exceeds the requirements outlined under Policy M5 of the Oxford Local Plan. Further details will need to be submitted regarding the cycle sheds being provided for the proposed dwellings and the communal cycle store which will serve the residents of the apartment building, this will be required by planning condition.

10.78. The proposals involve the creation of a pedestrian and cycle route through the new area of landscaping and extension of the Canalside Park. This would adjoin Goose Green Close to the south of No.1 Goose Green Close, in the position of the existing driveway serving this property. The provision of this new cycle and pedestrian connection is important, as this will link Canalside and Oxford North with Wolvercote and the wider area.

10.79. As noted in the above sections of this report, is a considerable level difference across the site from north to south, between the proposed housing and the access pathway. To negotiate the difference in levels across the site, a stepped access and access ramp are proposed. The proposed ramp would be a 1:21 gradient, which would provide appropriate access for disabled users and cyclists. An additional shorter stepped access is proposed, which would include a gulley to the side of the steps for cyclists. The accesses would enhance connectivity between

the site and surrounding area, including Wolvercote and the other development plots within the Oxford North site and are therefore considered to align with Policy M1 of the Oxford Local Plan, which prioritises improvements to active travel infrastructure.

Ecology

10.80. 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.

10.81. A preliminary Ecological Appraisal and Phase 2 Survey Report has been prepared in support of the planning application.

10.82. The application site is located approximately 290m north-west of the Oxford Meadows SAC. The site was primarily designated due to supporting an Annex I habitat: lowland hay meadows. The site's secondary designation is due to supporting an Annex II species: Creeping Marshwort (Apium repens). The designated site is of European importance and is sensitive to changes in the prevailing hydrological regime, nutrient deposition (for example through air pollution) and recreational pressure. Given the proximity of the applications site to the SAC - within the impact risk zone of the underpinning sites of special scientific interest (SSSI) - there are potential impact pathways. A Habitat Regulations Assessment (HRA) was prepared at the time of the Northern Gateway AAP, which assessed the impact of the development on the Oxford North site up to a maximum of 500 dwellings. This includes 480 homes that benefit from planning permission under the hybrid application for Oxford North and a further 20 homes at Goose Green.

10.83. The proposals are to provide 24 homes at Goose Green, which together with the planning permission on the Oxford North site would equate to 504 homes, slightly exceeding the scale of development assessed within the HRA. The applicant based on the advice of officers and Natural England was requested to prepare a shadow HRA to assess the hydrological impact of the additional quantum of development that would be delivered under the proposed planning application, compared with the scope of development previously assessed. Revisions were also made to the applicants FRA and Drainage Strategy.

10.84. Section 3.12 of the drainage plan outlines that the run-off from the scheme will not exceed the current flow rate. The table provided identifies a very low – low pollution hazard risk as a result of the land use of the proposed development, with figures for the various pollutants provided within the Simple Index Approach and the proposed SuDS mitigation figures to compensate for this. Natural England have removed their request for further information in light of the above and are satisfied that there are no likely impacts upon the nearby statutory sites and their designated features. It is confirmed that the conclusions reached within the HRA Technical Update July 2024 demonstrate that the proposal will not have adverse effects either alone or in-combination with other projects on the Oxford Meadows SAC. Officers agree with Natural England's conclusion that the shadow HRA provides enough information to allow Oxford City Council to conduct a full HRA on

the proposed development. On the basis that the proposals represent an increase in 4 dwellings, that the HRA is acceptable and that Natural England have no objections, officers consider that the impacts of the proposal would be acceptable and that the development would not be EIA development (having no significant cumulative impact when considered in combination with the neighbouring Oxford North development).

10.85. Due to the suitability of the site to support foraging and commuting bats, a nighttime walkover survey and several static surveys were undertaken during the 2023 bat active season. The results of the surveys indicated that the site is host to a high level of activity from Common and Soprano Pipistrelles, with lower levels of activity from Nyctalus and Myotis species. Barbastelle bats were also recorded at the southwestern corner of the site. Barbastelle bats are an Annex II species and therefore of heightened conservation concern.

10.86. The project ecologist has recommended a lux lighting assessment to ensure that the habitats favoured by the species more sensitive to light will not be subjected to increased artificial illumination. Any such lighting assessment should include the modelled light spill from both the proposed internal and external lighting, to ensure that the proposed development can demonstrate compliance with appropriate lux limits in keeping with the Bats and Artificial Lighting at Night (August 2023).

10.87. Reptile surveys were undertaken during the 2023 season and no reptiles were found.

10.88. The site was assessed as largely consisting of modified grassland, with isolated pockets of other neutral grassland. Areas of mixed scrub were identified to the north of site and broadleaved woodland to the south of site. Detailed justifications for each habitat type have been submitted.

10.89. The proposed habitat plan includes the enhancement of the remaining modified grassland in poor condition to other neutral grassland in good condition, enhancing the remaining woodland and the planting of additional scrub. The criteria that the proposed habitats should meet to attain the desired condition score is set out in detail. Nevertheless, the completed Biodiversity Metric 4.0 indicates there will be a net loss of 0.43 habitat units (-4.52%) and a net gain of 0.92 hedgerow units (from a baseline of zero).

10.90. Any shortfall in biodiversity units below the 5% biodiversity net gain requirement must be achieved off-site, it will be required that the developer prepares a biodiversity enhancement scheme which sets out a strategy for the delivery of offsite BNG through an appropriate offsetting provider. This will be required within an accompanying Section 106 agreement.

Trees

10.91. 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.

10.92. The application scheme would result in the removal of 22 trees, these are all multi-stemmed and bushy Hawthorn and are all Category C trees, located in the eastern half of the site. There is one other existing tree which would be removed due to its proximity to the connection with Goose Green Close; this is a small low quality C category tree, and its loss is of no significant consequence.

10.93. The scheme should have no direct impact on the Canalside park, including the RPAs of off-site trees, which encroach into the planning boundary. The line of mainly of mainly White Willow on the south-western boundary site is well outside the proposed construction development area and the ground around the trees (RPAs) will be open space, with a footpath. The majority of the willows require management, many being old coppice/pollards, whilst there are no management proposals within the application the trees are outside the red line of development.

10.94. A Tree Canopy Cover Assessment has not been submitted; however, the proposed tree planting plan provides sufficient assurance that the scheme will result in a tree canopy cover net gain after 25 years and therefore the proposals would comply with Policy G7 of the Oxford Local Plan. A detailed landscaping plan would be required by planning condition, alongside a Tree Protection Plan (TPP), Arboricultural Method Statement (AMS) and Arboricultural Monitoring Programme. Subject to these conditions including the submission of a detailed the development is considered to comply with Policy G7 of the Oxford Local Plan.

Flooding

10.95. 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 site larger than 1ha in Flood Zone 1 must be accompanied by a Flood Risk Assessment (FRA).

10.96. 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.

10.97. The development site falls within Flood Zone 1 and would therefore be considered to be at a low risk of flooding. The land to the west of the site is on the opposite side of Joe White's Lane adjoining the Oxford Canal is at a high risk of flooding and falls within Flood Zone 3.

10.98. An FRA and drainage strategy has been prepared in support of the planning application. It is proposed to discharge surface water to the existing ditch that runs along the southwest boundary with all drainage features intended to attenuate and manage surface water run-off. The drainage strategy includes permeable surfacing materials for the access roads and areas of car parking and geo-cellular attenuation tanks. Swales are proposed within the park area in the lower sections of the site.

10.99. The proposed drainage strategy discharges into the ditch running adjacent to Joe White's Lane. This is the natural destination for runoff, and as such this imitates the current greenfield conditions. Anecdotal evidence has shown high water levels in the ditch, which has been assessed by the applicant and attributed to a current lack of maintenance. It is proposed within the FRA/Drainage Strategy that the ditch will be cleared, and therefore natural function restored. Officers therefore recommend securing this clearance via condition, requiring evidence (including a survey and photographic evidence) that the ditch is functioning correctly, and will not cause additional flooding on or off site.

10.100. The proposals are considered to be acceptable and in accordance with Policies RE3 and RE4 subject to the conditions that have been set out in this report.

Land Quality

10.101. Details have not been provided quantifying the contamination status of the site, however accounting for the previous use of the land, the risk of contamination is likely to be low, although the site itself is adjacent to the former Goose Green landfill site and no ground gas data has been submitted to determine whether or not there is a potentially significant risk of ground gas migration affecting future buildings and occupiers. In addition, the proposed development in a residential development which is a sensitive end-use. It is therefore considered that an intrusive site investigation at the site is completed to validate the assumption that potential ground contamination risks are low.

10.102. A phased risk assessment is therefore recommended and shall be required prior to the commencement of development to the ensure that any risks of contamination can be fully assessed and if necessary, mitigated in line with the requirements of the Policy RE9 of the Oxford Local Plan.

Air Quality

10.103. 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).

10.104. 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). The air quality baseline desk assessment shows air quality conditions for future residents of the proposed development have been shown to be acceptable, with concentrations measured at nearby roadside monitors consistently below the air quality objectives in recent years. The site is also located on an urban background environment, far away from a major road and DEFRA's background maps show levels of NO2 and PM10/PM2.5 at that location that are way below current limit values. Therefore, the location of the application site is considered beforehand suitable for its intended use.

10.105. The proposed development does not therefore include any substantial combustion processes or emissions and includes the incorporation of air source heat pumps within the housing.

10.106. A total of 18 allocated car parking spaces and 2 visitor spaces will be provided on-site within the proposed development, all allocated and 25% of the non-allocated off plot parking spaces would be fitted with EV charging points, further details relating to the EV infrastructure would be secured by planning condition.

10.107. The proposed development is anticipated to have a total trip generation of 12 two-way vehicular movements during the AM peak hour, 13 two-way vehicular movements during the PM peak hour and a total daily flow of 112 two-way vehicle movements. The expected total flow of additional 112 two-way vehicular movements is also only marginally above (by 12 movements) IAQM's threshold for when an air quality assessment is required. The current measured concentrations in the surrounding area as well as future predicted concentrations are all significantly below the AQOs in proximity to the development, so the proposed development traffic flows would not be expected to result in significant impacts on the Oxford North Development or result in significant air quality effects on local air quality.

10.108. Review of the dispersion modelling results indicated that predicted air quality impacts as a result of traffic generated by the development were not significant at any sensitive location in the vicinity of the site. The results of the assessment also indicated that pollution levels were 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 and the Proposed Development conforms to the air quality principles of National Planning Policy Framework and 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. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

12. CONDITIONS

Time Limit

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

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

Approved Plans

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

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

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 commencement of above ground works on the site and only the approved materials shall be used.

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

Junction Access

4. No development shall commence until full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed in strict accordance with the approved details and shall be retained and maintained as such thereafter. Agreed vision splays shall be kept clear of obstructions higher than 0.6m at all times.

   Reason: To ensure provision of appropriate and safe vehicular means of access into the development site in accordance with Policies M1 and M2 of the Oxford Local Plan.

Travel Information Pack

5. Prior to first occupation the development a Residential Travel Information Pack shall be submitted to and approved by the Local Planning Authority. The residents of each dwellings shall be provided with a copy of the approved Travel Information Pack prior to the first occupation of the dwellings.

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

Cycle Parking

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

   Reason: In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework and Policy M1 of the Oxford Local Plan.

Electric Vehicle Charging Points

7. Prior to occupation of the approved development, details of electric vehicle charging points for the approved dwellings shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the approved dwellings, the approved electric vehicle charging points shall be installed.

   Reason: To ensure that electric vehicle charging points are installed as required by Policy M4 of the Oxford Local Plan 2036.

Construction Traffic Management Plan

8. Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved CTMP shall be implemented and operated in accordance with the approved details. A CTMP will need to incorporate the following in detail:

   •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 0345 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 Policy M2 of the Oxford Local Plan.

Surface Water Drainage Scheme

9. Prior to commencement of the development hereby approved a detailed surface water drainage scheme for the site, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

• Evidence that the ditch in which it is proposed to discharge into from the site drainage strategy has been suitably maintained as to allow the free flow of water and prevent flooding. This shall include evidence such as surveys and photographs to demonstrate suitability.

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

Reason: To ensure the incorporation of appropriate sustainable drainage measures within the proposed scheme in accordance with Policies RE3 and RE4 of the Oxford Local Plan.

SuDS as Built and Maintenance Details

10. Prior to first occupation of the dwellings, 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 incorporation of appropriate sustainable drainage measures within the proposed scheme in accordance with Policies RE3 and RE4 of the Oxford Local Plan.

Sewage Network Upgrades

11. The development hereby approved shall not be occupied until written confirmation has been provided to the Local Planning Authority that either:- 1. The sewage treatment works upgrades, at Fairford STW, to accommodate the additional flows from the development have been completed; or- 2. A development and infrastructure phasing plan has been agreed with the Local Authority Planning Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

12. Reason: Sewage Treatment Upgrades are likely to be required to accommodate the proposed development. Any upgrade works identified will be necessary to avoid sewage flooding and/or potential pollution incidents in accordance with Policies RE3 and V8 of the Oxford Local Plan.

Secured by Design

13. Prior to commencement of development, an application shall be made for Secured by Design accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details and shall not be occupied until confirmation of SBD accreditation has been received by the authority.

    Reason: To ensure that the proposed environment is safe and secure for all users and to prevent opportunities for crime in accordance with Policy DH1 of the Oxford Local Plan.

External Lighting

14. Prior to commencement of above ground works, details of a proposed external lighting scheme shall be submitted to the Local Planning Authority. The scheme shall set out the steps that will be taken to ensure that external lighting, including zonal/security lighting and column lighting within parking courts promotes a secure environment and does not cause a nuisance to residents, whilst protecting biodiversity and limiting the impact of the development on heritage assets.

    Reason: To ensure that the proposed environment is safe and secure for all users and to prevent opportunities for crime and to limit the impact of the development on ecology and heritage assets in accordance with Policies DH1, DH3, RE1 and G2 of the Oxford Local Plan.

Air Quality – Dust Mitigation

15. No development shall take place until the complete list of site-specific dust mitigation measures and recommendations that are identified on pages 17 and 18 of the Air Quality Assessment that was submitted with this application (AQA for land North of Goose Green, Aether -January 2024), are included in the site's Construction Environmental Management Plan (CEMP). The CEMP will need to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. 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 Policy RE6 of the Oxford Local Plan 2016- 2036.

Energy Statement – Compliance

16. The development shall be carried out in full accordance with the recommendations of the Energy and Sustainability Statement prepared by AES Sustainability Consultants Ltd - December 2023 Rev 1 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.

Boundary Treatments

17. A plan showing the means of enclosure for the new development including a detailed specification of the treatment of all the boundaries of the site and proposed access gates shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works. The development shall be carried out in accordance with the approved details and the approved boundary treatments shall be completed prior to the first use of the development. The boundary treatments shall be retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

    Reason: In the interests of visual amenity and to safeguard the privacy of adjoining occupiers and the safety and security of future occupiers in accordance with Policy DH1 of the Oxford Local Plan.

Soil Resource Plan

18. A Soil Resource Plan in accordance with the DEFRA Construction Code of Practice for the Sustainable Use of Soils on Construction Sites shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any development, including demolition and enabling works. The Soil Resource Plan shall show the areas and type of topsoil and subsoil to be stripped, haul routes, the methods to be used, and the location, type, and management of each soil stockpile. No soils shall be removed from the site unless otherwise agreed in writing beforehand by the Local Planning Authority.

    Reason: In the interests of amenity and to ensure proper cultivation of gardens / horticultural amenity areas in accordance with Policy G7 of the Oxford Local Plan.

Underground Services – Tree Roots

19. 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) and Arboricultural Method Statement (AMS)

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

    The TPP&AMS shall detail any physical protective measures such as barrier fencing and/or ground protection materials, and any access pruning or other tree surgery proposals. Methods of any workings or other forms of ingress into the Root Protection Areas (RPAs) or Construction Exclusion Zones (CEZs) of retained trees shall be set out and described. Such details shall take account of the need to avoid damage to the branches, stems and roots of retained trees, through impacts, excavations, ground skimming, vehicle compaction and chemical spillages including lime and cement. The Local Planning Authority shall be informed in writing when physical measures are in place prior to the commencement of development, and a photographic record demonstrating compliance will be submitted to the Council. The development shall be carried out in strict accordance with of the approved TPP&AMS at all times 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)

21. 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. The AMP shall include a schedule of a monitoring and reporting programme of all on-site supervision and checks of compliance with the details of the Tree Protection Plan and/or Arboricultural Method Statement, as approved by the Local Planning Authority. The AMP shall include details of an appropriate Arboricultural Clerk of Works (ACoW) who shall conduct such monitoring and supervision, and a written and photographic record shall be submitted to the LPA at scheduled intervals in accordance with the approved AMP.

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

Phased Risk Assessment

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

    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.

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

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

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

Approved Remedial Works

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

    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 If Found

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

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

Internal Noise Levels

25. All habitable rooms exposed to external road traffic noise in excess of 55 dBA Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 45 dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be able to be effectively ventilated without opening windows. No dwelling shall be occupied until the approved sound insulation and ventilation measures have been installed to that property in accordance with the approved details. The approved measures shall be retained thereafter in perpetuity.

    Reason: To ensure that the amenity of occupiers of the development site are not adversely affected by unacceptable levels of noise disturbance in accordance with Policies RE7 and RE8 of the Oxford Local Plan.

Noise Levels – Outdoor Living Areas

26. The maximum day time noise level in outdoor living areas exposed to external road traffic noise shall not exceed 50 dBA Leq 16 hour [free field]. The scheme of noise mitigation as approved shall be constructed in its entirety prior to the first occupation of any dwelling and shall be retained thereafter in perpetuity.

    Reason: To ensure that the amenity of occupiers of the development site are not adversely affected by unacceptable levels of noise disturbance in accordance with Policies RE7 and RE8 of the Oxford Local Plan.

Vibration

27. No vibration shall be transmitted through the building structure and fabric of this development from transport sources as to cause a vibration dose value of greater than 0.4m/s $^{(1.75)}$ 16 hour day-time nor 0.26 m/s $^{(1.75)}$ 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

    Reason: To ensure appropriate standards of living amenity for future occupants in accordance with Policy RE7 of the Oxford Local Plan.

Construction Hours of Working

28. Construction works and associated activities at the development, audible beyond the boundary of the site should not be carried out other than between

the hours of 08:00 – 18:00 Monday to Friday daily, 08:00 – 13:00 on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority in consultation with the Councils Environmental Health Officers.

Reason: To safeguard the amenity of existing residents during the construction process in accordance with Policies RE7 and RE8 of the Oxford Local Plan.

Waste Materials – Construction

29. No waste materials should be burnt on site of the development hereby approved.

    Reason: To safeguard the amenity of existing residents during the construction process in accordance with Policy RE7 of the Oxford Local Plan.

Removal of PD Rights

30. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no structure including additions to the dwelling houses as defined in Classes A, B, C, D, E of Part 1 of Schedule 2 of the Order shall be erected or undertaken without the prior written consent of the Local Planning Authority.

    Reason: The Local Planning Authority considers that even minor changes in the design or enlargement of the development should be subject of further consideration to safeguard the appearance of the area and the amenity of neighbouring properties and occupiers of the dwellings in accordance with policies DH1, DH3, H14 and H16 of the Oxford Local Plan.

Play Strategy

31. Prior to commencement of the development, a Play Strategy (PS) shall be submitted to, and approved in writing by, the Local planning Authority. The PS shall relate to all areas of play, including both formal and informal 'incidental' play spaces. The PS shall include, as a minimum, the following:
    - Plans to show the location(s) identified for play, including the installation of play equipment;
    - Information to demonstrate how the views of children and young people in the area have been considered and their needs accounted for;
    - The budget;
    - Detailed designs for each play area;
    - Materials;
    - The timescale for provision;
    - Maintenance agreement and community engagement.

    The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and in accordance with Policy GBS3 of the Wolvercote Neighbourhood Plan and Policy DH1 of the Oxford Local Plan

13. APPENDICES

- **Appendix 1 –** Site location plan

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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Appendix 1 – Site Location Plan

24/00318/FUL
Land at Goose Green, Godstow Road, Oxford, Oxfordshire

DRAWING KEY:

Planning Application Boundary

Land used for access from application site to public highway
Application reference nos. 22/00675RES (Canalside residential development)
22/00081/RES (Canalside loop road)

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OXFORD CITY PLANNING COMMITTEE 17th September 2024

Application number:	24/01302/FUL
Decision due by	29th August 2024
Extension of time	22nd October 2024
Proposal	Demolition of existing office building and erection of 1no. laboratory-enabled office building for research and development with ancillary commercial and amenity space (Use Class E). Provision of new access, motor vehicle parking, cycle parking, services infrastructure and landscaping including new amenity space and pedestrian/cycle connection.
Site address	Plot 5000, John Smith Drive, Oxford, Oxfordshire – see **Appendix 1** for site plan
Ward	Temple Cowley Ward
Case officer	Jennifer Coppock
Agent:	Mr James Ellis **Applicant:** Mr John Staker
Reason at Committee	Major development

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1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

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

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

1.1.2. **agree to delegate authority** to the Head of Planning 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 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 development at Plot 5000 Advanced Research Clusters (ARC) Oxford, John Smith Drive. The application seeks full planning permission for the demolition of the existing 15m high three storey office building and erection of a part 22m, part 27m (including plant screen but excluding flues) five storey building in Research and Development use to accommodate Containment Level 2 (medium risk biological agents and hazards, genetically modified organisms, animals and plants) laboratories and associated offices. Enhanced public realm the 'waterside gardens' would be provided to the north and north west of the proposed building.

2.2. The application also includes 'phase 1' of the 'connector' which is an enhancement of and extension to the existing cycle and pedestrian link from the southern boundary of ARC Oxford (South) (adjacent to plot 3000, plot 2600 and the Eastern by-pass underpass to the Oxford Retail Park) up to plot 5000.

2.3. Officers consider that the proposed development would respond appropriately to the site context, Local Plan policies and the Oxford Business Park site allocation.

2.4. The development would result in a 14% net gain in tree canopy cover after 25 years through new and retained soft landscaping. There would be no harm to any identified protected species and the proposal would achieve a Biodiversity Net Gain of 10% by off-setting 2 habitat units through an approved provider based in Oxfordshire. The development would be of a sustainable design and construction, achieving a 40.25% reduction in carbon emissions when set against the 2021 Part L Building Regulations. The scheme would provide 147 car parking spaces, a reduction of 1 space from the existing provision, and 11 motorcycle spaces equating to a mode share of 35% with an agreement (secured by the s106) to reduce this down to 31% once the Cowley Branch Line is operational at peak times. This is considered acceptable in this location, in accordance with the objectives of the Oxford Local Plan 2036. A total of 103 cycle parking spaces would be provided on site, in line with Local Plan requirements, with further details to be secured by condition. There would be no adverse land contamination, noise pollution, air quality or flood risk and drainage impact as a result of the proposal.

2.5. Subject to addressing comments made by the Environment Agency, the imposition of appropriately worded conditions and a section 106 legal agreement, the development would accord with all policies in the Oxford Local Plan 2036 and NPPF.

3. LEGAL AGREEMENT

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

- An agreement to reduce car parking numbers by 30 spaces, from 147 to 117 bays within 3 months of the Cowley Branch Line operating a passenger service of 2 trains per hour at peak times between London Marylebone, Oxford City centre and Oxford Cowley.

- A requirement that tenancy agreements shall include the loss of parking spaces, with appropriate clauses inserted into lease agreements to secure their sacrifice.

- The provision and implementation of Construction (excluding demolition, site clearance and remediation works) and End User Community Employment and Procurement Plans with the City Council.

- Submission and implementation of a Biodiversity Scheme to secure a Biodiversity Net Gain of 10%.

- £180,752.90 towards the Eastern Arc bus services.

- £289,633.15 towards the Cowley Branch Line.

- £3,265.00 towards Travel Plan monitoring.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable to pay £390,135.62.

5. SITE AND SURROUNDINGS

5.1. Plot 5000 is an irregular shaped plot comprising a three storey office building and surface parking with 148 bays which surrounds the building on all sides. The site is bounded by mature trees and vegetation. Surrounding built form consists of two to three storey buildings in commercial use. As above, the application site also comprises a disjointed cycle and pedestrian link which runs through the park but is diverted in places by parking bays. Plot 5000 is accessed to the north east off John Smith Drive – a private road within ARC Oxford, and extends to approximately 0.8ha with the entire application site, including the 'connector' totalling approximately 1.08ha.

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

5.3. See site location plan below:

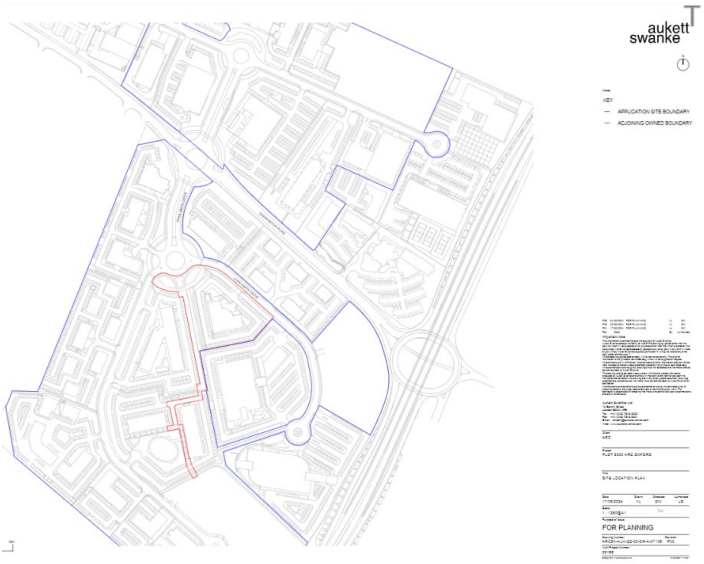

Figure 1: Site location plan

6. PROPOSAL

6.1. This full application proposes demolish the existing three storey building on site. Whilst regrettable, demolition is necessary due to the insufficient floor to ceiling heights within the existing building to accommodate laboratories and their mechanical servicing requirements. Further, its structural loading is insufficient and incapable of supporting the required equipment and mechanical plant. The proposal therefore involves the erection of 1no. five storey CL2 laboratory and office building with a maximum height of 27m (including plant screen but excluding flues). The building has a Gross Internal Area of 11,563sq. m. 3no. ancillary single storey buildings would be located along the eastern and southeastern boundaries of the site to house generators, sub-stations and gases. Private amenity space would be located on the first and fifth floors (including roof terrace), details of which are yet to be confirmed as the application is speculative with no end user secured at present. Vehicular parking would remain at grade, with part under croft, but reorientated to the side and rear of the building away from John Smith Drive. Spaces would be reduced by 1 bay to 147, 11 motorcycle spaces would also be provided. 103 cycle parking spaces would be provided internally in a secure store for staff with 20 additional spaces provided externally for visitors. As above, full details of cycle parking specifications would be secured by condition.

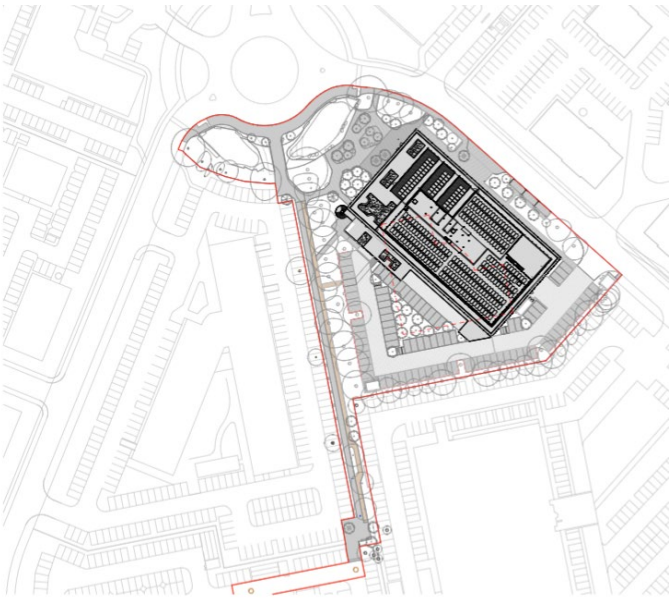

Figure 2: Proposed site plan.

6.2. The ‘waterside gardens’, briefly mentioned above, would be focussed around the existing ponds to the north west of the plot 5000 building and would form an area of public realm, linking to the enhanced ‘connector’. This space would comprise soft landscaping, seating areas and visitor cycle parking.

Figure 3: Waterside gardens

6.3. 350 linear metres of the ‘connector’ (phase 1) would be provided as part of this proposal, an enhancement of and extension to the existing disjointed cycle and pedestrian link through the park. The ‘connector’ would extend from the southern boundary of ARC Oxford (South), adjacent to the Eastern by-pass underpass, up to the John Smith Drive roundabout, immediately north west of plot 5000. The ‘connector’ would create a gateway to ARC Oxford from the future CBL station (adjacent to Tesco) and guide pedestrians and cyclists through the entire site on a legible and suitably activated route.

Figure 4: The 'connector's' relationship with plot 5000 and the 'waterside gardens'.

6.4. The second phase of the 'connector', proposed for submission towards the end of 2024, would create an entrance plaza adjacent to the underpass and extend across Garsington Road and through ARC Oxford (North).

7. RELEVANT PLANNING HISTORY

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

Plot 5000
98/00456/NR - 3 storey building: 3433.7 sq. m floor for business (details of siting, design, external appearance & landscaping reserved as part of site granted NO/1303/91) including car parking (for 172), cycle parking (for 104) & refuse stores. Approved 23.07.1998.

Trinity House
22/03067/FUL - Demolition of existing office building and erection of 1no. laboratory and office building for research and development (use class E). Erection of gas store. Provision of motor vehicle and cycle parking and landscaping. Approved 9th October 2023.

Plot 4200
24/00335/FUL - Demolition of existing office buildings and erection of 1no. laboratory-enabled office building for research and development with ancillary commercial space (all within use Class E). Provision of new access, alterations to existing footpath, motor vehicle and cycle parking, landscaping and services infrastructure. (Amended plans and documents). Approved at Planning Committee in May 2024. Pending completion of legal agreement at time of writing.

Plot 2000
22/02880/RES - Erection of 1no. laboratory enabled office building for research and development with ancillary commercial space (all within use class E). Erection of 1no. building to accommodate motor vehicles, cycles and end of journey facilities. Provision of new access, external visitor cycle parking, landscaping and

services infrastructure. Approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to planning permission 12/01424/EXT. (Amended description, plans and documents). To be heard at September 2024 Planning Committee, alongside plot 5000.

Pre-application advice

7.2. Pre-application engagement, focussing solely on plot 5000 rather than plot 5000 as part of the forthcoming outline proposal, took place between March and May 2024. A summary of key amendments made to the proposal during this time is listed below:

- Enhanced activation of western elevation by removing the originally proposed blank external staircase that dominated over 50% of the frontage.
- Increased legibility of the main entrance at the western elevation through the introduction of a colonnaded frontage.
- Additional links to the 'connector' to ensure legibility, activation and prioritisation of pedestrians and cyclists.

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	131-141	DH1 - High quality design and placemaking DH7 - External servicing features and stores	
Conservation/ Heritage	195-214	DH2 - Views and building heights DH3 - Designated heritage assets DH4 - Archaeological remains	High Buildings TAN
Housing	60-84	H14 - Privacy, daylight and sunlight	
Commercial	85-89	E1 - Employment sites - intensify of uses SP10 - Oxford Business Park	Employment Skills TAN

Natural environment	180-194	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	
Social and community	118-122	RE5 - Health, wellbeing, and Health Impact Assessment	
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 V8 - Utilities	
Environmental	157-179	RE1 - Sustainable design and construction RE6 - Air Quality RE8 - Noise and vibration RE9 - Land Quality	Energy Statement TAN
Miscellaneous	7-14	S1 - Sustainable development RE2 - Efficient use of Land RE7 - Managing the impact of development V9 - Digital Infrastructure	

9. CONSULTATION RESPONSES

9.1. Site notices were originally displayed around the application site on 14th June 2024 and an advertisement was published in The Oxford Times newspaper on 13th June 2024.

Statutory and non-statutory consultees

Highways Authority

9.2. No objection, subject to conditions and financial contributions.

Local Lead Flood Authority

9.3. No objection, subject to conditions.

Thames Water Utilities Limited

9.4. No objection, subject to conditions.

Environment Agency

9.5. No objection, subject to conditions.

Historic England

9.6. No comments to make.

Active Travel England

9.7. Standing advice provided.

Thames Valley Police (TVP)

9.8. Whilst TVP did not object to the proposal, the original consultee response raised concerns regarding access control into the building, the location of external cycle parking, lighting and the risk of motor vehicles accessing the 'connector'. The applicant responded to these concerns by providing a security strategy and clarification and amendments to the scheme, including the placement of three additional bollards to prevent motor vehicles entering the 'connector' and hit and miss brickwork to enhance surveillance into the undercroft car park at the north east elevation. As a result, TVP were satisfied those concerns had been addressed and lifted their requirement for a Secured by Design condition but retained the need for a final lighting strategy to be submitted prior to commencement of development.

Oxford Preservation Trust

9.9. Concerns raised about the impact that this scale of building would have on the immediate surroundings and longer distance views into and out of the City.

Public representations

9.11. No public representations were made in response to this application.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

a) Principle of development
b) Design, views and impact on heritage assets
c) Impact on neighbouring amenity
d) Health and wellbeing
e) Highways and parking
f) Trees and landscaping

g) Sustainable design and construction
h) Air quality
i) Noise
j) Land quality
k) Flood risk and drainage
l) Ecology
m) Utilities

a) Principle of development

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

10.3. The Oxford Local Plan recognises at paragraph 128 that Oxford has *"one of the highest concentrations of knowledge intensive businesses in the UK. It has the fastest growing and one of the best educated workforces in the country and is the main centre of research and spin outs in the country. The Local Plan supports the growth of these sectors and puts in place measures to manage the effects of success"*. The Oxfordshire Strategic Economic Plan (2017) sets out the long-term vision and ambitions for economic growth in the County, which is that overall by 2030 *"Oxfordshire will be recognised as a vibrant, sustainable, inclusive world leading economy driven by innovation, enterprise and research intelligence"*. The Oxfordshire Local Industrial Strategy (2019) looks to position Oxfordshire as one of the top 3 global innovation ecosystems highlighting the County's world leading science and technology cluster.

10.4. As above, the site forms part of a Category 1 employment site and as such, under the requirements of policy E1 of the Oxford Local Plan 2036, the site is protected for employment floorspace only. Planning permission will be granted for the intensification, modernisation and regeneration for employment purposes of any employment site if it can be demonstrated that the development makes the best and most efficient use of land and does not cause unacceptable environmental impacts and effects. Further, the Park is allocated under policy SP10 for employment and, potentially, other complimentary uses. The policy encourages the promotion of sustainable travel modes to the Park and there is a requirement to mitigate any harm to biodiversity value.

10.5. The submitted Economic Statement estimates that approximately 130 construction jobs would be created with the proposal estimated to contribute £12.5 million during the 1.8 year construction period. During the operational phase, 450 jobs would be created on site – an increase of 190 when compared to the capacity of

the existing building if it were operational. with up to £34.2 million of Gross Value Added (GVA) generated each year, once fully operational.

10.6. In addition to the above, the applicant has committed to entering into Construction and End User Community Employment and Procurement Plans (CEPP) which would ensure that local people are employed and local businesses are supported during the construction and operational phases of the development. This would be secured by legal agreement.

10.7. It is therefore considered that intensifying development on the site for business (Use Class E(g)) uses within the research led employment sector, as proposed, is acceptable in principle subject to compliance with all requirements of policies E1, SP10 and the Local Plan as a whole.

b) Design, views and impact on heritage assets

10.8. The NPPF makes it clear that the purpose of planning is to help achieve sustainable development (Section 2), and that design (Section 12) and effects on the natural environment (Section 15) are important components of this.

10.9. Section 11 of the NPPF notes in paragraph 128 that in respect of development density the considerations should include whether a place is well designed and *"the desirability of maintaining an area's prevailing character and setting…or of promoting regeneration and change"*.

10.10. Paragraph 135 of the NPPF states that decisions should ensure that developments will a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic in local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place to create attractive, welcoming and distinctive places and e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public open space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

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

10.12. The site's location within the southern suburbs of the City is considered appropriate for additional height given its relatively unconstrained nature in planning policy terms, with the scale of this particular building justified through the high standard of design quality. The carefully considered articulation of the building at roof level with the set back and sawtooth results in a proposal that would form a very positive contribution to the Oxford Business Park, helping to create local distinctiveness with its references (sawtooth roof) to the areas industrial past. As well as providing articulation, the set back on the top floor is used to create an attractive amenity space which – due to its location – relates well to the public realm below, aiding

legibility to these spaces. The proposal provides ample active frontage with four entrances for staff ands has been designed to animate the adjacent public realm with direct access from this into the building, including John Smiths Drive to the east, the proposed landscaped node 'Waterside Gardens' to the north and the proposed 'Connector' to the west.

10.13. With legibility in mind, following a constructive pre-application process, the design team have achieved a legible and attractive main entrance despite this being directly adjacent to under croft parking and associated blank façade by introducing a colonnade at the western corner of the building. The colonnade creates an attractive way into the building from the west and makes the most of the building's orientation, harnessing sunlight from the west. Further, the colonnade successfully engages with the proposed 'Waterside Gardens' and works to elevate and celebrate this key public realm node. The scale of the double height entrance space is appropriate for John Smiths Drive – the primary vehicular route within the Business Park and demonstrates a strong response to site context.

Figure 5: Proposed western entrance

10.14. The majority of the south/ southwestern tree belt has been retained whilst incorporating two pedestrian routes through from the 'connector' to the building. Creating these routes was key for the success of the project, and the loss of one tree to achieve this is considered justified.

10.15. In light of the above, it is considered that the proposal accords with the requirements of policy DH1 and the Oxford Local Plan as a whole.

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

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

- River meadows – these flat open areas permeate the city north to south.

- Wooded farmland, estates & hills – these high and nearby hills form a natural green backdrop and 'amphitheatre' to the east and west of the city.

- Alluvial lowland & vale farmland – these areas of lower lying hills are predominant to the north and south of the city and signal the location of the rivers.

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

- Medieval historic core, originating from C9th Saxon burgh, built on a raised gravel terrace at the confluence of the rivers which contains a cluster of tall buildings of exceptional architectural significance that form its iconic skyline and are collectively known as the 'dreaming spires'. The historic core is designated as Oxford's Central Conservation Area.

- Surrounding outlying villages of medieval origins, designated as individual conservation areas, which have been subsumed by later C19 and C20 development.

- C19 suburban expansion which subsumed the outlying villages and forms, which the poet Matthew Arnold termed "Oxford's base & brickish skirt".

- C20 expansion including the industrial development of the Cowley Motor Works to the south of the city.

10.19. The landscape and built environment elements identified above and their interrelationship with one another and the intrinsic connection of Oxford's historic development to its landscape setting is fundamental to the significance of the city's Central Conservation Area and can be appreciated from a number of views, both from viewpoints outside of the city looking in (i.e. view cones) and from high level viewpoints within the city looking out.

10.20. At the southern edge of the city, the east and west containing hills fall away to a much lower ridgeline with the backdrop of the Chiltern Hills beyond, which signals the river route and is where the areas of C20 expansion have taken place below and beyond the lower ridge line. The ability to visually appreciate the location, extent and forms of the hills and ridgelines that surround the city is essential to understanding its historic development and heritage significance.

10.21. Any new, tall building development that extends above the ridgeline along the southern edge has the potential to disrupt and detract from the setting of Oxford's historic built environment and its Central Conservation Area, as well as affect the setting of other heritage assets. Notwithstanding this, the south-eastern suburbs, within which the site sits, are an 'Area of Greater Potential' which is less constrained by heritage considerations and therefore has the potential for growth in the form of tall buildings, as outlined in the High Buildings TAN. The High Buildings TAN identifies that buildings taller than 15m high at the Business Park would skyline in views from St Mary's Tower.

10.22. In correlation with the TAN, the submitted TVIA views suggest that the upper storeys of the proposed development would be visible from St Mary's Tower, Carfax Tower and St George's. The proposal would not be visible from St Michael at the North Gate as it would sit behind the spire of Lincoln College library in this view.

10.23. In these three high-level city centre views, the proposed development would not break the far horizon line of the Chiltern Hills, which is welcomed. It would, however, break the lower ridgeline and obscure a part of the far hills, somewhat eroding the ability to appreciate this part of the City's landscape setting and the ways in which this has shaped its historic development and thereby causing a degree of harm to the Central Conservation Area.

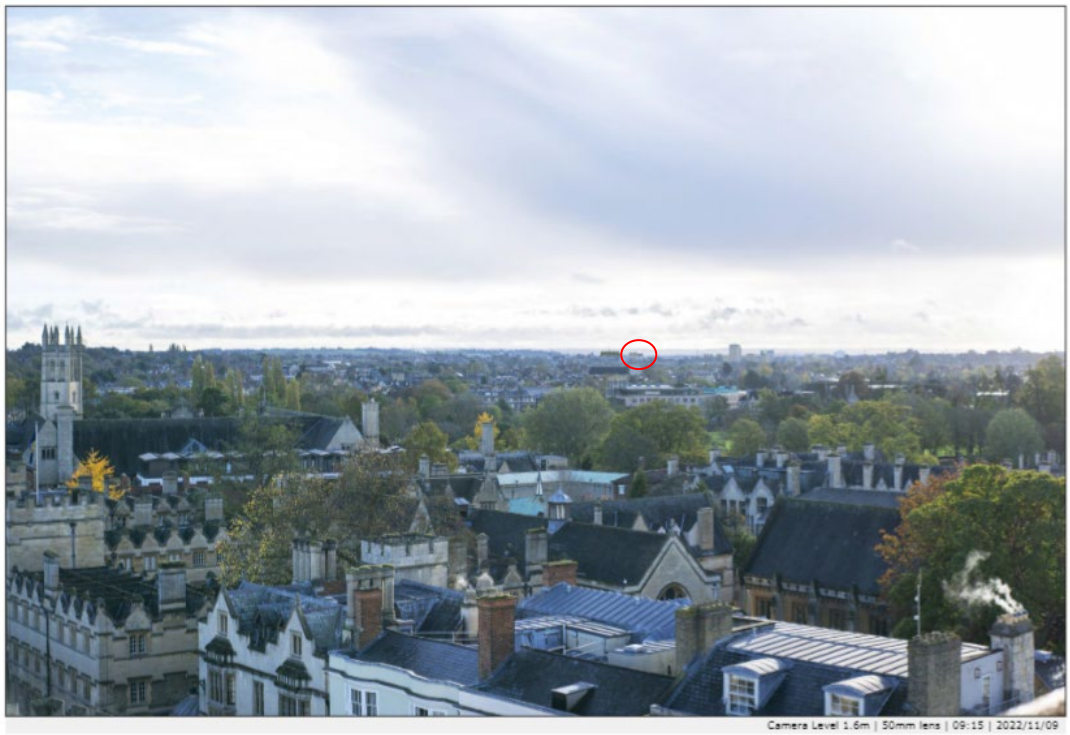

Figure 6: View from St Mary's Tower (Plot 5000, circled in red)

10.24. The visual cumulation of the massing of the consented Trinity House scheme, Plot 2000 and Plot 5000 on the horizon was a key concern at pre-application stage and as a result of discussions with Officers, the massing of Plot 2000 was reduced to create a visual gap between it and Plot 5000. This has helped to reduce the cumulative visual impact of the proposed development from Carfax and St Mary's. This move has been less successful in mitigating the visual impact of the proposed developments from St George's Tower, as this viewpoint is located further west; however, from St George's Tower the applicant's setting back of the top storey and articulation of the buildings form has worked well to help reduce the massing at height and visual prominence.

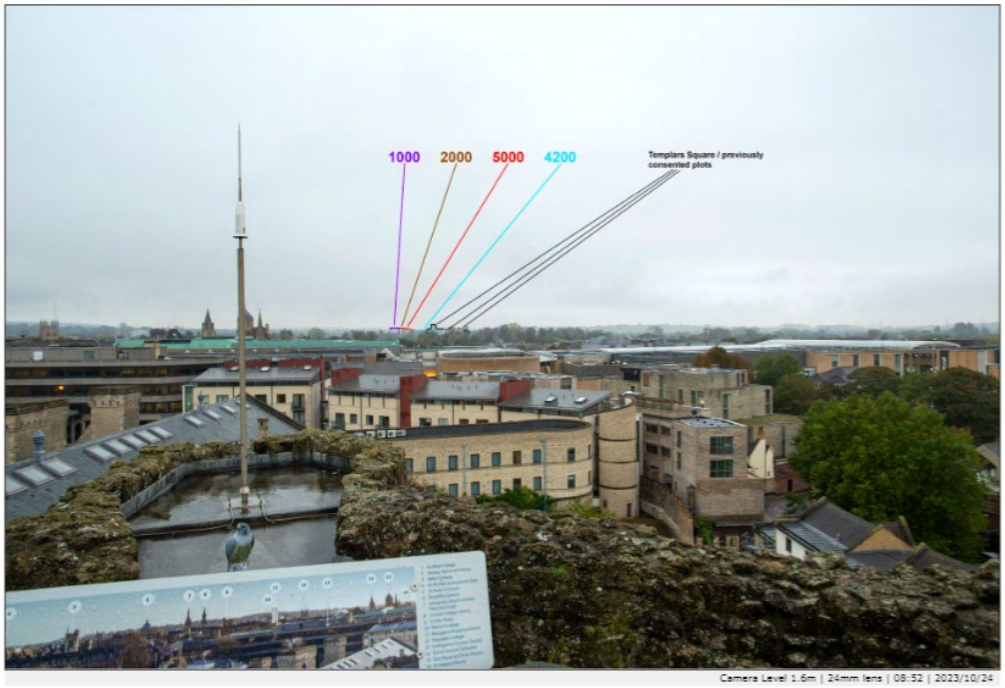

Figure 7: View from St George's Tower

10.25. The proposed development would be lower in height than the existing mid-late-20th century tower blocks to the south of the city. However, the building would still be of considerable height, which together with its greater bulk and mass would result in a building that would be at odds with the scale of the surrounding lower built form that characterises this area, changing the character of the City's 'base and brickish skirt' and distracting somewhat from views of the 'dreaming spires' from the high-level viewpoints. The character of this part of the Conservation Area's setting will already undergo change as a result of the consented Trinity House scheme, however, the proposed development at Plot 5000 would add to the degree of change and, considering this impact cumulatively, would cause a further degree of harm.

10.26. Overall, accounting for the relative importance of this part of the Conservation Area's setting to its significance, and the ways in which the massing and articulation of the upper parts of the building mitigate its visual impact in the long-range views from the Conservation Area, it considered that the harm to the Central Conservation Area would equate to a low level of less than substantial harm.

10.27. With regards to the setting of the Grade II listed Town Hall, the proposal would introduce built form into the high level panoramic view from Carfax that would sit adjacent to the spire of the Town Hall, nibbling away at the green and sky backdrop and reducing its visual prominence.

Figure 8: View from Carfax Tower, illustrating impact on setting of the Town Hall.

10.28. As a result of pre-application discussions regarding this plot and Plot 2000, the massing of the submitted schemes has been distributed to reduce the extent to which the proposed development at Plot 5000 would merge visually with the adjacent consented and emerging development, and to an extent this has mitigated the impact on these views of the Town Hall. Nevertheless, the development would still nibble away at the spire's green and sky backdrop, having a cumulative effect with the previously consented Trinity House, and reducing its visual prominence. As a result, it would cause a low level of less than substantial harm to the Grade II* listed building.

10.29. When determining an application affecting a Conservation Area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended and Chapter 16 of the NPPF which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area. Paragraph 205 requires great weight to be given to conserving a designated heritage asset.

10.30. When considering the planning balance of public benefits against harm to designated heritage assets, NPPF paragraph 206 states that there should be a clear and convincing justification for the harm, whilst paragraph 208 weighs the harm against public benefits including the optimum viable use.

10.31. In terms of providing a clear and convincing justification for the harm, the application has been developed following thorough discussions during the pre-application and formal application processes with officers on the design, including an explanation of the space requirements for lab buildings. As widely understood now, the demand for high quality lab enabled office space within this part of the

‘Golden Triangle’ is outstripping supply making it difficult for Oxford to realise its potential as a global leader. As such Officers consider that sufficient evidence has been provided to justify the overall height and form of the building.

10.32. With regards to 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 the public benefits outlined below to be of most relevance.

10.34. *Economic*: The proposed development would strengthen the provision of lab-enabled office space within Oxford, further strengthening its position as a world leader for the Research and Development sector.

10.35. As set out above, during the construction phase (1.8 years), the proposal would result in the creation of 130 jobs and would contribute £12.5 million in GVA to the local economy.

10.36. During the operational phase, the proposal has the capacity to create a total of 450 jobs. The operational phase would contribute £34.2 million in GVA per annum to the local economy.

10.37. *Social*: As outlined above, the proposed development would lead to far reaching economic benefits within the City with the applicant also committed to providing and implementing a CEPP which would ensure that employment in the construction and operational phases is made available to local candidates, particularly those within deprived areas and with disadvantages backgrounds that would typically not be considered, or have the opportunity to apply, for jobs within the life science sector.

10.38. The scheme would provide enhanced connectivity from the future Cowley Branch Line station through the Park via the ‘connector’ pedestrian and cycle route. With regards to the Cowley Branch Line and its deliverability, the applicant would provide a financial contribution towards this service, as outlined above and set out in more detail below.

10.39. The new amenity space to the north of plot 5000 would be open for the public to enjoy.

10.40. *Environmental*: The scheme would provide a 10% Biodiversity Net Gain by off-setting in line with Local Plan requirements, as detailed below in the relevant sections.

10.41. Taking these benefits into account, and whilst giving great weight to the conservation of the setting of the Conservation Area and listed buildings, it is considered that the low level of less than substantial harm caused to the setting of the Central Conservation Area is outweighed by the public benefits that the proposal would bring with it.

10.42. In light of the above, it is considered that the proposal accords with policies DH1, DH2 and DH3 of the Oxford Local Plan 2036 and the NPPF.

c) Impact on neighbouring amenity

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

10.44. The site sits approximately 105m from the nearest residential rear boundary of dwellings fronting Phipps Road and between 26m and 35m from surrounding commercial units within ARC Oxford.

Privacy

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

Overbearing

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

Daylight/ sunlight

10.47. Due to the distance between the site and residential neighbours, the proposal would not impact on dwellings in terms of daylight/ sunlight and overshadowing as confirmed within the submitted GIA Daylight, Sunlight and Overshadowing Report. No relevant commercial amenity areas were identified to the north. The report demonstrates that 87-99% of the 'waterside gardens' and roof terrace associated with the proposal would see well over 2 hours of sunlight on the March equinox, as required by BRE guidelines.

10.48. In light of the above, residential and commercial neighbouring properties would not be affected by the development.

Construction phase

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

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

d) Health and wellbeing

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

10.52. Inclusive design has been considered both internally and externally throughout the scheme with wheelchair accessibility and flexibility available. The 'waterside gardens' would provide an enhanced area of public realm with soft landscaping, ponds and seating areas for staff, visitors and members of the public to enjoy. The 'connector' would provide a legible and accessible route from the Eastern by-pass through to plot 5000 with seating areas. Safe and convenient staff cycle parking with changing facilities as visitor cycle parking, exceeding Local Plan requirements, would deliver a welcoming site for all commuters and their individual needs.

10.53. As above, the scheme would provide employment locally in both the construction and operational phases and the applicant has committed to entering into a Community Employment and Procurement Plan (CEPP) which would form part of the S106 legal agreement.

10.54. In light of the above, and the contents of this report as a whole, it is considered that the proposed development would comply with policy RE5 of the Oxford Local Plan 2036.

e) Highways and parking

10.55. Oxford has the ambition to become a world class cycling city with improved air quality, reduced congestion and enhanced public realm. Road space within the city is clearly limited and to achieve its ambition there is a need to prioritise road space and promote sustainable modes of travel. For non-residential development, the presumption will be that vehicle parking will be kept to the minimum necessary to ensure the successful functioning of the development. Policies M1, M2, M3, M4 and M5 of the Oxford Local Plan 2036 seek to deliver these objectives.

10.56. Policy M1 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport. In accordance with policy M2, a Transport Assessment for major developments should assess the impact of the proposed development and include mitigation measures to ensure no unacceptable impact on highway safety and the road network and sustainable transport modes are prioritised and encouraged.

Sustainability

10.57. The site is located within a densely populated area of the City with a large number of residents within walking and cycling distance to ARC Oxford. The nearest bus

stops to the site are located on Garsington Road (The Longwall) which is approximately 300m from the site and served by regular services to and from the City Centre and Blackbird Leys.

10.58. As the Planning Committee is aware, it is currently anticipated that the Cowley Branch Line will be operational in May 2028. A new station is proposed adjacent to the Tesco Supermarket to the east of ARC Oxford which would further enhance the sites sustainability. The applicant would provide a financial contribution towards this new passenger line, to be secured by legal agreement.

Access and traffic generation

10.59. The existing vehicular access off John Smith Drive (a private road) is located approximately 70m southeast of the roundabout. It is proposed to relocate this access approximately 38m southeast with the existing vehicular access stopped up and used as a drop-off bay. As a result of the access relocation, a staggered crossroads access junction would be created with plots 1200 to 1600. Although this layout could potentially increase the risk of collisions, the road is subject to a 20mph speed limit and it is therefore considered unlikely that this layout would increase the risk of personal injury collisions.

10.60. With regards to traffic generation, whilst there would be a net increase of gross floor area of 8,005sq. m. car parking bays would be reduced by 1. Therefore, there would not be an increase in peak hour vehicle trips to and from the site.

Cycle and vehicular parking

10.61. Within the internal cycle hub, 103 cycle spaces would be provided in the form of 24 Sheffield stands, 36 double stacked spaces and lockers for 27 folding bikes and 2 larger bikes in line with Local Plan minimum standards. In addition to this, 16 Sheffield stands would be provided externally for visitors.

10.62. 147 parking spaces would be proposed, which would be a reduction of 1 space with 25% of spaces to be fitted with EV charging points. This provision includes 5 accessible spaces and an 11 motorcycle spaces would be provided across the site. The parking provision equates to a 35% mode share when taking into account the 355 members of staff to be on site on any given day – this level of currently considered acceptable in this area. Car parking would be reduced to 117 spaces, equating to a mode share of 31% once the Cowley Branch Line is operational at two trains per hour at peak times. This reduction in spaces and reallocation of parking bays to soft landscaping would be secured by legal agreement.

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

f) Trees and landscaping

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

10.65. The proposal would result in the loss of 33no. trees within categories B to U. These losses do not include any special or hard to replace features. The proposed landscape strategy mitigates this loss by planting 71no. new semi-mature trees within the 'waterside gardens', along the 'connector', at the John Smith Drive frontage and on the proposed terraces.

10.66. The Council's Green Spaces TAN requires a Tree Canopy Cover Assessment (TCCA) to be submitted for various types of applications. For major non-residential developments, it needs to be demonstrated that there would be no net loss in canopy cover compared with a no development baseline scenario + 25 years. The proposal would provide a net gain in canopy cover of 14% as compared to a no-development scenario.

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

g) Sustainable design and construction

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

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

10.70. A fabric first approach has been taken with the proposed building fabric values, in line with the energy hierarchy, for walls, roofs and glazing being equal to or better than Part L of Building Regulation requirements in order to minimise heat loss through thermal elements. Solar fins have also been incorporated into the design to reduce solar gain. Trees, planting and green areas would be provided to help assist minimising summertime microclimate temperatures. Roof mounted photovoltaic panels are proposed as well as vertically mounted panels on the mechanical plant screening. Air Source Heat Pumps (ASHPs) are proposed for both space heating and hot water production.

10.71. The proposed building is anticipated to achieve a 40.25% reduction in carbon emissions, in line with Local Plan requirements. Compliance with the required 40% reduction would be secured by condition.

10.72. The proposal therefore complies with policy RE1 of the Oxford Local Plan 2036.

- **Air Quality**

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

10.74. The application site is located within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council for exceedances of the annual mean NO2 air quality objective (AQO).

10.75. The submitted air quality baseline desk assessment demonstrates that current air quality levels at the application site are below relevant air quality objectives for NO2, PM10 and PM2.5 concentrations. Therefore, the location of the application site is considered suitable for its intended use without mitigation.

10.76. The development would be all-electric and as such, there would be no emissions associated with energy provision with no local air quality impacts anticipated. Dust mitigation measures during construction have been identified and a dust management plan would be conditioned as part of a final Construction Environmental Management Plan to ensure that there is no increased exposure in PM10 concentrations or loss of local amenity.

10.77. 25% of parking bays would be provided with Electric Vehicle charging, in line with the Local Plan requirement. Details of this infrastructure would be conditioned along with the requirement for adequate ducting to be provided at 100% of spaces to enable additional charging points should demand dictate, in accordance with Local Plan policy M4.

10.78. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE6, subject to suggested conditions set out below.

- **Noise**

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

10.80. It is considered that appropriate noise guidelines have been followed within the submitted Noise Impact Assessment and proposed mechanical plant noise levels at the identified receptors have been adequately predicted. The proposal should therefore not have an adverse impact on the nearest sensitive receptor site.

10.81. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE8, subject to conditions set out below.

- **Land Quality**

10.82. The Council has a statutory duty to take into account, as a material consideration, the actual or possible presence of contamination on land. As a minimum, following development, land should not be capable of being determined as contaminated land, meaning the contamination poses an unacceptable risk to human health or the environment, under Part 2A of the Environmental Protection Act 1990. In

accordance with policy RE9 of the Oxford Local Plan 2036, a Phase 1 Desk Study and contaminated land questionnaire was submitted as part of the application.

10.83. The submission indicates that the site is relatively free from significant ground contamination risks that could affect future commercial occupation of the site. No significant ground gas or groundwater risks have been identified and soil analysis did not indicate any significant contamination risks other than an isolated incidence in one location that would require further assessment, as secured by condition.

10.84. The Environment Agency (EA) has commented on the application and raised no objection, subject to the imposition of conditions that are set out at section 13 below.

10.85. It is considered that, subject to the above conditions, the proposed development would comply with Local Plan policy RE9.

- **Flood risk and drainage**

10.86. 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.

10.87. As above, the application site lies wholly within flood zone 1 (lowest probability of flooding) but does extend to over 1ha (including the 'connector') and therefore the application has been accompanied by an FRA.

10.89. As above, the site lies wholly within flood zone 1 and is not at risk of flooding as a result of this development.

10.90. 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.

10.91. The proposed SuDS strategy includes green and blue roofs which would discharge to a soakaway and through permeable paving. There is no surface water discharge from the site into any watercourse, sewer or drain therefore the site would have no adverse effects on flooding outside the application boundary.

10.92. With regards to foul water drainage, it is proposed to re-use the existing foul connection to the public foul sewer. Thames Water has confirmed that there is sufficient sewage capacity in the adjacent foul water sewer network to serve the proposal.

10.93. It is considered that the proposal would accord with the requirements of policies RE3 and RE4 of the Oxford Local Plan 2036, subject to conditions.

- **Ecology**

10.94. Local Plan policy G2 states that development that results in a net loss of sites and species of ecological value will not be permitted. On sites where there are species and habitats of importance for biodiversity that do not meet criteria for individual protection, development will only be granted where a) there is an exceptional need for the new development and the need cannot be met by development on an alternative site with less biodiversity interest; and b) adequate onsite mitigation measures to achieve a net gain of biodiversity are proposed; and c) offsite compensation can be secured via legal obligation. Compensation and mitigation measures must offset the loss and achieve an overall net gain for biodiversity of 10% or more from the existing situation, to be demonstrated using a biodiversity calculator.

10.95. The proposal would provide enhanced tree planting, grassland creation, enhancements for fauna and the installation of green roofs. However, the development would result in a deficit of 1.15 habitat units, equating to a loss of -11.19% of biodiversity on site. Therefore, approximately 2 habitat units would be required from an appropriate off-setting scheme provider to meet a 10% uplift in biodiversity, to be secured by legal agreement.

10.96. 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.*

10.97. Officers are satisfied that a due and thorough assessment for EPS can be undertaken, and that EPS are unlikely to be harmed as a result of the proposals. A Construction Environmental Management Plan (CEMP) shall be secured by condition to ensure no harm to wildlife potentially present onsite before, during and after construction.

10.98. In light of the above, it is considered that, subject to conditions set out in section 13 below, the proposal complies with policy G2 of the Oxford Local Plan 2036.

- **Utilities**

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

Electricity

10.100. A new Distribution Network Operator (DNO) switch room would be provided on site within a proposed enclosure to accommodate the DNO's 11kV Ring Main Unit and associated DNO HV metering. It is anticipated that the maximum demand for the site would be 2,254kVA. A new 2.5MVA KNAN transformer would be provided on site to accommodate the building load and EV charging points.

Gas

10.101. There is no requirement for a gas supply to the development. On plot below ground infrastructure would be required to enable laboratory gases delivered to the site to be fed into the building.

Water

10.102. Thames Water has identified insufficient capacity of the existing water network to accommodate the needs of the proposal. Therefore, a condition requiring that either water network upgrades are carried out prior to first occupation or that a development and infrastructure phasing plan is agreed with Thames Water prior to occupation to ensure that sufficient capacity would be made available to accommodate the additional needs of the development.

Telecoms

10.103. Incoming IT connections to plot 5000 would be extended from the Open Reach infrastructure and terminate within the main IT rack. Open Reach would provide an incoming Fibre connection for Landlord services only with provision for additional fibre connections as part of the tenant fitout of each lettable space.

Surface and foul water drainage

10.104. As above, Thames Water has confirmed that there is network capacity for the foul water drainage requirements of this proposal.

10.105. In light of the above, it is considered that the proposed development complies with policy V8 of the Oxford Local Plan 2036.

11. PLANNING OBLIGATIONS

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

- An agreement to reduce car parking numbers by 30 spaces, from 147 to 117 bays within 3 months of the Cowley Branch Line operating a passenger service of 2 trains per hour at peak times between London Marylebone, Oxford City centre and Oxford Cowley.

- A requirement that tenancy agreements shall include the loss of parking spaces, with appropriate clauses inserted into lease agreements to secure their sacrifice.

- The provision and implementation of a Construction (excluding demolition, site clearance and remediation works) and End User Community Employment and Procurement Plans with the City Council.

- Submission and implementation of a Biodiversity Scheme to secure a Biodiversity Net Gain of 10%.

- £180,752.90 towards the Eastern Arc bus services.

- £289,633.15 towards the Cowley Branch Line.

- £3,265.00 towards Travel Plan monitoring.

12. CONCLUSION

10.107. Officers consider that the proposed development would respond appropriately to the site context and Local Plan policies and Oxford Business Park site allocation.

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

10.109. 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.

10.110. 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.

10.111. Officers consider that the proposed development would respond appropriately to the site context, Local Plan policies and the Oxford Business Park site allocation. The proposal would provide enhanced pedestrian connectivity and improved wider transport infrastructure through financial contributions and it is considered that there would be no harm to the highway network as a result of traffic generation. The development would result in a net gain in tree canopy cover through new and retained soft landscaping.

10.112. There would be no harm to any identified protected species and the proposal would achieve a Biodiversity Net Gain of 10% through off-setting. The development would be of a sustainable design and construction, achieving a 40.25% reduction in carbon emissions when set against the 2021 Part L Building Regulations. The

reduction in car parking provision is considered acceptable in accordance with the objectives of the Oxford Local Plan 2036 and adequate cycle parking would be provided, with further details to be secured by condition. The scheme would result in a low level of less than substantial harm to the setting of the Central Conservation Area and a number of listed buildings due to its limited impact on views out to the rolling eastern hills. However, Officers consider that the public benefits that would derive from the proposed development would outweigh the harm caused. There would be no adverse land contamination, noise pollution, air quality or flood risk and drainage impact as a result of the proposal.

10.113. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out at section 13 of this report and the satisfactory completion (under authority delegated to the Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers.

13. CONDITIONS

Time limit

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

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

Connector

2. Prior to first occupation, the ‘connector’ cycle and pedestrian route shall be completed and available for public use. Evidence of this shall be submitted to and acknowledged in writing by the Local Planning Authority. Following completion, the 'connector' shall be retained for public use at all times.

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

Approved plans

3. 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 policies S1 and DH1 of the Oxford Local Plan 2016-2036.

Materials

3. Prior to installation, large scale (minimum 1m x 1m) sample panels of the following shall be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved sample panels which, where feasible, shall remain on site for the duration of the development works:

a) All precast concrete, metal cladding, panels and balustrades, glazed curtain walling, spandrel panels, brickwork and metalwork trims and fins demonstrating the colour, texture, mortar, reflectivity and joints.
b) All new hard landscaping.

Prior to installation, manufacturer specifications, images and scaled (1:20) drawings of the following shall be submitted to and approved in writing by the Local Planning Authority.

a) Street furniture
b) Lighting

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

Plant equipment

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

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

Signage

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

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

Solar panels

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

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

Biodiverse roof

7. Prior to installation, a detailed maintenance plan from the suppliers for the proposed biodiverse roof shall be submitted to and approved in writing by the Local Planning Authority. The Biodiverse roof shall be provided in accordance with the approved details prior to occupation and maintained thereafter.

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

Lighting strategy

8. Prior to the commencement of development above slab level, a comprehensive lighting strategy, including means to control light spillage and glare from both internal and external light sources, to meet the general standards of BS5489-1:2020, serving the entire scheme shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall also:

   a) Identify those areas/ features that are particularly sensitive for bats and that are likely to cause disturbance in or around breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

   b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

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

Remediation Strategy

9. Prior to the commencement of development, excluding demolition, a remediation strategy to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include the following components:

   1. After the demolition of current development has been completed, an updated site investigation scheme shall be produced to provide information for an updated assessment of the risk to receptors both on and off site. This shall include items such as: further groundwater sampling and analysis (minimum 2 rounds).
   2. An amended Phase 2 report including the assessment information from (1) and, if appropriate, an amended CSM, amended options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

   A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these

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

Reason: To ensure that 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 paragraph 180 of the NPPF and policy RE9 of the Oxford Local Plan 2036.

Verification Report

10. Prior to first occupation, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

    Reason: To ensure that 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 paragraph 180 of the NPPF and policy RE9 of the Oxford Local Plan 2036.

Monitoring and maintenance

11. Prior to the commencement of development, excluding demolition, a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority shall be submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority.

    Reason: To ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures in accordance with paragraph 180 of the NPPF and policy RE9 of the Oxford Local Plan 2036.

Previously unidentified contamination

12. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

    Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site in accordance with paragraph 180 of the NPPF and policy RE9 of the Oxford Local Plan 2036.

Groundwater protection

13. Prior to the commencement of development, excluding demolition, a groundwater protection scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:
    - secure de-watering of the site
    - confirm the mechanisms for disposal or discharge of any groundwater with attention to the contamination already identified on site.
    - specify the form of foundations.

    The scheme shall be fully implemented in accordance with the scheme, or any changes as may subsequently be agreed in writing by the Local Planning Authority.

    Reason: To ensure that the proposed development and associated dewatering for construction purposes does not harm the water environment in accordance with paragraph 180 of the NPPF and policy RE9 of the Oxford Local Plan 2036.

    Piling

14. Piling or other foundation types using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

    Reason: To ensure that the proposal does not harm groundwater resources in accordance with paragraph 180 of the NPPF and policy RE9 of the Oxford Local Plan 2036.

    Boreholes

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

    Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in accordance with paragraph 180 of the NPPF and policy RE9 of the Oxford Local Plan 2036.

    Infiltration

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

    Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants in accordance with paragraph 180 of the NPPF and policy RE9 of the Oxford Local Plan 2036.

    Storage of oils, fuels or chemicals

17. Details of any facilities for the storage of oils, fuels or chemicals associated with this development shall be submitted to and approved by the Local Planning Authority. The details shall include:
    1. Secondary containment that is impermeable to both the oil, fuel or chemical and water, with no opening used to drain the system.
    2. A minimum volume of secondary containment at least equivalent to the capacity of the tank plus 10% or, if there is more than one tank in the secondary containment, at least equivalent to the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest.
    3. All fill points, vents, gauges and sight gauge located within the secondary containment.
    4. Associated above ground pipework protected from accidental damage.
    5. Below ground pipework having no mechanical joints, except at inspection hatches and have either leak detection equipment installed or regular leak checks.
    6. All fill points and tank vent pipe outlets designed to discharge downwards into the bund The scheme shall be implemented as approved prior to any storage of fuels or chemicals.

    Reason: To ensure that the proposed, does not harm groundwater resources in accordance with paragraph 180 of the NPPF and policy RE9 of the Oxford Local Plan 2036.

    Construction within 5m of a water main

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

    Reason: To ensure that the proposed development does not impact on local underground water utility infrastructure in accordance with paragraph 180 of the NPPF.

    Noise levels

19. The noise emitted from the proposed installations located on site shall not exceed the existing background level at any noise sensitive premises when measures and corrected in accordance with BS4142:2014 +A1:2019 'Methods for rating and assessing industrial and commercial sound' with all machinery operating together at a maximum capacity.

    Reason: To ensure that the amenities of future occupiers and neighbours are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

    Anti-vibration isolators

20. Prior to first occupation, plant and equipment on site shall be mounted with proprietary anti-vibration isolators. Fan motors shall also be vibration isolated from

the casing and adequately silenced and maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the amenities of future occupiers and neighbours are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

Emergency plant

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

    Reason: To ensure that the amenities of future occupiers and neighbours are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

Construction works

22. Construction and demolition works and associated activities at the development, audible beyond the boundary of the site, shall not be carried out other than between the hours of 07:00-18:00 Monday to Friday daily, 08:00-13:00 on Saturdays and at no other times, including Sundays and Public/ Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

    Reason: To ensure that the amenities of neighbours are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

Notice of site works

23. At least 21 days prior to the commencement of any site works, all occupiers surrounding the site shall be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works shall be made available for enquiries and complaints for the entire duration of the works and updates of work shall be provided regularly. Any complaints shall be properly assessed as quickly as possible.

    No waste materials shall be burnt on site of the development hereby approved.

    All waste materials and rubbish associated with demolition and/ or construction shall be contained on site in appropriate containers which, when full, shall be promptly removed to a licensed disposal site.

    Reason: To ensure that the amenities of neighbours are protected in accordance with policies RE7 of the Oxford Local Plan 2036.

Landscape proposals – implementation

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

by the Local Planning Authority.

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

Landscape proposals – reinstatement

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

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

Landscape management plan

26. 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 landscape management plan shall be carried out as approved by the Local Planning Authority.

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

Tree Protection Plan

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

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

28. *Arboricultural Method Statement*

Prior to the commencement of development, a detailed statement setting out the methods of working within the Root Protection Areas of retained trees shall be submitted to and approved in writing by the Local Planning Authority. Such details shall take account of the need to avoid damage to tree roots through excavation, ground skimming, vehicle compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with of the approved Arboricultural Method Statement unless otherwise agreed in writing by the LPA.

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

Arboricultural Monitoring Programme

29. Prior to the commencement of development, including demolition and enabling works, an Arboricultural Monitoring Programme (AMP) shall be submitted to and approved in writing by the Local Planning Authority. The AMP shall include a schedule of a monitoring and reporting programme of all on-site supervision and checks of compliance with the details of the Tree Protection Plan and/or Arboricultural Method Statement, as approved by the Local Planning Authority. The AMP shall include details of an appropriate Arboricultural Clerk of Works (ACoW) who shall conduct such monitoring and supervision, and a written and photographic record shall be submitted to the Local Planning Authority at scheduled intervals in accordance with the approved AMP.

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

Energy Statement

30. The development shall be implemented in strict accordance with the approved Energy Statement (Clancy Consulting 13.05.2024 Rev. P2). The development shall not be occupied until evidence (including where relevant Energy Performance Certificate(s) (EPC), Standard Assessment Procedure (SAP) and Building Regulations UK, Part L (BRUKL) documents) have been submitted to the Local Planning Authority to confirm that the energy systems have been implemented according to details laid out in the approved Energy Statement and achieve the target performance (i.e. at least a 40% reduction in operational carbon emissions compared to Part L of 2021 Building Regulations compliant base case) as approved.

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

BREEAM

31. Prior to first occupation of the development, an Interim BREEAM Report from the registered BREEAM assessor shall be submitted to and approved in writing by the Local Planning Authority. The report must contain:

- A copy of the interim design certificate confirming ‘Excellent’ certification has been achieved;

- Evidence to show the development is on track to achieve a post-construction rating of 'Excellent' with a margin of comfort.

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

CEMP

32. Prior to the commencement of development, the complete list of site-specific dust mitigation measures and recommendations that are identified on Appendix C of the Air Quality Assessment (Dragonfly Consulting, DC4422-AR1v2, 02.05.24) shall be included in the site's Construction Environmental Management Plan (CEMP). The CEMP will need to be submitted to and approved in writing by the Local Planning Authority.

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.

EV Charging

33. Prior to installation, details of the Electric Vehicle charging infrastructure that is proposed to be installed on-site shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include the following:
    - Location of EV charging points
    - Charging points to cover at least 25% of the total parking provision
    - Appropriate cable provision to prepare for increased demand in future years.

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

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

Biodiversity Enhancements

34. Prior to first occupation, all ecological enhancement features, as per the approved Biodiversity Feature Plan (dwg. no. 1396-408 Macgregor Smith Landscape Architects, May 2024) shall be installed in full. All locations and specifications of enhancement features must be as per the approved plan. The approved devices shall be fully constructed under the oversight of a suitably qualified ecologist. Evidence of the installation of biodiversity enhancements (photographs) shall be provided to the Local Planning Authority prior to first occupation and 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 the Oxford City Local Plan, and paragraph 174 of the National Planning Policy Framework.

Construction Environmental Management Plan (Biodiversity)

35. Prior to commencement of development, including any site preparation works and/or vegetation clearance, a Construction Environmental Management Plan

(CEMP) shall be produced by a suitably qualified ecologist, to be submitted to and approved in writing by the Local Planning Authority. The CEMP shall outline all sensitive working methodologies and protective measures required to ensure no direct or indirect harm to species encountered onsite before, during and after the development; and ensure no adverse impacts to any retained habitats. The CEMP shall include the below minimum mandatory requirements:

- Protective measures to ensure no adverse indirect impact to habitats or species (dust suppression, noise and runoff).
- Precautionary measures to ensure no adverse impact to transient or unanticipated fauna that may be present onsite (ecological walkover, pre-mobilisation checks and/or fingertip searches, supervision or Ecological Clerk of Works (ECoW) appointment, covering of open trenches and excavations).
- Confirmation of retained habitats (including all onsite trees to be retained and the ornamental ponds), and any measures that may be required (such as protective fencing) to ensure no harm to these habitats.
- A sensitive lighting plan for bats, in compliance with 'Bats and Artificial Lighting in the UK' Guidance Note GN 08 / 23.

Once approved in writing, the CEMP must be strictly adhered to throughout the lifespan of the development.

Reason: To comply with The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats Regulations 2017 (as amended) and to protect wildlife and habitats in Oxford City in accordance with the National Planning Policy Framework.

Vision splays

36. Vision splays shown on dwg. no. 332610880-STN-HGN-XX-DR-H-0001 P05 at Appendix B of the Transport Assessment (Stantec, May 2024) shall be provided as an integral part of the construction of the accesses and shall not be obstructed at any time by any object, material or structure with a height exceeding 0.6 metres above the level of the access they are provided for.

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

Car Park Management Plan

37. Prior to first occupation of the development hereby approved, a Car Park Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to implementation. This shall stipulate the number of spaces and areas available on site for both staff and visitors and how parking will be allocated, monitored and enforced.

    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 in accordance with policies M2 and M3 of the Oxford Local Plan 2036.

Cycle parking

38. Prior to first occupation of the development hereby approved, 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 policies M1 and M5 of the Oxford Local Plan 2036.

Construction Traffic Management Plan

39. Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall be appropriately titled, include the site and planning permission number and shall identify;

- 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.
- 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 Department
- Details of times for construction traffic and delivery vehicles, which must be outside network peak.

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.

Travel Plan

40. Prior to first occupation of the development, a full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

    Reason: To promote sustainable modes of transport in accordance with policy M2 of the Oxford Local Plan 2036.

SuDS

41. Prior to first occupation, the approved drainage system shall be implemented in strict accordance with the Flood Risk Assessment and Drainage Strategy (Price & Myers, 16.05.24 P01).

    Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal in accordance with policy RE4 of the Oxford Local Plan 2036.

SuDS as built and maintenance details

45. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:
    a) As built plans in both .pdf and .shp file format;
    b) Photographs to document each key stage of the drainage system when installed on site;
    c) Photographs to document the completed installation of the drainage structures on site;
    d) The name and contact details of any appointed management company information.

    Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal in accordance with policy RE4 of the Oxford Local Plan 2036.

INFORMATIVES:

1. This development is liable to pay CIL.

2. All species of bats and their roosts are protected under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended). Please note that, among other activities, it is a criminal offence to deliberately kill, injure or capture a bat; to damage, destroy or obstruct access to a breeding or resting place; and to intentionally or recklessly disturb a bat while in a structure or place of shelter or protection. Occasionally bats can be found during the course of development even when the site appears unlikely to support them. In the event that this occurs, work should stop immediately and advice should be sought from a suitably qualified ecologist. A European Protected Species Mitigation Licence (EPSML) may be required before works can resume.

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

4. Approved Document Part H of the Building Regulations 2010 establishes a hierarchy for surface water disposal, and encourages a SuDS approach. The first option for surface water disposal should be the use of SuDS, which encourage infiltration such as soakaways or infiltration trenches. In all cases, it should be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

   Further information on SuDS can be found in:
   - the CIRIA C697 document SuDS manual.
   - HR Wallingford SR 666 Use of SuDS in high density developments.
   - CIRIA C635 Designing for exceedance in urban drainage – good practice.
   - the Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SuDS.

5. As the end purpose for this development includes laboratory use, we recommend that the applicant seeks further advice from Thames Water regarding discharging laboratory waste/trade effluent to foul sewer.

6. The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/ or land development works is waste or has ceased to be waste. Under the Code of Practice:
   - excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution.
   - treated materials can be transferred between sites as part of a hub and cluster project some naturally occurring clean material can be transferred directly between sites.

   Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency

should be contacted for advice at an early stage to avoid any delays. We recommend that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice.
- The waste management page on gov.uk Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:
- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If you receive (or reject) any hazardous waste, you must send a report to the Environment Agency. These are known as 'returns'. If you dispose of hazardous waste at the premises where it's produced you may also need to send returns.

7. The Environment Agency (EA) has a regulatory role in issuing legally required consents, permits or licences for various activities. The EA has not assessed whether consent will be required under its regulatory role and therefore comments in relation to this application do not indicate that permission will be given by the Environment Agency as a regulatory body. The applicant should contact 03708 506 506 or consult the EA website to establish if consent will be required for the works they are proposing. Please see: http://www.environment-agency.gov.uk/business/topics/permitting/default.aspx

8. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

9. The proposed development is located within 15 metres of Thames Water underground assets and as such, the development could cause the assets to fail is appropriate measures are not taken. Please read TW's guide 'working near our assets'.

10. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/ minute at the point where it leaves Thames Water pipes. The development should take account of this minimum pressure in the design of the proposed development.

14. APPENDICES

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

14.2. **Appendix 2** – ODRP report

15. HUMAN RIGHTS ACT 1998

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

16. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

Appendix 1 – Site Location Plan

24/01302/FUL
Plot 5000 ARC Oxford

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Appendix 2

Oxford Design Review Panel

Design South East

Report of the Oxford Design Review Panel

Plot 5000, ARC Oxford

17 April 2024

Introduction

A design review was held online on the 3rd April 2024, preceded by presentations by the local authority and design team.

The proposals are for the demolition of the existing building and erection of a new laboratory-enabled office building with ancillary commercial space.

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 138 of the National Planning Policy Framework (2023) 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."*

Summary

We welcome the opportunity to review detailed proposals for Plot 5000 within the wider ARC campus. The work to date on site-wide strategies, including establishing key moves such as the Connector, is evidently beneficial to informing a design response for individual plots, ensuring that they each contribute to a cohesive and well-functioning place.

However, we remain unclear on whether the high-level vision for the ARC campus is to densify and intensify an edge-of-town business park, or genuinely to transform the site into a visionary innovation campus; to establish the latter as an objective for the project is a clear indication of the applicant's confidence that they control a sufficient amount of the business park to be able to bring about some level of transformation, which is welcome.

Clarifying the vision will strengthen the narrative of this place and enable a more convincing set of design drivers for the design team to respond to when considering the wider context for the building and landscape at Plot 5000.

We hold reservations about submitting a full planning application without working within an established masterplan framework.

Key recommendations

1. Clarify the vision for the ARC campus to inform the design development.

2. Continue to develop and review site-wide strategies, including movement hierarchy, green and blue infrastructure, sustainability strategy, open spaces, biodiversity, height, and opportunities for road rationalisation.

3. Resolve the relationship between the building entrance, the Connector, John Smith Drive and the heart of the scheme to create a more legible arrival experience to Plot 5000.

4. Reconfigure the arrangement of the building's architectural components, including the sawtooth roof and entrance, to respond to orientation, wayfinding, and hierarchy of internal and external spaces.

5. Develop a stronger natural and ecological story within the landscape strategy, applying natural precedents to demonstrate how this scheme will meaningfully respond to the climate and biodiversity crises.

Detailed comments and recommendations

1. Planning and design strategies

1.1. We appreciate the desire to progress the development of the ARC campus and to submit a full application for this plot. However, the submission of individual planning applications does not negate the need for site-wide strategies for parking, connectivity, landscape, fronts and backs, servicing, building heights, energy, and sustainability principles. We acknowledge that the applicant does not control all of the land within the business park, but their interventions will be of sufficient significance and scale that a clear sense of how the future place will function will undoubtedly bring certainty and confidence. We therefore continue to endorse the progression of such strategies to clarify the vision for the park in its entirety, and to shape a design response that is sufficiently contextually responsive.

1.2. We are concerned that the planning strategy means that this plot will come forward in absence of an approved site-wide masterplan. The team should set out how they will avoid making design decisions in a piecemeal manner which may be at odds with a future site-wide plan, and instead create an exemplary scheme that positively contributes to the wider masterplan.

1.3. The masterplan parameters referenced have not been established in an approved outline application, so should not be implied as fixed parameters from which to develop the project. Instead, the rationale for the massing should be drawn from the established evidence base and analysis to create a sustainable building in response to the climate crisis, optimising orientation, usability, and user experience.

1.4. The roads are outside of the plot's red line, but they are within the masterplan scope and within the ownership of the client. We question whether the roundabout to the north of the building is required. We would welcome thinking within the masterplan on how the road could be rationalised to increase and improve the quality of open, non-shaded space.

1.5. The campus will have a range of fascinating activities taking place within largely functional buildings. Both the Connector and marketplace offer opportunities to explore how these activities can be expressed and connected to support community-building across the ARC campus. Community engagement offers an opportunity to understand how the Connector, buildings, and public spaces can meet the needs of the people employed here.

2. Views and visual impact

2.1. Having reviewed the verified views, we are comfortable that the team has addressed the visual impact of the building and has presented a clear case regarding how they have mitigated the visual impact of the scheme.

2.2. The sawtooth roof helps to break up the massing of the building in the verified views, softening the impact of the roofline.

3. Sustainable design

3.1. 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.

4. Public realm and landscape

4.1. A lack of clarity around the street hierarchy within the masterplan is leading to John Smith Drive and the Connector competing with one another in the proposals when considering on which route to locate the primary entrance. Instead, locating the entrance on the northern end of the building facing the water and connected to the heart of the scheme could solve this issue to create a logical approach from both routes. Alternatively, an entrance nearer to the Connector could be explored to reduce the arrival emphasis on vehicular modes.

4.2. Beyond the Connector being a route through the site, we would welcome a wayfinding strategy to describe how it will connect a range of activities, meander through the car park and interface with the marketplace space as well as offer a variety of experiences for people moving through the ARC campus.

4.3. Testing the role of external spaces, on both a diurnal and year-round basis, will enable the team to describe the purpose and assess the comfort and usability of these spaces as the climate changes to achieve optimum conditions for people year-round.

4.4. The quality and character of the waterside gardens, woodlands, and roof terrace could be strengthened in the proposal to describe how working with nature can provide an aesthetically pleasing and rational response to biodiversity net gain as well as create a desirable and useable public realm. Natural precedents could provide a better starting point in showing how these spaces will relate to one another to demonstrate the viability of the ecological niches created and how they appear seasonally. For example, considering how the rooftop planting could relate to the rocky beach below or how water could support and enhance the woodland ecology.

4.5. The site already benefits from an established watery landscape. How water will be dealt with across the site – channelled, filtered, released, and used to enhance ecology – should be better described as part of the natural narrative. The SuDS strategy should clearly state measurable carbon savings made by channelling water, rather than using plastic piping.

4.6. The relationship between the building edges, woodland routes, and the Connector appears weak. The design team should explore how these elements could be better integrated and softened with fewer right angles and hard edges and less hard landscaping – particularly when considering the experience of the Connector as a calm, natural route. Introducing paths and trees in the car park will also slow vehicles down and provide shade whilst celebrating the arboretum character of this space.

4.7. We endorse the use of soft and green landscaping for the car parking where possible to indicate that in the future this space will be given over to landscape, as well as to contribute to the drainage strategies and distribution of water across the site. The service bay and car park entrance to John Smith Drive is very open. Planting could be used more effectively to screen and enclose parking to enhance the experience of the drive and to prevent this access from being read as the building entrance.

4.8. It is unfortunate that cycle facilities will be located on the east side when cyclists will largely be approaching from the west along the Connector. The team should show how the placement, design and integration of cycle facilities benefits and encourages cyclists as an exemplar for the rest of the masterplan.

4.9. The green wall to the first-floor terrace space is high. This needs careful consideration so that it does not dominate the adjacent route between the building and the ponds.

5. Architecture

5.1. We note that the building will provide a high level of laboratory provision (up to 70%). This will complement the less lab-focused buildings on the campus and enhance the strong innovation focus to the campus. We understand that sufficient provision has been provided for future plant and that gas tanks, for example, will be incorporated into the design for planning.

5.2. We welcome the use of the sawtooth roof, referencing the industrial heritage of the adjacent car plant to create a distinctive roof profile and to give the building a strong identity. This will improve the character of the campus and help with wayfinding. The roof terrace and first floor terrace are also positive features that will provide better workspace for occupants, as is the generosity of the 'forum' space in the reception to provide a more open and active environment at the ground plane. These combined features will greatly improve the campus vitality, interaction between occupants and improved health and well-being.

5.3. The architecture is not yet responding sufficiently to orientation. The roof-level amenity integrated within the sawtooth roof may be better located or extended to the south of the building where it will be bathed in sunshine and could provide a more distinctive skyline for those approaching from the Connector. This would enhance navigation of the campus.

5.4. There is an opportunity for the façade articulation to create a stronger hierarchy within the bays and to distinguish between back of house areas – such as cleaning rooms and bike storage – and the front door. The front door could benefit from a more distinctive treatment, as it currently has a similar expression to other bays.

5.5. The difference in modulation between labs and office space could be developed to incorporate improvements in solar shading.

5.6. We commend the full-height undercroft parking that can be converted from car parking in the future. The experience of moving through the undercroft and into the building could be described in more detail to understand the quality of this space.

5.7. To create a stronger narrative for the innovation campus and the building, it may be worth exploring the link between innovation in the Oxford Motors and medical science research, including The Nuffield Trust and Foundation.

6. Materials and detailing

6.1. More sustainable alternatives to brick, such as natural stone, should be explored, as well as how more metallic and industrial materials could be incorporated to create a less civic and more industrial response, using colour to link to landscape elements.

6.2. Paragraph 140 of the National Planning Policy Framework (2023) 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	2166/030424
Date	3rd April 2024
Meeting location	Online via teams
Panel members attending	Joanne Cave (Chair), urban design and planning Deborah Nagan, landscape architecture and urban design Justin Nicholls, architecture and regeneration
Panel manager	Helen Quinn, Design South East
Presenting teams	Luke Schuberth, Aukett Swanke Valentine Lezius, Aukett Swanke
Other attendees	Lizzie Atherton, Design South East Jennifer Coppock, Oxford City Council Rosa Appleby-Alis, Oxford City Council Emma Winder, Oxford City Council Steven Sensecall, Carter Jonas James Ellis, Carter Jonas John Staker, Advanced Research Clusters Hal Woodhouse, Macregor Smith Lizzie Palmer, Macregor Smith
Site visit	The panel conducted a site visit at a previous design review. A recap digital site visit was carried out prior to the review.
Scope of the review	As an independent design review panel, the scope of this review was not restricted.
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	Plot 5000, ARC Oxford
Site location	Garsington Road, Oxford, OX4
Site details	Plot 5000 sits within the wider ARC campus and is bordered by John Smith Drive and a roundabout to the north and east, Plot 5700 to the west and Plot 2700 to the south. The existing Plot 5000 is a 3-storey building plus plant, situated in a landscaped plot with associated car parking. Within the red-line boundary includes provision for the Connector – a cranked route that extends south and borders the eastern boundary of Plot 5500.
Proposal	Demolition of the existing building and erection of a laboratory-enabled office building with ancillary commercial space (all Use Class E). The proposal includes provision of new access, motor vehicle and cycle parking, landscaping (including partial delivery of landscaped green spine (the Connector)), and services infrastructure.
Planning stage	Pre-application with intention to submit a full application.
Local planning authority	Oxford City Council
Planning context	The application site is a Category 1 employment site and as such, under the requirements of policy E1 of the Oxford Local Plan 2036, the site is protected for employment floorspace only. Planning permission will be granted for the intensification, modernisation and regeneration for employment purposes of any employment site if it can be demonstrated that the development makes the best and most efficient use of land and does not cause unacceptable environmental impacts and effects. As the development proposes an intensification of office and lab spaces for research and development purposes, making efficient use of the brownfield and greenfield employment sites, the principle of the proposal is found to comply with the National Planning Policy Framework (NPPF) and policies S1, E1 and RE2 of the Oxford Local

Plan 2036. Therefore, the principle of development is considered to be acceptable.

Other relevant policies include:

- Policy AOC7 (Cowley Branch Line Area of Change). An Area of Change has been identified on land around the Cowley Branch Line, which is planned to be reopened for passenger services and operational by the end of 2026. Whilst ARC Oxford lies just outside the identified area on the proposals map, it is wholly considered part of its context and subject to an associated site allocation.
- Policy SP10 (Oxford Business Park). ARC Oxford (as Oxford Business Park) is subject to a specific allocation. The allocation states planning permission will be granted for B1 and B2 employment uses, with other complementary uses considered on their merits.

With regards to the proposal's impact on heritage assets and views out from the city, the following policies and Technical Advice Note (TAN) are relevant:

LP Policy DH2, Views & Building Heights:
Seek to retain significant views both within Oxford and from outside, in particular to and from the historic skyline. The following criteria should be met:

- Height & massing choices have a clear design rationale and the impacts will be positive
- Regard should be had to the design guidance set out in the High Buildings TAN.
- Proposals should be designed to have a positive impact through their massing, orientation, relation to street, impact on important views including both in to the historic skyline & out towards Oxford's green setting.

High Buildings TAN, 2018:

- 5.7 "High buildings within Oxford have the potential to affect the visual amenity and character of the city, as well as the significance of its many heritage assets. This is primarily through visual change affecting important visual features

such as built and/or natural landmarks, the setting of heritage assets or change to the built and natural fabric visible in views to, out from and across the city."

- 5.8 "The analysis of the effects of visual change must therefore be based on an understanding of how setting contributes to heritage significance of an individual asset."

The Four Visual Tests:

- Visual obstruction
- Visual competition/complement
- Skylining
- Change of character

The TAN identifies that buildings taller than 15m high at the Business Park site will skyline in views from St Mary's Tower.

LP policy DH3, Designated Heritage Assets:

- Planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment, responding positively to the significance, character & distinctiveness of the heritage asset & locality.
- Great weight will be given to the conservation of designated heritage assets and their setting.

It should also be noted that other ARC proposals are currently being considered by Oxford City Council at Plot 2000 (planning ref: 22/02880/RES) and Plot 4200 (planning ref: 24/00335/FUL).

Planning history

In November 1992, outline planning permission (ref: 91/01303/NO) was granted for the demolition of buildings/structures associated with the former motor works located on the ARC Oxford site, to be replaced by buildings containing circa 125,000sqm of B1 floorspace and 10,451sqm of C1 floorspace, alongside supporting infrastructure. This outline consent (which was subsequently extended several times) was the catalyst for the development of 'Oxford Business Park'.

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

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

Confidentiality

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

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

Role of design review

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

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

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OXFORD CITY PLANNING COMMITTEE 17th September 2024

Application number:	22/02880/RES
Decision due by	3rd March 2023
Extension of time	22nd October 2024
Proposal	Erection of 1no. laboratory enabled office building for research and development with ancillary commercial space (all within use class E). Erection of 1no. building to accommodate motor vehicles, cycles and end of journey facilities. Provision of new access, external visitor cycle parking, landscaping and services infrastructure. Approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to planning permission 12/01424/EXT. (Amended description, plans and documents).
Site address	Plot 2000, John Smith Drive, Oxford, Oxfordshire – see **Appendix 1** for site plan
Ward	Temple Cowley Ward
Case officer	Jennifer Coppock
Agent:	Mrs Stephanie Weeks **Applicant:** Mr Robin Moxon
Reason at Committee	Major development

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1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

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

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

1.1.2. **agree to delegate authority** to the Head of Planning 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 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 development at Plot 2000 Advanced Research Clusters (ARC) Oxford, John Smith Drive. The application seeks reserved matters approval for access, appearance, landscaping, layout and scale of 1no. building with a stepped elevation up to eight storeys and a maximum height of 34m in Research and Development use to accommodate Containment Level 2 (medium risk biological agents and hazards, genetically modified organisms, animals and plants) laboratories and associated offices, pursuant to outline planning permission 12/01424/EXT which expired in December 2022 following the submission of this application in November 2022.

2.2. The original outline planning permission 91/01303/NO was granted in November 1992 for the *Demolition of all buildings. Construction of buildings for B1 business use (125,023 square metres) & a hotel (10,451 square metres) incl. new roads, car parking, infrastructure & landscaping (Amended Plans) (Oxford Business Park, Garsington Road).* Since then, the timeframe for the submission of reserved matters was extended several times, with the last such extension granted in December 2012 (12/01424/EXT as above). Of the 125,023 sq. m. of B1 floorspace permitted in 1992, 39,604sq. m. remains undeveloped. This application proposes a Gross External Area of 33,600sq. m. and therefore sits within the permitted floorspace.

2.3. Officers consider that the proposed development would respond appropriately to the site context, Local Plan policies and the Oxford Business Park site allocation. The development would result in a 16% net gain in tree canopy cover after 25 years through new and retained soft landscaping.

2.4. There would be no harm to any identified protected species and the proposal would achieve a Biodiversity Net Gain of 5.28% (the application was submitted in 2022, prior to the 10% BNG requirement becoming law as part of the Environment Act). The development would be of a sustainable design and construction, achieving a 43.3% reduction in carbon emissions when set against the 2021 Part L Building Regulations. The scheme would provide 302 car parking spaces and 18 motorcycle spaces, equating to a mode share of 39% with an agreement (secured by the s106) to reduce this down to 32% once the Cowley Branch Line is operational at peak times. This is considered acceptable in this location, in accordance with the objectives of the Oxford Local Plan 2036. A total of 266 cycle parking spaces would be provided on site, in excess of Local Plan requirements, with further details to be

secured by condition. There would be no adverse land contamination, noise pollution, air quality or flood risk and drainage impact as a result of the proposal.

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

3. LEGAL AGREEMENT

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

- An agreement to reduce car parking numbers by 52 spaces, from 302 to 250 bays within 3 months of the Cowley Branch Line operating a passenger service of 2 trains per hour at peak times between London Marylebone, Oxford City centre and Oxford Cowley.

- A requirement that tenancy agreements shall include the loss of parking spaces, with appropriate clauses inserted into lease agreements to secure their sacrifice.

- The provision and implementation of a Construction (excluding demolition, site clearance and remediation works) and End User Community Employment and Procurement Plans with the City Council.

- Agreement to achieve 5% Biodiversity Net Gain within the wider ARC Oxford site (edged blue on the site location plan).

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL as the original outline planning application was approved prior to the introduction of CIL.

5. SITE AND SURROUNDINGS

5.1. The site comprises undeveloped land, accessed off John Smith Drive – a private road within ARC Oxford, and extends to approximately 1.13ha. Plot 2000 sits immediately west of the Eastern By-Pass with its curved form responding to the road layout. Existing trees bound the site with two to three storey buildings in commercial use surrounding the plot. A pedestrian/ cycle path lies immediately northwest of the site, accessed from Garsington Road.

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

5.3. See site location plan below:

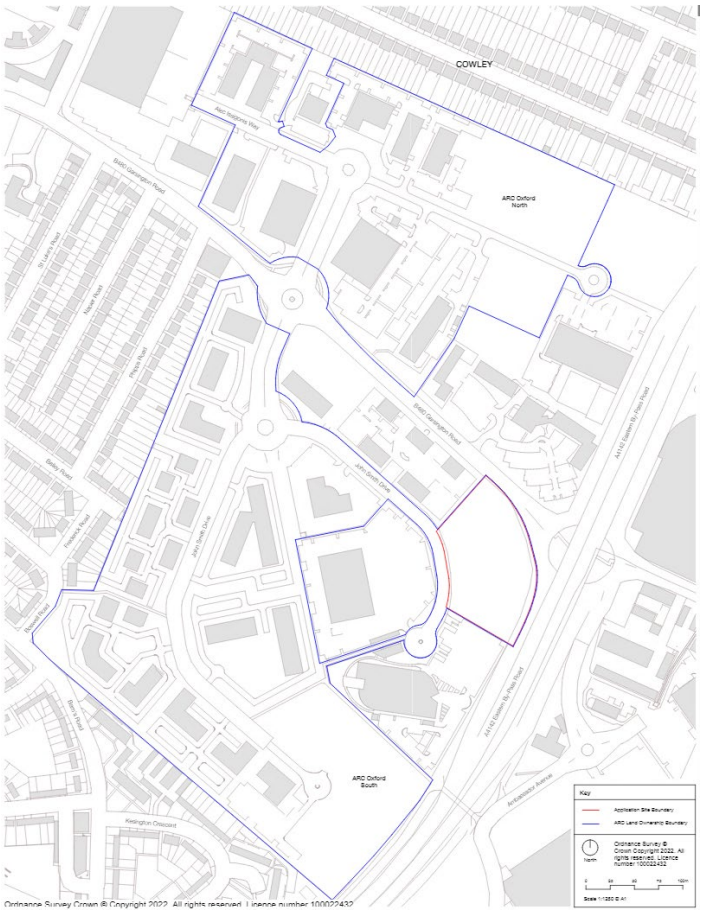

Figure 1: Site location plan

6. PROPOSAL

6.1. The reserved matters application proposes to erect 1no. eight storey CL2 laboratory and office building with stepped elevations and a maximum height of 34m and 1no. four storey multi-storey car park (MSCP) with end of journey facilities (showers, changing and drying rooms), mechanical plant and refuse storage. The buildings have a combined Gross Internal Area of 31,910sq. m. 4no. ancillary buildings would be located along the southern and eastern boundaries of the site to house generators, sub-stations and gases. As above, the laboratory building would accommodate Containment Level 2 laboratories and offices with private amenity space located on the ground and seventh floors, details of which are yet to be confirmed as the application is speculative with no end user secured at present. The MSCP would accommodate 302 car parking bays, 18 motorcycle bays and 213 cycle spaces as well as the ancillary uses set out above.

6.2. Enhanced landscaping is proposed to the boundary of the site in the form of additional tree planting and a new soft landscaped area is proposed fronting John Smith Drive with new tree and shrub planting and outdoor seating areas. 22 external visitor cycle parking spaces would also be located to the front of the building. As above, full details of cycle parking specifications would be secured by condition.

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

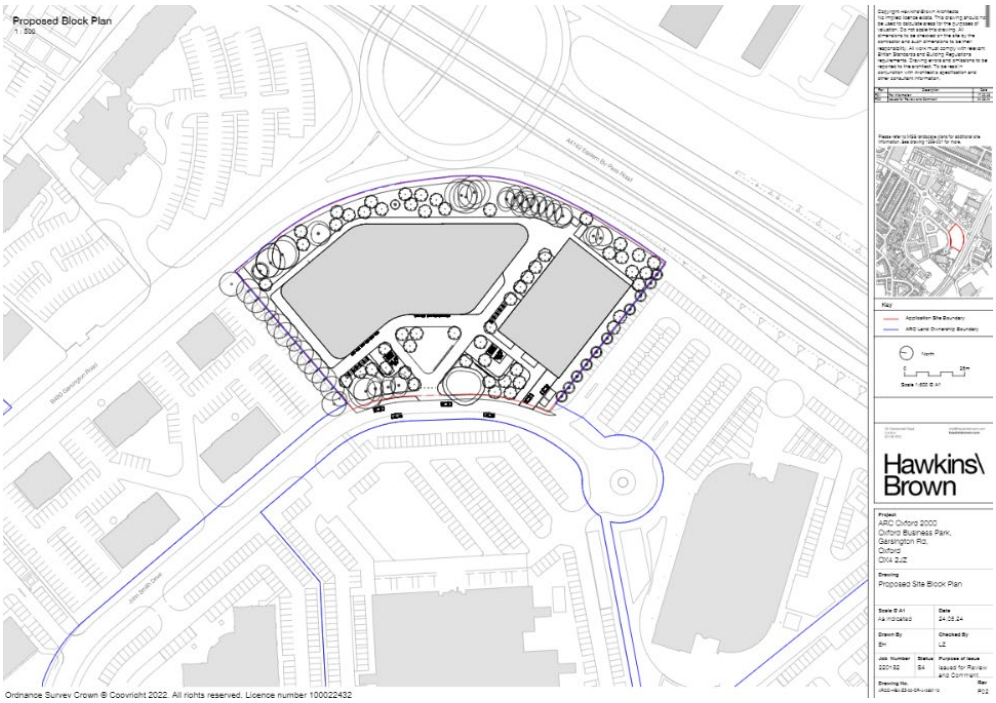

Figure 2: proposed block plan

7. RELEVANT PLANNING HISTORY

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

91/01303/NO - Demolition of all buildings. Construction of buildings for B1 business use (125,023 square metres) & a hotel (10,451 square metres) incl. new roads, car parking, infrastructure & landscaping (Amended Plans) (Oxford Business Park, Garsington Road). Approved 27th November 1992.

93/00706/NR - Details of access and landscaping on Garsington Road and some internal site roads. Details of landscaping on Eastern By-pass (part reserved matters of outline approval NO/1303/91). Approved 2nd February 1994.

99/01351/VF - Variation of condition 1 on permission NO/1303/91 to allow submission of reserved matters application until 26.11.2004. Approved 8th February 2000.

04/00215/VAR - Variation of condition 1 on permission 99/01351/VF to allow submission of reserved matters application until 30.11.2012. Approved 2nd April 2004.

12/01424/EXT - Extension to the outline planning permission 91/01303/NO for Class B1 business use, hotel, associated roads, car parking, infrastructure and landscaping. Approved 13th December 2012.

<u>Trinity House</u>
22/03067/FUL - Demolition of existing office building and erection of 1no. laboratory and office building for research and development (use class E). Erection

of gas store. Provision of motor vehicle and cycle parking and landscaping. Approved 9th October 2023.

Plot 4200
24/00335/FUL - Demolition of existing office buildings and erection of 1no. laboratory-enabled office building for research and development with ancillary commercial space (all within use Class E). Provision of new access, alterations to existing footpath, motor vehicle and cycle parking, landscaping and services infrastructure. (Amended plans and documents).

Plot 5000
24/01302/FUL - Demolition of existing office building and erection of 1no. laboratory-enabled office building for research and development with ancillary commercial and amenity space (Use Class E). Provision of new access, motor vehicle parking, cycle parking, services infrastructure and landscaping including new amenity space and pedestrian/cycle connection. Pending consideration, due to be heard at September 2024 Committee.

Pre-application advice

7.2. Pre-application engagement took place between August and November 2022 with the formal reserved matters application submitted prematurely shortly after, prior to the outline permission expiring in December 2022. Issues arose following receipt of the TVIA, scaled plans and other supporting technical documents so it was decided to put the application on hold whilst these issues were addressed. Since November 2022, Officers have worked hard with the applicants to agree on an acceptable scheme which has involved the following amendments:

- Reduction in maximum height from 61m to 34m.
- Reduction in Gross Internal Area from 33,587sq.m. to 31,910sq. m.
- Removal of overly dominant saw tooth roof.
- Separation of car park and lab and office functions to break up the overall massing.
- Activation of ground floor fronting Garsington Road.

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	131-141	DH1 - High quality design and placemaking DH7 - External servicing features and stores	

Conservation/ Heritage	195-214	DH2 - Views and building heights DH3 - Designated heritage assets DH4 - Archaeological remains	High Buildings TAN
Housing	60-84	H14 - Privacy, daylight and sunlight	
Commercial	85-89	E1 - Employment sites - intensify of uses SP10 - Oxford Business Park	Employment Skills TAN
Natural environment	180-194	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	
Social and community	118-122	RE5 - Health, wellbeing, and Health Impact Assessment	
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 V8 - Utilities	
Environmental	157-179	RE1 - Sustainable design and construction RE6 - Air Quality RE8 - Noise and vibration RE9 - Land Quality	Energy Statement TAN
Miscellaneous	7-14	S1 - Sustainable development RE2 - Efficient use of Land RE7 - Managing the impact of development V9 - Digital Infrastructure	

9. CONSULTATION RESPONSES

9.1. Site notices were originally displayed around the application site on 21st December 2022 and an advertisement was published in The Oxford Times newspaper on 29th December 2022. Following receipt of amendments, pink site notices were posted on 4th June 2024 and an advertisement was published in The Oxford Times newspaper on 6th June 2024.

Statutory and non-statutory consultees

Highways Authority

9.2. No objection, subject to conditions.

Local Lead Flood Authority

9.3. No objection, subject to conditions.

Thames Water Utilities Limited

9.4. Thames Water had no comments to make on the original proposal and has not submitted further comments in response to the revised proposal.

Environment Agency

9.5. No comments to make due to current high workload. The EA has made the decision not to comment on reserved matters application in all but the most complex of cases.

Historic England

9.6. No comments to make.

Oxford Preservation Trust

9.7. Welcome the reduction in height and massing but stressed that a building of this scale would need to be considered carefully with regards to its impact on the immediate setting, longer distance views and the historic skyline. (*Please note that OPT state that the building measures 105.2m in height – this is incorrect, as the maximum building height is 34m).*

Active Travel England

9.8. Standing advice provided.

Thames Valley Police

9.9. Originally TVP raised an objection to the proposal based on building security, lighting, vehicle access, the layout of the internal cycle store and location of visitor cycle parking. The applicant addressed concerns by proposing a hedge (max. height of 1m) to the rear of the building, fronting Garsington Road, providing a more defensible boundary whilst maintaining an activated frontage. The applicants now propose to install 1no. bollard within the external entrance plaza, adjacent to the car park

entrance to avoid unauthorised motor vehicle access within the site, this is in addition to the CCTV already planned.

9.10. Following clarification of security measures and lighting strategy, TVP accept the cycle parking provision and level of lighting, subject to a condition to secure lighting details.

Public representations

9.11. No public representations were made in response to this application.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

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

a) Principle of development

10.2. The principle of development was firstly established in 1992 when the original outline application was approved and subsequently renewed throughout the years up to 2012. As set out above, this application is concerned with matters of detail.

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

10.4. The Oxford Local Plan recognises at paragraph 128 that Oxford has *"one of the highest concentrations of knowledge intensive businesses in the UK. It has the fastest growing and one of the best educated workforces in the country and is the main centre of research and spin outs in the country. The Local Plan supports the growth of these sectors and puts in place measures to manage the effects of success"*. The Oxfordshire Strategic Economic Plan (2017) sets out the long-term vision and ambitions for economic growth in the County, which is that overall by 2030 *"Oxfordshire will be recognised as a vibrant, sustainable, inclusive world leading economy driven by innovation, enterprise and research intelligence"*. The Oxfordshire Local Industrial Strategy (2019) looks to position Oxfordshire as one of the top 3 global innovation ecosystems highlighting the County's world leading science and technology cluster.

10.5. As above, the site forms part of a Category 1 employment site and as such, under the requirements of policy E1 of the Oxford Local Plan 2036, the site is protected for employment floorspace only. Planning permission will be granted for the intensification, modernisation and regeneration for employment purposes of any employment site if it can be demonstrated that the development makes the best and most efficient use of land and does not cause unacceptable environmental impacts and effects. Further, the Park is allocated under policy SP10 for employment and, potentially, other complimentary uses. The policy encourages the promotion of sustainable travel modes to the Park and there is a requirement to mitigate any harm to biodiversity value.

10.6. The submitted Planning and Economic Statement estimates that approximately 280 net additional on and off-site construction jobs would be created with the proposal estimated to contribute £41 million during the 2-year construction period. During the operational phase, 1,080 jobs would be created on site with up to £61.6 million of Gross Value Added (GVA) generated each year, once fully operational.

10.7. In addition to the above, the applicant has committed to entering into Construction and End User Community Employment and Procurement Plans (CEPP) which would ensure that local people are employed, and local businesses are supported during the construction and operational phases of the development. This would be secured by legal agreement.

10.8. It is therefore considered that intensifying development on the site for business (Use Class E(g)) uses within the research led employment sector, as proposed, is acceptable in principle subject to compliance with all requirements of policies E1, SP10 and the Local Plan as a whole.

b) Design, views and impact on heritage assets

10.9. The NPPF makes it clear that the purpose of planning is to help achieve sustainable development (Section 2), and that design (Section 12) and effects on the natural environment (Section 15) are important components of this.

10.10. Section 11 of the NPPF notes in paragraph 128 that in respect of development density the considerations should include whether a place is well designed and *"the desirability of maintaining an area's prevailing character and setting…or of promoting regeneration and change"*.

10.11. Paragraph 135 of the NPPF states that decisions should ensure that developments will a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic in local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place to create attractive, welcoming and distinctive places and e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public open space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

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

10.13. The site's location within the southern suburbs of the City is considered appropriate for additional height given its relatively unconstrained nature in planning policy terms. Further, the sites position within the Park acts as a 'gateway' from the Eastern bypass making it a suitable plot for a 'marker' building as the proposal can be described. The proposal is the result of extensive discussions between the applicant and Officers since 2022 and, although large, is now demonstrably considered and carefully designed to minimise harmful impact to the local and wider site context.

10.14. Separating the built form into two distinct elements has largely been informed by TVIA studies as to how best to minimise the negative impact of this large development on the site context – such methodology is considered best practice and always advised by Officers. Through the TVIA studies, the design team established that creating a physical gap by separating the MSCP from the main lab building, is critical to minimise a negative impact of cumulative development on key views out from the City centre, as set out in more detail below. The bulk, mass and scale of the lab building has been carefully designed so it largely sits behind the Trinity House (plot 1000) development, this is welcomed by Officers. Further, the distinctly different façade treatments of the MSCP and lab building has successfully added interest and breaks up the mass of these large buildings, as well presenting the MSCP as subservient to the main lab building. The lab building elevations are adequately broken up with varying fenestration and projecting fins. Larger windows are incorporated within the façade which contribute to an attractive and coherent rhythm.

Figure 3: Visualisation of the lab building and MSCP (section 3.9 of Design & Access Statement)

10.15. The Oxford Business Park, designed and built in the 1990s is characterised by buildings set within verdant landscape. Whilst the proposed built form is of a much larger scale and mass than existing buildings in the current site context, the proposal, which incorporates generous landscaping and planting provides an appropriate response to this landscape context.

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

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

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

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

- Medieval historic core, originating from C9th Saxon burgh, built on a raised gravel terrace at the confluence of the rivers which contains a cluster of tall buildings of exceptional architectural significance that form its iconic skyline and are collectively known as the 'dreaming spires'. The historic core is designated as Oxford's Central Conservation Area.

- Surrounding outlying villages of medieval origins, designated as individual conservation areas, which have been subsumed by later C19 and C20 development.

- C19 suburban expansion which subsumed the outlying villages and forms, which the poet Matthew Arnold termed “Oxford’s base & brickish skirt”.

- C20 expansion including the industrial development of the Cowley Motor Works to the south of the city.

10.19. The landscape and built environment elements identified above and their interrelationship with one another and the intrinsic connection of Oxford’s historic development to its landscape setting is fundamental to the significance of the city’s Central Conservation Area and can be appreciated from a number of views, both from viewpoints outside of the city looking in (i.e. view cones) and from high level viewpoints within the city looking out.

10.20. At the southern edge of the city, the east and west containing hills fall away to a much lower ridgeline with the backdrop of the Chiltern Hills beyond, which signals the river route and is where the areas of C20 expansion have taken place below and beyond the lower ridge line. The ability to visually appreciate the location, extent and forms of the hills and ridgelines that surround the city is essential to understanding its historic development and heritage significance.

10.21. Any new, tall building development that extends above the ridgeline along the southern edge has the potential to disrupt and detract from the setting of Oxford’s historic built environment and its Central Conservation Area, as well as affect the setting of other heritage assets. Notwithstanding this, the south-eastern suburbs, within which the site sits, are an ‘Area of Greater Potential’ which is less constrained by heritage considerations and therefore has the potential for growth in the form of tall buildings, as outlined in the High Buildings TAN. The High Buildings TAN identifies that buildings taller than 15m high at the Business Park would skyline in views from St Mary’s Tower.

10.22. In correlation with the TAN, the submitted TVIA views suggest that the upper storeys of the proposed development would be visible from St Mary’s Tower, as well as from Carfax Tower, St George’s and St Michael’s at the Northgate. Notwithstanding design amendments, the proposed building would still break the lower ridgeline and in views from St Mary’s, Carfax and St George’s in particular it would obscure a portion of the far hills, eroding the ability to appreciate this part of the City’s landscape setting and the ways in which this has shaped its historic development, thereby causing a degree of harm to the Central Conservation Area.

10.23. As a result of the most recent round of pre-application discussions, the massing of the proposed building has been amended in order to lessen the cumulative impact of Trinity House, Plot 2000 and Plot 5000, with the bulk of the Plot 2000 proposal’s massing situated so that it sits behind Trinity House in the views, and amendments to the plant screen to create a greater variation in height and a gap between it and Plot 5000. On the whole, this has greatly improved the appearance of the building in the high-level views from the Central Conservation Area. However, these changes to the design have had less of an impact on the appearance of the building from St

George's, as this is located further west and therefore the greater articulation and gap that have been created are not readily perceptible from here.

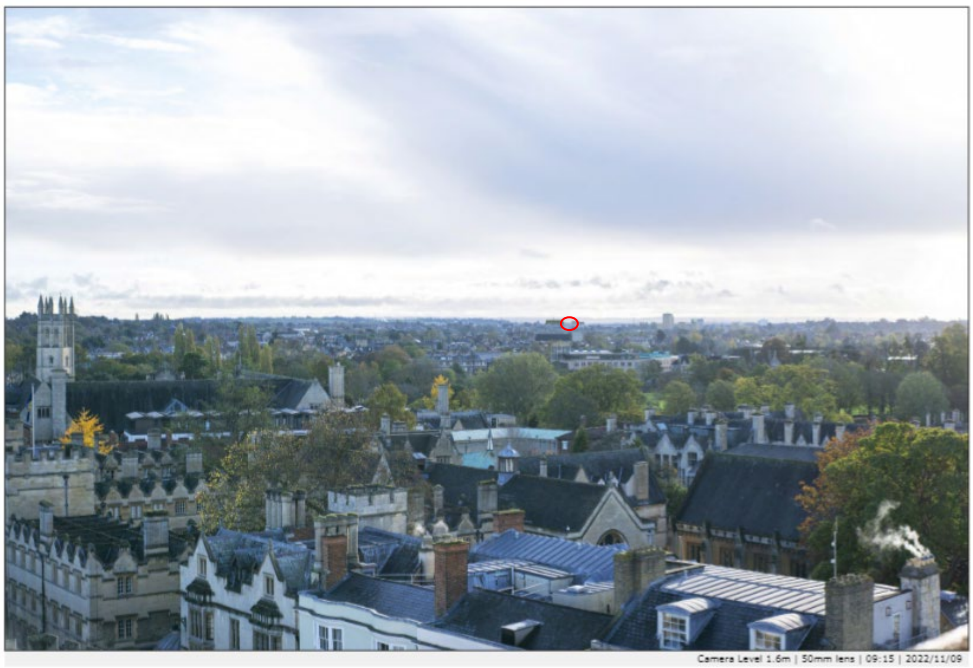

Figure 4: View from St Mary's Tower – plot 2000 circled in red.

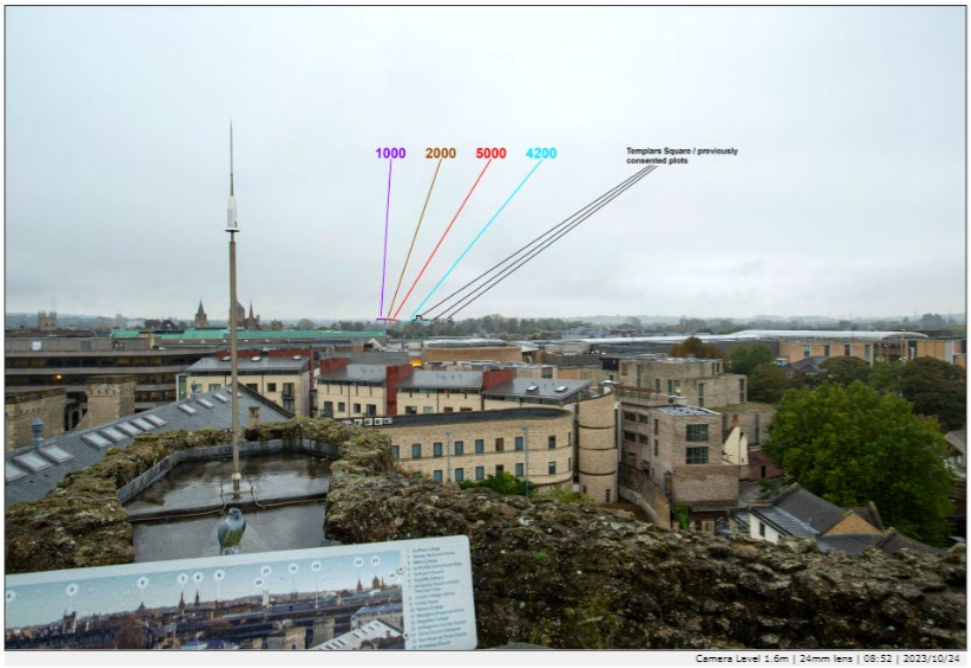

Figure 5: View from St George's Tower.

10.24. The proposed development would be lower in height than the existing mid-late-20th century tower blocks to the south of the city. However, the building would still be of considerable height, which together with its greater bulk and mass would be at odds with the scale of the surrounding lower built form that characterises this area, changing the character of the City's 'base and brickish skirt' and distracting somewhat from views of the 'dreaming spires' from the high-level viewpoints. The character of this part of the Conservation Area's setting will undergo change as a

result of the consented Trinity House scheme, which is of a similar scale and form to the proposed development. However, the proposed development at plot 2000 would contribute further to that change of character and would have a cumulative effect that would exacerbate the harm already caused. Overall, it is considered that the harm caused to the setting of the Central Conservation Area would equate to a low level of less than substantial.

10.25. With regards to the setting of Grade II* listed Town Hall, the proposal would introduce built form into the high-level panoramic view from Carfax that would sit adjacent to the spire of the Town Hall, nibbling away at the green and sky backdrop and reducing its visual prominence, causing a low level of less than substantial harm to the setting of this listed building.

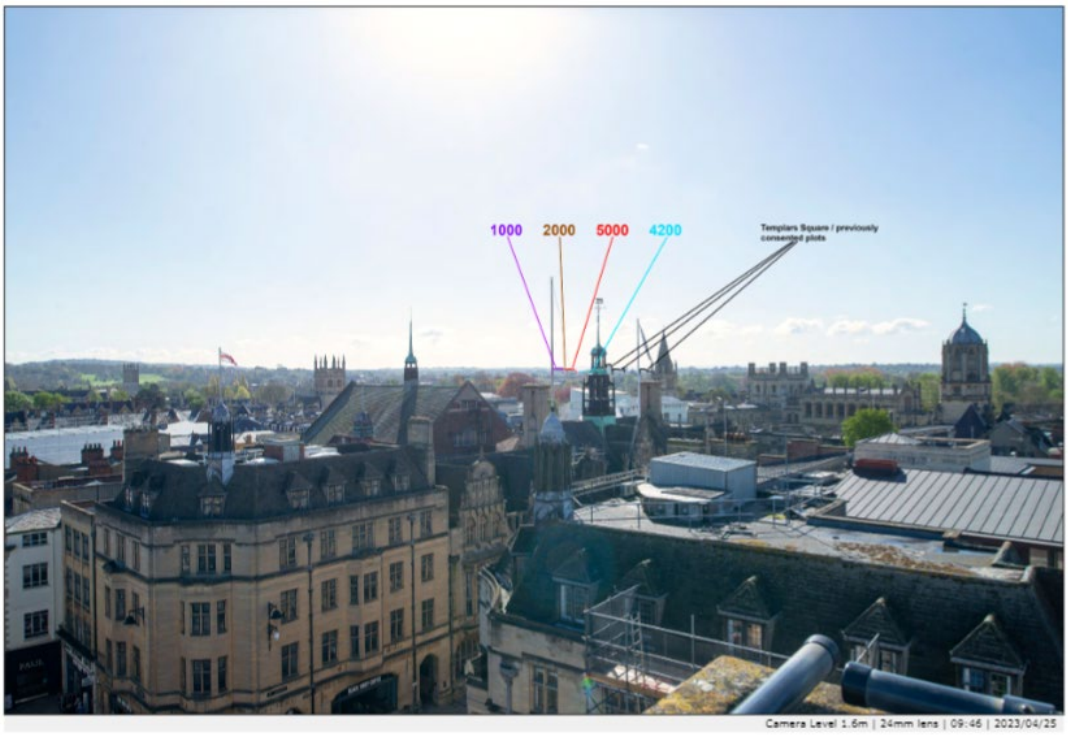

Figure 6: View from Carfax, illustrating impact on setting of the Town Hall.

10.26. Similarly to the Town Hall, in views from St. Michael at the Northgate, the development would nibble away at the landscape and sky backdrop of the Grade I listed Lincoln College Library spire, reducing its visual prominence and eroding the architect's intent for the building's spire to be a landmark in the city skyline. Again, causing a low level of less than substantial harm to the setting of this listed building.

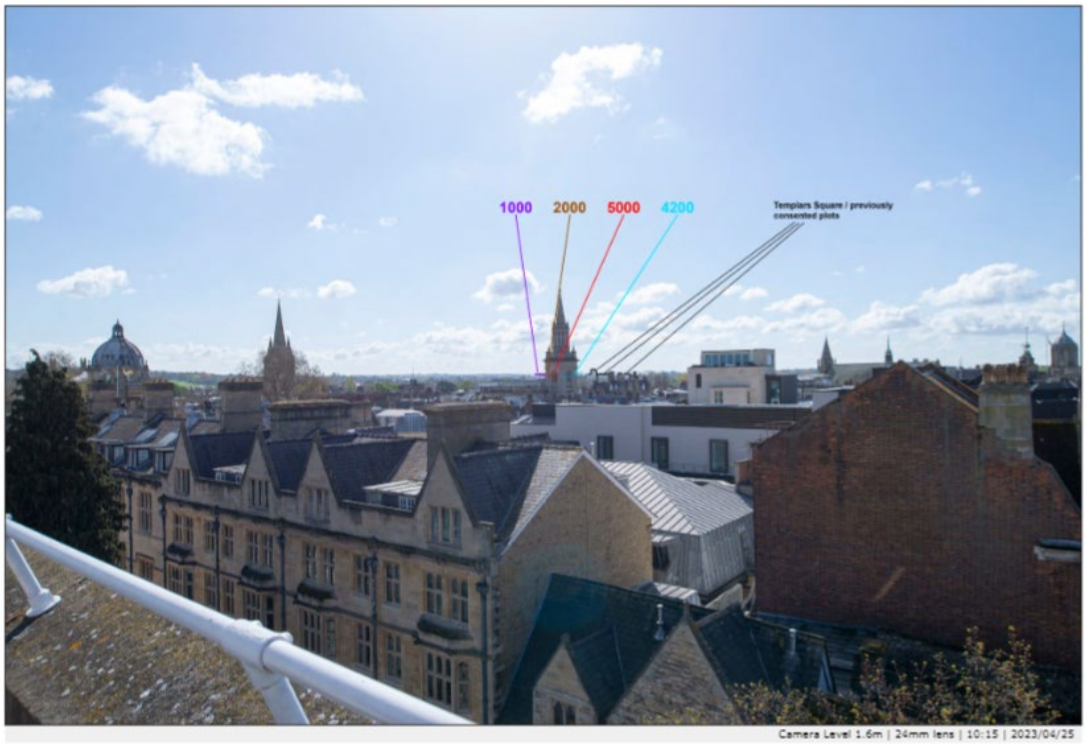

Figure 7: View from St Michael of the Northgate

10.27. When determining an application affecting a Conservation Area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended and Chapter 16 of the NPPF which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area. Paragraph 205 requires great weight to be given to conserving a designated heritage asset.

10.28. In terms of considering the planning balance of public benefits against harm to designated heritage assets, NPPF paragraph 206 states that there should be a clear and convincing justification for the harm, whilst paragraph 208 weighs the harm against public benefits including the optimum viable use.

10.29. In terms of providing a clear and convincing justification for the harm, the application has been developed following thorough discussions during the pre-application and formal application processes with Officers on the design, including an explanation of the space requirements for lab buildings. As widely understood now, the demand for high quality lab enabled office space within this part of the 'Golden Triangle' is outstripping supply making it difficult for Oxford to realise its potential as a global leader. As such officers consider that sufficient evidence has been provided to justify the overall height and form of the building.

10.30. With regards to 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.

10.31. Officers consider the public benefits outlined below as of most relevance.

10.32. *Economic*: The proposed development would strengthen the provision of lab-enabled office space within Oxford, further strengthening its position as a world leader for the Research and Development sector.

10.33. As set out above, during the construction phase (2 years), the proposal would result in the creation of 280 net additional on and off site jobs. The construction phase would contribute £41 million in GVA to the local economy.

10.34. During the operational phase, the proposal has the capacity to create a total of 1,080 on and off-site jobs. The operational phase would contribute £61.6 million in GVA per annum to the local economy.

10.35. *Social*: As outlined above, the proposed development would lead to far reaching economic benefits within the City with the applicant also committed to providing and implementing a CEPP which would ensure that employment in the construction and operational phases is made available to local candidates, particularly those within deprived areas and with disadvantaged backgrounds that would typically not be considered, or have the opportunity to apply, for jobs within the life science sector.

10.36. *Environmental*: The scheme would provide a 5% Biodiversity Net Gain in line with Local Plan requirements, as detailed below in the relevant sections.

10.37. Taking these benefits into account, and whilst giving great weight to the conservation of the setting of the Conservation Area and listed buildings, it is considered that the low level of less than substantial harm caused to the setting of the Central Conservation Area is outweighed by the public benefits that the proposal would bring with it.

10.38. In light of the above, it is considered that the proposal accords with policies DH1, DH2 and DH3 of the Oxford Local Plan 2036 and the NPPF.

c) Archaeology

10.39. Local Plan Policy DH4 states that where archaeological deposits and features are suspected to be present (including upstanding remains), applications should include sufficient information to define their character, significance and extent of such deposits so far as reasonably practical.

10.40. The site contains the remains of part of the demolished Cowley car plant and all previously undeveloped plots within ARC Oxford have the potential to preserve Roman remains relating to the extensive nationally important Oxford Roman pottery industry. Plot 2000 is already subject to an archaeological condition under the most recent renewal (ref. 12/01424/EXT) requiring a written scheme of investigation to be completed prior to the commencement of development. This condition would be carried forward as part of this permission and is set out below in section 13.

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

d) Impact on neighbouring amenity

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

10.43. The site sits approximately 325m from its nearest residential neighbour and between 20m and 83m from surrounding commercial units within ARC Oxford and the Chiltern Business Centre to the east of the by-pass sit between 20m and 83m from the boundaries of plot 2000.

Privacy

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

Overbearing

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

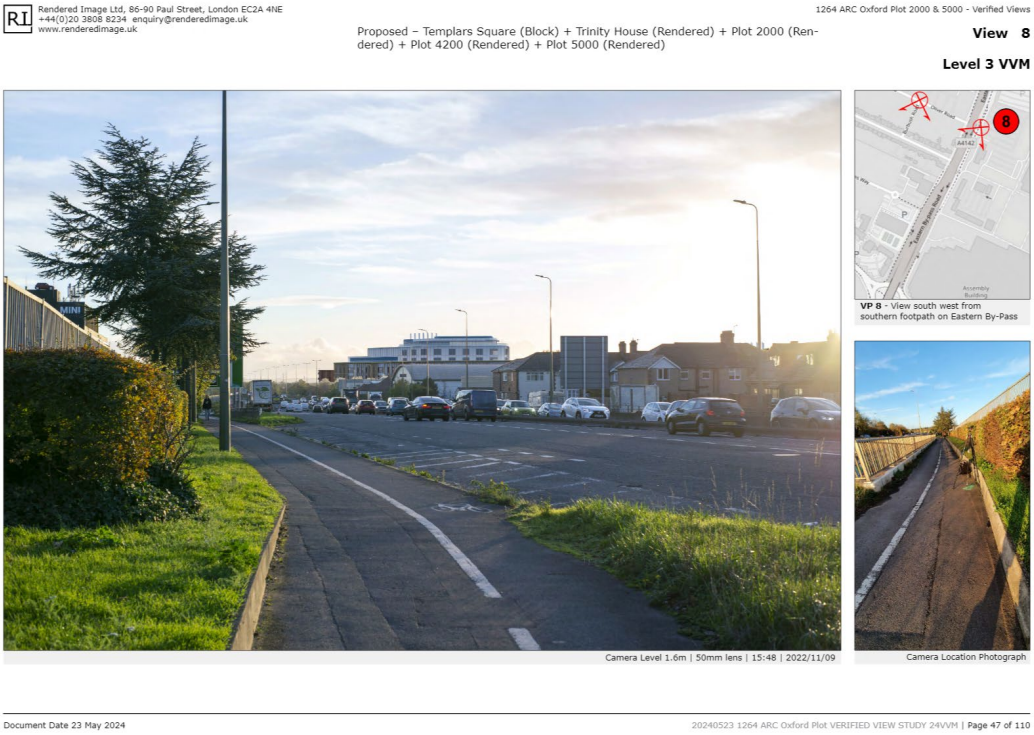

Figure 8: Verified view from Easter by-pass looking south west

Daylight/ sunlight

10.46. Due to the distance between the site and residential neighbours, the proposal would not impact on dwellings in terms of daylight/ sunlight and overshadowing as confirmed within the submitted GIA Daylight, Sunlight and Overshadowing Report. Further, the report demonstrates that, whilst not strictly required to adhere to BRE guidance, the open spaces associated with surrounding commercial neighbours would all receive at least 2 hours of sunlight on 21st March and so would meet the BRE guidelines in any event.

10.47. In light of the above, residential and commercial neighbouring properties would not be affected by the development.

Construction phase

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

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

e) Health and wellbeing

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

10.51. Inclusive design has been considered both internally and externally throughout the scheme with wheelchair accessibility and flexibility available. Enhanced landscaping with seating areas for use by staff and visitors and the provision of safe and convenient staff cycle parking with changing facilities would deliver a welcoming site for all commuters and their individual needs.

10.52. As above, the scheme would provide employment locally in both the construction and operational phases and the applicant has committed to entering into a Community Employment and Procurement Plan (CEPP) which would form part of the S106 legal agreement.

10.53. In light of the above, and the contents of this report as a whole, it is considered that the proposed development would comply with policy RE5 of the Oxford Local Plan 2036.

f) Highways and parking

10.54. Oxford has the ambition to become a world class cycling city with improved air quality, reduced congestion and enhanced public realm. Road space within the city is clearly limited and to achieve its ambition there is a need to prioritise road space and promote sustainable modes of travel. For non-residential development, the presumption will be that vehicle parking will be kept to the minimum necessary to ensure the successful functioning of the development. Policies M1, M2, M3, M4 and M5 of the Oxford Local Plan 2036 seek to deliver these objectives.

10.55. Policy M1 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport. In accordance with policy M2, a Transport Assessment for major developments should assess the impact of the proposed development and include mitigation measures to ensure no unacceptable impact on highway safety and the road network and sustainable transport modes are prioritised and encouraged.

Sustainability

10.56. The site is located within a densely populated area of the city with a large number of residents within walking and cycling distance to ARC Oxford. As the Planning Committee is aware, it is currently anticipated that the Cowley Branch Line will be operational in May 2028. A new station is proposed adjacent to the Tesco Supermarket to the east of ARC Oxford which would further enhance the sites sustainability.

10.57. It is important to note that, whilst some 32 years ago and therefore largely irrelevant to today's context, the highways and transport impacts of the 1991 outline scheme were mitigated as part of the original application. As this is a reserved matters application under this outline planning permission, Officers are unable to seek further financial contributions or improvements to local transport infrastructure from this application as would be expected of new proposals of a similar character or scale.

Access and traffic generation

10.58. The site would be accessed from John Smith Drive via a priority junction. The location is deemed acceptable with the geometry of the road ensuring adequate visibility and the 20mph speed limit meaning the lightly trafficked road would be safe for additional vehicles. Pedestrian/cycle accesses would also be provided onto the existing routes on Garsington Road.

10.59. The expected trip generation to and from the proposed building is 289 two-way trips in the AM peak hour and 235 two-way trips in the PM peak hour. The impact of development on site on the highway network was agreed at outline stage, including any required mitigation, and is therefore not being assessed as part of this application.

Cycle and vehicular parking

10.60. 226 cycle spaces would be provided on the ground floor of the 'cycle hub' within the MSCP, 1 space in excess of the Local Plan's minimum standards. Spaces would be in the form of single tiered racks and Sheffield stands, with 12 spaces provided for larger bicycles. A further 44 visitor spaces, in the form of Sheffield stands, would be

provided adjacent to the main building entrance. This level of provision is considered acceptable.

10.61. As a result of design amendments, car parking has been reduced to 302 bays (including 10 visitor) from 334 which equates to a mode share of 39% when accounting for the 750 staff members on-site on any given day. Parking provision would be reduced to 250 bays (32% mode share), with these bays converted to either storage space or a suitable alternative use, when the Cowley Branch Line is operational with two trains per hour during peak times, to be secured by legal agreement. The proposed car parking provision is considered acceptable.

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

g) Trees and landscaping

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

10.64. The proposal would result in the loss of 4no. trees within categories B to U. These losses represent a small percentage of the existing canopy cover, and do not include any special or hard to replace features. The proposed landscape strategy mitigates this loss by planting 44no. new native trees as well as off-site tree planting along a section of John Smith Drive and roundabout which is welcomed.

10.65. The separation of the laboratory building and the MSCP has allowed for greater site permeability and has introduced further opportunities for tree, shrub and green wall planting, resulting in a more articulated and interesting landscape design.

10.66. The Council's Green Spaces TAN requires a Tree Canopy Cover Assessment (TCCA) to be submitted for various types of applications. For major non-residential developments, it needs to be demonstrated that there would be no net loss in canopy cover compared with a no development baseline scenario + 25 years. The proposal would provide a net gain in canopy cover of 16% as compared to a no-development scenario.

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

h) Sustainable design and construction

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

10.69. Policy RE1 requires developments for new build non-residential development of over 1,000sq. m. to achieve at least a 40% reduction in carbon emissions from a 2013

Building Regulations (or future equivalent legislation) compliant base case. As the Planning Committee will be aware, the new 2021 building regulations were introduced in June 2022 and form the basis of the submitted Energy Statement. Policy RE1 also requires that non-residential development achieves BREEAM Excellent accreditation.

10.70. A fabric first approach has been taken with the proposed building fabric values for walls, roofs and glazing being equal to or better than Part L of Building Regulation requirements in order to minimise heat loss through thermal elements. Further, deep window reveals as well as an overhang at ground floor level would minimise solar heat gains. Roof mounted photovoltaic panels are proposed as well as vertically mounted panels on the car park elevations and mechanical plant screening. Air Source Heat Pumps (ASHPs) are proposed for both space heating and hot water production.

10.71. The proposed building is anticipated to achieve a 43.3% reduction in carbon emissions, in excess of Local Plan requirements. Compliance with the required 40% reduction would be secured by condition.

10.72. The proposal therefore complies with policy RE1 of the Oxford Local Plan 2036.

- **Air Quality**

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

10.74. The application site is located within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council for exceedances of the annual mean NO2 air quality objective (AQO);

10.75. The submitted air quality baseline desk assessment demonstrates that current air quality levels at the application site are below relevant air quality objectives for NO2, PM10 and PM2.5 concentrations. Therefore, the location of the application site is considered suitable for its intended use without mitigation.

10.76. The development would be all-electric and as such, there would be no emissions associated with energy provision. 25% of parking bays would be provided with Electric Vehicle charging, in line with the Local Plan requirement. Details of this infrastructure would be conditioned along with the requirement for adequate ducting to be provided at 100% of spaces to enable additional charging points should demand dictate, in accordance with Local Plan policy M4.

10.77. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE6, subject to suggested conditions set out below.

- **Noise**

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

10.79. The nearest noise-sensitive premises to the application site is the Premier Inn at approximately 61m to the north of the boundary. It is considered that appropriate noise guidelines have been followed within the submitted Noise Impact Assessment and proposed mechanical plant noise levels at the identified receptors have been adequately predicted. The proposal should therefore not have an adverse impact on the nearest sensitive receptor site.

10.80. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE8, subject to conditions set out below.

- **Land Quality**

10.81. The Council has a statutory duty to take into account, as a material consideration, the actual or possible presence of contamination on land. As a minimum, following development, land should not be capable of being determined as contaminated land, meaning the contamination poses an unacceptable risk to human health or the environment, under Part 2A of the Environmental Protection Act 1990. In accordance with policy RE9 of the Oxford Local Plan 2036, a Phase 1 Desk Study and contaminated land questionnaire was submitted as part of the application.

10.82. As mentioned above, and widely known, ARC Oxford was the previous site of the Cowley motor works and although the land was previously de-commissioned and investigated for contamination and remediated in 1994, there is still potential for residual contamination risks on site which could cause harm to future occupiers and/ or construction workers.

10.83. As recommended in the submitted Phase 1 Desk Study, a Phase 2 intrusive site investigation to quantify potential ground contamination risks to potential receptors is required prior to the commencement of development and would be secured by condition as well as a Phase 3 remediation strategy.

10.84. It is considered that, subject to conditions, the proposed development would comply with Local Plan policy RE9.

- **Flood risk and drainage**

10.85. 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.

10.86. As above, the application site lies wholly within flood zone 1 (lowest probability of flooding) but does extend to over 1ha and therefore the application has been accompanied by an FRA.

10.89. As above, the site lies wholly within flood zone 1 and is not at risk of flooding as a result of this development.

10.90. 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.

10.91. Surface water would be attenuated via a tank and discharged into the existing sewer below John Smith Drive via a new manhole on site. The building's roofs would also store rain water, connected to an infiltration geo-cellular storage crate subject to further detailed design.

10.92. Thames Water has confirmed that there is capacity in the foul water network below John Smith Drive. A new connection would be made onto the existing sewer within John Smith Drive.

10.93. It is considered that the proposal would accord with the requirements of policies RE3 and RE4 of the Oxford Local Plan 2036.

- **Ecology**

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

10.95. An updated biodiversity assessment and associated report have been provided, that are now current and valid. The predicted outcome for the proposed development is a 5.28% gain in biodiversity which would be driven by planting compensatory off-site trees within the wider ARC Oxford site; creating habitats onsite in the form of modified grassland, species-rich grassland, introduced shrub planting, biodiverse green roof, rain gardens, ground based green walls and urban tree planting; and retaining 25 semi-mature urban trees. The proposal therefore complies with the requirements of Local Plan policy G2. Please note that the application was submitted prior to the mandatory statutory requirement for a 10% uplift.

10.96. 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.*

10.97. Officers are satisfied that that a due and thorough assessment for EPS can be undertaken, and that EPS are unlikely to be harmed as a result of the proposals. A Construction Environmental Management Plan (CEMP) shall be secured by condition to ensure no harm to wildlife potentially present onsite before, during and after construction.

10.98. In light of the above, it is considered that, subject to conditions set out in section 13 below, the proposal complies with policy G2 of the Oxford Local Plan 2036.

- **Utilities**

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

Electricity

10.100. The incoming electricity supply requirement for the proposed development is 4,356kVA. An 11KV high voltage supply would be provided to the site boundary with a high voltage ring main unit housed within an external GRP enclosure as shown on the proposed ground floor plan.

Gas

10.101. There is no requirement for a gas supply to the development. On plot below ground infrastructure would be required to enable laboratory gases delivered to the site to be fed into the building.

Water

10.102. Thames Water has confirmed that there is capacity within their clean water network for the proposed development.

Telecoms

10.103. Current records show that BT cables run parallel to the site boundaries with other telecommunication providers to be contacted to understand their proximity to the site.

Surface and foul water drainage

10.104. Thames Water has confirmed that there is network capacity for maximum flows of 4.3l/s and foul water drainage requirements for a commercial building of 23,000 sq. m.

10.105. In light of the above, it is considered that the proposed development complies with policy V8 of the Oxford Local Plan 2036.

11. PLANNING OBLIGATIONS

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

- An agreement to reduce car parking numbers by 52 spaces, from 302 to 250 bays within 3 months of the Cowley Branch Line operating a passenger service of 2 trains per hour at peak times between London Marylebone, Oxford City centre and Oxford Cowley.

- A requirement that tenancy agreements shall include the loss of parking spaces, with appropriate clauses inserted into lease agreements to secure their sacrifice.

- The provision and implementation of a Construction (excluding demolition, site clearance and remediation works) and End User Community Employment and Procurement Plans with the City Council.

- Agreement to achieve 5% Biodiversity Net Gain within the wider ARC Oxford site (edged blue on the site location plan).

12. CONCLUSION

10.107. Officers consider that the proposed development would respond appropriately to the site context and Local Plan policies and Oxford Business Park site allocation.

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

10.109. 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.

10.110. 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.

10.111. Officers consider that the proposed development would respond appropriately to the site context, Local Plan policies and the Oxford Business Park site allocation. It is

considered that there would be no harm to the highway network as a result of traffic generation. The development would result in a net gain in tree canopy cover through new and retained soft landscaping.

10.112. There would be no harm to any identified protected species and the proposal would achieve a Biodiversity Net Gain of 5.28%. The development would be of a sustainable design and construction, achieving a 43% reduction in carbon emissions when set against the 2021 Part L Building Regulations. The reduction in car parking provision is considered acceptable in accordance with the objectives of the Oxford Local Plan 2036 and adequate cycle parking would be provided, with further details to be secured by condition. The scheme would result in a low level of less than substantial harm to the setting of the Central Conservation Area due to its limited impact on views out to the rolling eastern hills. However, Officers consider that the public benefits that would derive from the proposed development would outweigh the harm caused. There would be no adverse land contamination, noise pollution, air quality or flood risk and drainage impact as a result of the proposal.

10.113. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out at section 13 of this report and the satisfactory completion (under authority delegated to the Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers.

13. CONDITIONS

Time limit

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

   Reason: In accordance with Section 92(2b) 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 policies S1 and DH1 of the Oxford Local Plan 2016-2036.

Materials

3. Prior to installation, large scale (minimum of 1m x 1m) sample panels of the following shall be erected on site and, where feasible, shall remain on site for the duration of the development works. Samples shall be approved in writing by the Local Planning Authority before the relevant parts of the work are commenced:

a) All precast concrete, metal cladding and panels, back painted glass, spandrel panels and metalwork trims and fins demonstrating the colour, texture, mortar, reflectivity and joints.
b) All new hard landscaping.

Prior to installation, manufacturer specifications, images and scaled (1:20) drawings of the following shall be submitted to and approved in writing by the Local Planning Authority.
a) Street furniture.
b) Lighting.

The development shall be completed in accordance with the approved sample panels, approved drawings, images and specifications.

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

Plant equipment

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

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

Signage

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

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

Solar panels

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

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

Biodiverse roof

7. Prior to installation, a detailed maintenance plan from the suppliers for the proposed biodiverse roof shall be submitted to and approved in writing by the Local Planning Authority. The Biodiverse roof shall be provided in accordance with the approved details prior to occupation and maintained thereafter.

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

Lighting strategy

8. Prior to commencement of development above slab level, a comprehensive lighting strategy, including means to control light spillage and glare from both internal and external light sources, to meet the general standards of BS5489-1:2020, serving the entire scheme shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall also:

   a) Identify those areas/ features that are particularly sensitive for bats and that are likely to cause disturbance in or around breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

   b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

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

Phased contaminated land assessment

9. 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 to and approved in writing by the Local Planning Authority.

   Phase 1 desk study has been submitted and approved. A Phase 2 intrusive investigation shall be completed in the area of the proposed development in order to fully characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals.

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

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

Land quality – remedial works

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

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

Land quality – unexpected contamination

11. 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 new landscaped areas must only include clean, pre-tested soils that are suitable for use.

    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 levels

12. The noise emitted from the proposed installations located on site shall not exceed the existing background level at any noise sensitive premises when measures and corrected in accordance with BS4142:2014 +A1:2019 'Methods for rating and assessing industrial and commercial sound' with all machinery operating together at a maximum capacity.

    Reason: To ensure that the amenities of future occupiers and neighbours are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

Emergency plant

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

    Reason: To ensure that the amenities of future occupiers and neighbours are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

Anti-vibration isolators

14. Prior to first occupation, plant and equipment on site shall be mounted with proprietary anti-vibration isolators. Fan motors shall also be vibration isolated from the casing and adequately silenced and maintained as such unless otherwise agreed in writing by the Local Planning Authority.

    Reason: To ensure that the amenities of future occupiers and neighbours are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

    Construction works

15. Construction and demolition works and associated activities at the development, audible beyond the boundary of the site, shall not be carried out other than between the hours of 07:00-18:00 Monday to Friday daily, 08:00-13:00 on Saturdays and at no other times, including Sundays and Public/ Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

    Reason: To ensure that the amenities of neighbours are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

    Notice of site works

16. At least 21 days prior to the commencement of any site works, all occupiers surrounding the site shall be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works shall be made available for enquiries and complaints for the entire duration of the works and updates of work shall be provided regularly. Any complaints shall be properly assessed as quickly as possible.

    No waste materials shall be burnt on site of the development hereby approved.

    All waste materials and rubbish associated with demolition and/ or construction shall be contained on site in appropriate containers which, when full, shall be promptly removed to a licensed disposal site.

    Reason: To ensure that the amenities of neighbours are protected in accordance with policies RE7 of the Oxford Local Plan 2036.

    Landscape proposals – implementation

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

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

    Landscape proposals – reinstatement

18. Any existing retained trees, or new trees or plants planted in accordance with the details of the approved landscape proposals that fail to establish, are removed, die or become seriously damaged or defective within a period of five years after first occupation or first use of the development hereby approved shall be replaced. They shall be replaced with others of a species, size and number as originally approved

during the first available planting season unless otherwise agreed in writing by the Local Planning Authority.

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

Landscape management plan

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

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

Tree Protection Plan

20. The development hereby approved shall be carried out in strict accordance with the Tree Protection Plan (dwg. no. 05879 TPP Rev B 10.5.24, Aspect Tree Consultancy).

    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

21. The development hereby approved shall be carried out in strict accordance with the Arboricultural Method Statement (dwg. no. 05879 AMS Rev B 10.05.24, Aspect Tree Consultancy).

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

Arboricultural Monitoring Programme

22. Prior to the commencement of development, including demolition and enabling works, an Arboricultural Monitoring Programme (AMP) shall be submitted to and approved in writing by the Local Planning Authority. The AMP shall include a schedule of a monitoring and reporting programme of all on-site supervision and checks of compliance with the details of the Tree Protection Plan and/or Arboricultural Method Statement, as approved by the Local Planning Authority. The AMP shall include details of an appropriate Arboricultural Clerk of Works (ACoW) who shall conduct such monitoring and supervision, and a written and photographic record shall be submitted to the Local Planning Authority at scheduled intervals in accordance with the approved AMP.

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

Energy Statement

23. The development shall be implemented in strict accordance with the approved Energy Statement (Clancy Consulting Ref: 7_10023-CCL-XX-XX-RP-MEP-5902 14.06.2024). The development shall not be occupied until evidence (including where

relevant Energy Performance Certificate(s) (EPC), Standard Assessment Procedure (SAP) and Building Regulations UK, Part L (BRUKL) documents) have been submitted to the Local Planning Authority to confirm that the energy systems have been implemented according to details laid out in the approved Energy Statement and achieve the target performance (i.e. at least a 40% reduction in operational carbon emissions compared to Part L of 2021 Building Regulations compliant base case) as approved.

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

BREEAM

24. Prior to first occupation of the development, an Interim BREEAM Report from the registered BREEAM assessor shall be submitted to and approved in writing by the Local Planning Authority. The report must contain:

- A copy of the interim design certificate confirming 'Excellent' certification has been achieved;
- Evidence to show the development is on track to achieve a post-construction rating of 'Excellent' with a margin of comfort.

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

EV Charging

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

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

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

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

Biodiversity Enhancements

26. Prior to first occupation, all ecological enhancement features, as per the approved Biodiversity Feature Plan (Macgregor Smith Landscape Architects, May 2024) shall be installed in full. All locations and specifications of enhancement features must be as per the approved plan. 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 shall 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 the Oxford City Local Plan, and paragraph 174 of the National Planning Policy Framework.

Construction Environmental Management Plan (Biodiversity)

27. Prior to commencement of development, including any site preparation works and/or vegetation clearance, a Construction Environmental Management Plan (CEMP) shall be produced by a suitably qualified ecologist, to be submitted to and approved in writing by the Local Planning Authority. The CEMP shall outline all sensitive working methodologies and protective measures required to ensure no direct or indirect harm to species encountered onsite before, during and after the development; and ensure no adverse impacts to any retained habitats. The CEMP shall include the below minimum mandatory requirements:
    - Precautionary working methods for nesting birds (timing of works, pre-mobilisation assessment, avoidance measures and assignment of personnel responsibilities)
    - Protective measures to ensure no adverse indirect impact to habitats or species (dust suppression, noise and runoff)
    - Measures to ensure no adverse impact to transient or unanticipated fauna that may be present onsite (ecological walkover, pre-mobilisation checks and/or fingertip searches, supervision or Ecological Clerk of Works (ECoW) appointment, covering of open trenches and excavations)
    - Confirmation of retained habitats (including all onsite trees to be retained), and any measures that may be required (such as protective fencing) to ensure no harm to these habitats.
    - Protective measures to ensure no adverse impacts to habitat creation works associated with the HMMP.
    - Methodology to ensure no harm to foxes and their young, due to the presence of an onsite fox earth; as per the requirements of the Wild Mammals (Protection) Act 1998.
    - Working methodology to ensure no harm to hedgehogs, as identified in the Preliminary Ecological Appraisal reports (Ecology Solutions, November 2022).
    - A sensitive lighting plan for bats, in compliance with 'Bats and Artificial Lighting in the UK' Guidance Note GN 08 / 23. Once approved in writing, the CEMP must be strictly adhered to throughout the lifespan of the development.

    Reason: To comply with The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats Regulations 2017 (as amended) and to protect wildlife and habitats in Oxford City in accordance with the National Planning Policy Framework.

Construction Traffic Management Plan

28. Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall be appropriately titled, include the site and planning permission number and shall identify;
    - 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.
- 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 Department.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak.

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.

Travel Plan

29. Prior to first occupation of the development, a full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

    Reason: To promote sustainable modes of transport in accordance with policy M2 of the Oxford Local Plan 2036.

SuDS

30. Prior to the commencement of development, a detailed surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to first occupation of the development. The scheme shall include:
    - A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;

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

Reason: To ensure that sustainable drainage principles are incorporated into the development in accordance with policy RE4 of the Oxford Local Plan 2036.

SuDS as built and maintenance details

31. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:
    a) As built plans in both .pdf and .shp file format;
    b) Photographs to document each key stage of the drainage system when installed on site;
    c) Photographs to document the completed installation of the drainage structures on site;
    d) The name and contact details of any appointed management company information.

    Reason: To ensure that sustainable drainage principles are incorporated into the development in accordance with policy RE4 of the Oxford Local Plan 2036.

INFORMATIVES:

1. All species of bats and their roosts are protected under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended). Please note that, among other activities, it is a criminal offence to deliberately kill, injure or capture a bat; to damage, destroy or obstruct access to a breeding or resting place; and to intentionally or recklessly disturb a bat while in a structure or place of shelter or protection. Occasionally bats can be found during the course of development even when the site appears unlikely to support them. In the event that this occurs, work should stop immediately and advice should be sought from a suitably qualified ecologist. A European Protected Species Mitigation Licence (EPSML) may be required before works can resume.

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

14. APPENDICES

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

14.2. **Appendix 2** – ODRP report

15. HUMAN RIGHTS ACT 1998

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

16. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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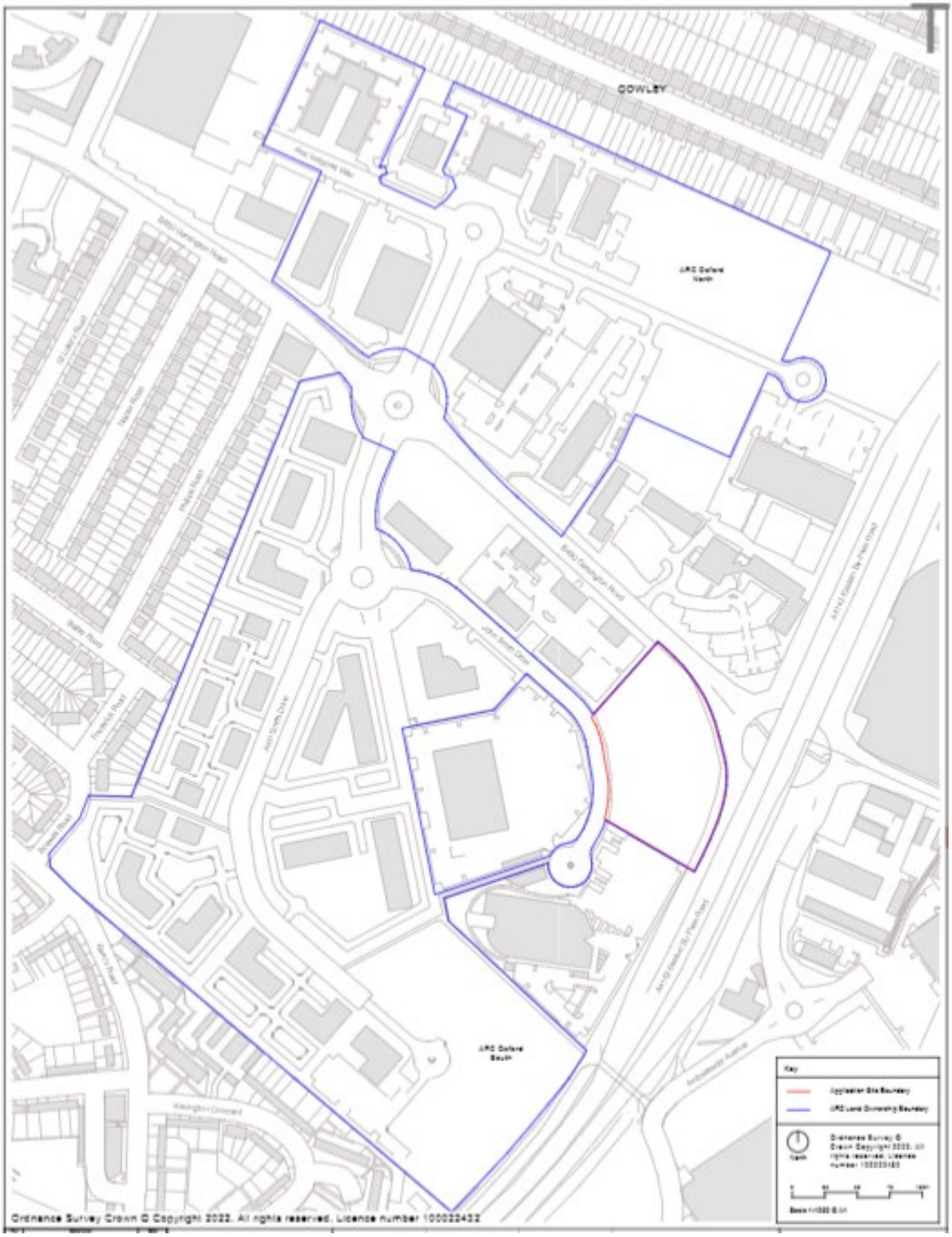
Appendix 1 – Site Location Plan

22-02880-RES
Plot 2000 ARC Oxford



Appendix 2

Oxford Design Review Panel

Design South East

Report of the Oxford Design Review Panel

Plot 2000

14th October 2022

Introduction

This report reflects the design workshop held in Oxford on 29th September 2022, following a site visit and presentation by the design team.

The proposal is for a speculative research and development building providing lab and office space within the Oxford Business Park (ARC Oxford).

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

We welcome the opportunity to review one of the first schemes that will be built as part of Oxford ARC's (advanced research clusters) innovation campus. This proposal is intended to be an exemplary R&D scheme, setting the benchmark for development coming forward within the wider masterplan. However, although the industrial references are positive, fundamental questions, such as how this building relates to its users and surrounding community, have not been addressed.

This is also an opportunity to deliver a sustainable landscape-led design that can adapt in the long term and respond to the ongoing change within the Cowley area. However, the focus of design development to date appears to be that of maximising the quantum of office and lab space, and if this continues to be the case, we are concerned that this opportunity may be lost.

Our recommendations and comments are given in the spirit of the scheme being at an early, concept stage. That said, we do not think the proposed submission date will enable sufficient time for the necessary design development and the amount of work needed to progress this proposal to a detailed design stage. We would encourage the team to reconsider their timeline which is dictated by the final expiration of an extant outline permission first granted in 1992.

We look forward to seeing this project again once our recommendations have been addressed.

Key recommendations

1. Take a long-term approach to the design, considering how this building can be genuinely flexible and adaptable to future scenarios.

2. Describe the people that will potentially use and experience this building. Clarify their lifestyle, how they will travel here daily, and where they will be coming from.

3. Urgently investigate the removal of the basement carparking and explore alternative temporary carparking provision as part of a long-term movement strategy that accounts for the new Cowley branch line and movement patterns.

4. Work closely with stakeholders to deliver the Cowley branch improvements within a suitable timeframe.

5. Deliver deeper carbon savings and take a regenerative approach to design. Demonstrate in detail how renewed sustainability ambitions will be delivered.

6. Explore how the sawtooth roof can relate more appropriately to the local residential skyline. Refine the tower and explain how it might relate to the wider Oxford context.

Detailed comments and recommendations

1. Strategic context

1.1. This site makes up less than 5% of the land owned by ARC but will be the first plot of many. The proposal is therefore looking to set the tone of the masterplan and change the existing urban grain. We acknowledge the challenge of projecting forward to ensure this building works in the long term. There is a risk of design decisions becoming out of date even before construction, so this requires a flexible and adaptable approach, modelling a number of different scenarios.

1.2. The building is proposed to be part of an innovation campus, an aspirational place that facilitates those working at the forefront of research to create and innovate within the office and lab spaces. However, this narrative is not reflected in the scheme's design response to context and landscape as well as to the changing social and physical context. The team's thinking needs to shift to the future in every aspect, not just to changing working practices within the wider campus, beyond the site boundary.

1.3. The panel emphasised the importance of prioritising pedestrian and cycle movement in this site, lined as it is on three sides with car parking and on the fourth by the Eastern-By-Pass. The site therefore needs to work extra hard to achieve a humane and healthy environment for its users. A more ambitious long-term approach all round is needed, considering this site as part of a larger development.

1.4. Although this building is part of a global destination, a greater understanding of the local community is needed. As proposed, there is a risk of the building being uninviting and hosting an insular community of people. The team's understanding of community is described as the people who will use the building not the community of Cowley, which it should also be engaged with.

2. Design strategy and sustainability

2.1. The design team's sustainability goals are admirable and include going beyond net zero towards regenerative design. This site has already been built on, those structures demolished, and the land remediated and levelled out. In embodied carbon terms, therefore, the site is already responsible for significant emissions before any new construction has taken place. The scale of the total building is considerable and therefore will have a large carbon impact in gross terms. We would encourage the team to pursue not only making reductions per square metre, but also a more efficient massing solution, as large savings can be made by delivering relatively small tweaks to the volume. If the proposal is taking a truly regenerative approach, the emissions for construction and operation should be considered, calculated, addressed on site, and only offset if it has been proved that there is no other option.

2.2. Including a sizeable basement for carparking has a significant embodied carbon impact and is likely to create a much greater impact than additional storeys above ground. The panel does not support a basement scheme. The team must investigate thoroughly if the basement can be removed or reduced by providing alternative, temporary carparking provision. Several options were discussed: building temporary above-ground car parking on other campus sites within ARC's ownership or using upper levels for carparking and converting them to office space in the future. Removing the basement would make significant carbon savings and would positively impact the landscape strategy. In a worst-case scenario, where the basement is retained, plans for its conversion and for the insertion of natural daylight should be incorporated into the design strategy.

2.3. The aesthetic approach should be based on environmental studies, not come before them, and must consider likely future climatic risks. Sun path analysis must be carried out and applied to refine the scheme's massing and architecture. Overlaying sun paths will enable the team to understand how each façade can reduce overheating and heat loss. Further work is needed on the sawtooth roof, because solar studies may reveal that in low-sun times of the year some of the photo-voltaic roof panels are shaded.

2.4. Occupants of the building will have very specific requirements for office and lab spaces. However, it is important not to over-specify to ensure the building is adaptable and can accommodate both more and less servicing. Fitting out the building could have a higher cost in carbon terms than the entire building envelope over the whole life of the building. The team should set out how the fit-outs will be managed in the long term so that this is done sustainably and is flexible enough to accommodate different uses, not re-fitted with every tenant.

2.5. The team should interrogate whether a solely concrete framing system is required, or whether there is a lower carbon alternative, for instance an option for a concrete system with CLT (cross-laminated timber) floorplates. A well-designed concrete frame and slabs will be robust and adaptable but perhaps overly wasteful and a balance will have to be struck. Perhaps the tower could be a timber element to deliver the office spaces, whilst concrete is used for the lab spaces. The quantum of GGBS (ground granulated blast-furnace slag), an industrial waste by-product which is a globally finite resource, should also be rejected or robustly justified, as this project is proposing 50% without any clear justification or analysis of carbon savings and other system alternatives having been explored (9% has been recommended as a globally sustainable quantum to allow the use of GGBS to be more fairly distributed).

3. Landscape and open space

3.1. The landscape lacks a concept. Rather, it should be underpinned by a strong narrative and, through it, linked to the uses in the building or be capable of being reflective of them in the future. The proposed landscape is surrounding the building rather than integrated and used to drive the scheme's design. Describing the landscape proposals as a campus is misleading as buildings are not set within the landscape. Instead, there are buildings with large swathes of limited areas of landscaping including carparking and trees. A clear concept and vision linked to the site's industrial heritage and future aspirations should be used to drive a truly landscape-led scheme.

3.2. The team should clarify how the landscape and the wider campus works for a community of users and provides the spaces, amenities, and facilities they need. There is ample opportunity for this to be an aspirational place, where creative collisions and interactions happen.

3.3. This site should seek to deliver over and above a 10% net increase in bio-diversity net gain, ahead of forthcoming legislation, but this will require the building and landscape to work together to achieve that aim. Beyond statutory targets, designing to maximise biodiversity can be used to drive forward an aspirational design strategy.

3.4. Although the reference images are positive and rich, the landscape is limited by being above a podium. We do not support the principle of excavating the site for cars, covering up the basement and describing this as 'landscape'. Removing the basement would enable a more integrated approach to blue and green infrastructure, and for more of the trees to be retained.

3.5. The SUDs strategy must be underpinned by an advanced understanding of where water is coming from, where it will be collected, how much water will be generated from rain and greywater, and how it will be used for irrigation. A significant volume of grey water will be generated by this building. As part of regenerative thinking, the team should explore how grey water could be reused within the building and landscape.

3.6. Excavation material from construction processes can be used to reduce the flatness of the site and introduce more interest to the landscape making it more three-dimensional. Utilising the subsequently increased surface area can offer a means to maximise biodiversity gains.

3.7. There is no reason that large trees on the front boundary of the site should be removed. The landscape design and construction management plan should be designed to allow them to remain and thrive since, together with the ecosystems they support, they are valuable components of the new proposal.

4. Movement and connectivity

4.1. Over 70% of people travel to this site by car according to recent data. Thinking ahead, to reduce the number of people travelling in private vehicles in the future, the Cowley Branch Line improvements must be delivered so that it becomes a passenger line. The team must work closely with stakeholders and be involved as much as possible in the delivery of this key infrastructure so that the scheme is not without a nearby train line for a prolonged period.

4.2. A transport strategy should be developed for the future rather than responding to the status quo. Innovative approaches to movement and travelling to the site should be explored, considering future scenarios when the passenger train line is delivered, and electric vehicles are the norm. For example, there are precedents of organisations providing shuttle buses from nearby stations to campuses that could be explored.

4.3. Access diagrams are urgently required. If people coming here are travelling for over 45 minutes one way daily there will be an impact on their well-being and wellness. The team should consider how people will get here and their journey times, and what the building and surrounding area can do to support a healthy lifestyle and the wellness of its occupants.

4.4. All parking provision should include electric vehicle charging points and a high proportion of these should be rapid charging.

5. Character, architecture, and placemaking

5.1. Unlike the site, the proposed building has a front and back. Considering the building as one with fronts all the way around may make for a more active and welcoming place. The proposed wall bordering the Eastern-By-Pass Road will be a non-active corporate façade which backs onto Cowley instead of creating a lively and attractive environment that reaches out to the local community. The lack of permeability to the ground floor to the east means that those accessing the site will have to know that they must walk around the building to the entrance, and this may not be obvious. A fissure in the eastern ground floor could start to let life in from the east.

5.2. The team have taken a generally positive approach to massing. The industrial references are interesting, although the sawtooth roof appears bulky from some views. Clarification is needed regarding whether the taller element is a chimney, or a tower and the team should use descriptions consistently to accurately present concepts and how they relate to the wider historic Oxford context.

5.3. There is an opportunity for the scheme to incorporate a successful industrial-style ‘landmark’ tower supported on colonnades which forms connections with other towers across the city. We are unconvinced by the inclusion of a crown and would encourage the team to experiment with height and bulk considering the tower to be one with a ‘body’ and ‘head’. The impact on views from St Mary’s Tower is not of great concern.

5.4. The design rationale for the sawtooth roof should be better justified and not used to arbitrarily re-produce the historic warehouse buildings. The scale and rhythm of the sawtooth roof is perhaps too small resulting in an overly busy roofline. The scale of the roof could instead take cues from the local domestic gable ends, depicted in the views, to provide further physical connection with the local environment. We are unconvinced by the face of the teeth being vertical: they could be at a right angle instead – as was the case in the historic sheds – which would also prevent unnecessary shading. The sawtooth element could be limited to half of the roof space and the rest of the roof used for biodiverse amenity, or green, brown, or blue roofs.

5.5. The design team should reconsider how the space below the sawtooth roof is inhabited. As currently proposed it is intended only for plant. We encourage the team to consider whether this space would be better suited to be a delightful place for humans to work and gather.

Reference number	Ref: 1866/220929
Date	29 September 2022
Meeting location	The Works, 4650, Cascade Way, Oxford Business Park South, Oxford OX4 2SU
Panel members attending	Joanna van Heyningen (chair), Architecture and Public Realm Dan Jones, Architecture and Education, Arts & Public Buildings Deborah Nagan, Landscape Architecture and Architecture Kat Scott, Architecture and Sustainability Martin Stockley, Civil Engineering and Transport Planning
Panel manager	Lizzie Atherton, Design South East
Presenting team	Oliver Milton, Hawkins Brown Julia Roberts, Hawkins Brown George Valentin Soare, Hawkins Brown
Other attendees	Robin Moxon, ARC Daniel Williams, ARC John Staker, ARC Stephanie Weeks, Carter Jonas James Ellis, Carter Jonas Rupert Grierson, Macgregor Smith Simon Speller, Stantec Jonathan Bell, Spie Jennifer Coppock, Oxford City Council Rosa Appleby-Alis, Oxford City Council Maura Cordell, Oxford City Council Charlotte Robinson, ODRP Mentee (observing)
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:

- bulk and massing, considering the long-distance views of the proposal from Saint Mary's Tower
- the carparking proposals and the viability of adapting the carpark in the future
- landscape design
- sustainability

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

Plot 2000

Site location

Plot 2000 Oxford Business Park, John Smith Drive, Oxford OX4 2JT

Site details

Plot 2000 is a curved plot which has been developed historically but is undeveloped at present and comprises mostly rough, natural, unmanaged grassland. Existing trees bound the site with medium to large-scale buildings in commercial use surrounding the plot. It is bordered by John Smith Drive to the west and the Eastern By-Pass Road to the east.

Proposal

Plot 2000 is the first proposed development as part of the wider innovation campus. The proposal is speculative and therefore subject to change. The proposed buildings would provide office and lab space with ancillary café uses at ground floor level.

Planning stage	Pre-application stage with intention to submit a reserved matters application delivered under the conditions and terms of the extant outline permission by December 2022.
Local planning authority	Oxford City Council
Planning context	The current Business Park is identified as a Category 1 employment site. As the development proposes an intensification of office and lab spaces for Research and Development purposes, making efficient use of the brownfield and greenfield employment sites, the principle of the proposal is found to comply with the NPPF and policies S1, E1 and RE2 of the Oxford Local Plan 2036. The site sits within the Cowley Branch Line Area of Change as designated within the Oxford Local Plan 2036.
Planning history	In 1992, outline planning permission (ref: 91/01303/NO) was granted for 125,023sqm of B1 floorspace and 10,451sqm of C1 floorspace – as well as new roads, car parking, infrastructure and landscaping. This permission forms the basis of Oxford Business Park as it exists today, following the demolition of the former car factory site. A number of Reserved Matters applications have been submitted pursuant to this outline permission (as amended). The time limit of this permission has been extended several times to allow the submission of Reserved Matters, the last time on 12 December 2012 through ref: 12/01424/EXT (‘the extant outline permission’). Condition 1 of the extant outline permission states: “Application for the approval of reserved matters must be made to the Local Planning Authority before the expiration of ten years from the date of this outline permission”. The Proposed Development forms a Reserved Matters permission, pursuant to the remaining quantum of B1 (now E[g]) floorspace, which must be submitted before 12 December 2022.

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

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

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

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Design South East

Oxford City Planning Committee	17th September 2024
Application number:	24/01356/FUL
Decision due by	31st July 2024
Extension of time	17th September 2024
Proposal	Demolition of garage and rear extension. Erection of a part single, part two storey side and rear extension with integral garage. Formation of rear dormer and raising of existing ridgeline in association with a loft conversion. Insertion of rooflights and PV panels to front roof slope and an air source heat pump. Alterations to fenestration. (Amended description and plans).
Site address	145 Howard Street, Oxford, Oxfordshire, OX4 3AZ – see **Appendix 1** for site plan
Ward	Donnington Ward
Case officer	Nia George
Agent:	Mr Richard Prangle **Applicant:** Ms Caroline Green
Reason at Committee	The applicant is a member of staff.

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1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

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

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

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

2. EXECUTIVE SUMMARY

2.1. This report considers a proposal to demolish a garage and rear extension and the erection of a part single, part two storey side and rear extension with integral garage. The proposal also includes the formation of a rear dormer, raising of the existing ridgeline in association with a loft conversion, the insertion of roof lights, PV panels, and an air source heat pump, as well as alterations to fenestration.

2.2. This report considers the following material considerations:

- Design and impact upon local heritage assets
- Neighbouring amenity
- Vehicle parking and highways safety
- Bicycle storage
- Drainage
- Ecology

2.3. The proposed development is acceptable with regards to its design and would not cause any detrimental harm upon the character and appearance of the dwelling itself or the streetscene of Howard Street, nor the setting of the locally listed Donnington Arms. The proposals would not cause any detrimental impacts upon the amenity of any neighbouring dwellings, and nor would the proposals cause any impacts in relation to drainage or ecology. In addition the proposal would not cause any detrimental impacts associated with vehicle and bicycle parking nor highways safety, subject to conditions. As such the proposals are considered to comply with the policies of the Oxford Local Plan, and the NPPF.

2.4. Officers consider that the proposals would be acceptable and that the development would accord with the policies of the development plan when considered as a whole and the range of material considerations and support the grant of planning permission.

2.5. It must be noted that amended plans were received during the course of the application amending the design of the front fenestration and solar panels. It is these revised plans upon which the application is considered. Due to the minor changes made, there was no need to re-advertise the application.

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

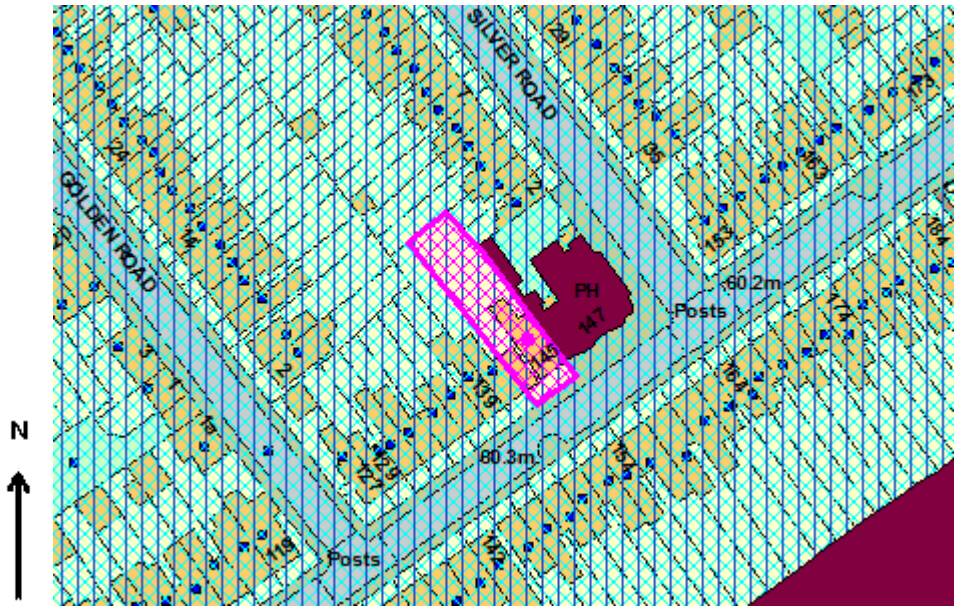
5. SITE AND SURROUNDINGS

5.1. The site is a two storey dwelling located on the northern side of Howard Street. The property currently benefits from a lean-to single storey garage at the western site of the plot, and to the rear benefits from a part single, part two storey rear projection.

5.2. To the east of the application site lies the former Donnington Arms which is a local heritage asset; added to the Oxford Heritage Register in 2015. Currently the

building is in use as a restaurant, however the building was originally built for Halls' Brewery in 1935 as a public house.

5.3. See block plan below:



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6. PROPOSAL

6.1. The application proposes to demolish a garage and rear extension and erect a part single, part two storey side and rear extension with integral garage. The proposal also includes the formation of a rear dormer, raising of the existing ridgeline in association with a loft conversion, the insertion of roof lights, PV panels, and an air source heat pump, as well as alterations to fenestration.

7. RELEVANT PLANNING HISTORY

7.1. There is no relevant planning history for the application site.

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
Conservation/ Heritage	195-214	**DH5** – Local Heritage Assets

Housing	60-84	**H14** – Privacy, daylight, and sunlight
Natural environment	180-194	**RE4** – Sustainable and foul drainage, surface and groundwater flow **G2** – Protection of biodiversity and geodiversity
Transport	108-117	**M3** – Motor vehicle parking **M4** – Provision of electric charging points **M5** – Bicycle Parking
Environmental	180-194	**RE7** – Managing the impact of development **RE8** – Noise and vibration
Miscellaneous	7-14	**S1** – Sustainable development

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 18th June 2024. Whilst amended plans were received during the course of the application, given that the amendments only altered the scale of the fenestration proposed to the front of the property and reduced the number of solar panels proposed, there was no need to re-advertise the application given the minor changes.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. No objection, subject to condition

Public representations

9.3. No representations were received.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Design and impact upon local heritage assets

- Neighbouring amenity
- Vehicle parking and highways safety
- Bicycle storage
- Drainage
- Ecology

a. Design and impact upon local heritage assets

10.2. Policy DH1 states that planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness, and where proposals are designed to meet the key design objectives and principles for delivering high quality development as set out in Appendix 6.1.

10.3. Policy DH5 states that 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 upon 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.

10.4. Paragraph 209 of the NPPF also states that the effect of an application on the significance of a non-designated heritage asset should be taken in 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.

10.5. Howard Street comprises predominantly of two storey residential dwellings. The dwellings are all slightly set back from the road behind small front gardens, and whilst primarily the dwellings are arranged in short and long rows of terraces, there are a few examples of semi-detached and detached dwellings along the road.

10.6. The application site is a two storey dwelling attached to the former Donnington Arms (now in use as a restaurant) directly to the east. To the west there is a short terrace of two storey dwellings, in which currently the single storey garage at the application site is attached to and separates the dwelling itself from the rest of the terrace.

10.7. As noted previously in this report, the former Donnington Arms is a local heritage asset; added to the Oxford Heritage Register in 2015. Currently the building is in use as a restaurant, however the building was originally built for Halls' Brewery in 1935 as a public house. The building has both historic and architectural interest; it is an example of the 'improvement public houses' style produced in the inter-war years, which was intended to change the perception of public houses by making them more aspirational destinations.

10.8. Due to the proposed development at the application site comprising of a number of elements, the design section has been separated into the following sub-headings which consider each element of the proposal.

Alterations to existing roof

10.9. It is proposed to raise the existing ridgeline of the host dwelling in association with the proposed loft conversion to gain additional internal head height by 26cm. As mentioned before the property is separated from the terrace of dwellings to the west of the site and given that the proposed two storey side extension would be located between the start of the terrace and the host dwelling, it is considered that the slight increase in height would not be prominently noticeable. In relation to the former Donnington Arms, although the dwelling is attached to it, this building has a flat roof and is much higher whereas the application site has a lower pitched roof. As such it is considered that due to the site context and the minimal increase in height proposed, that this element of the scheme would not cause any harm to the character or appearance of the dwelling, nor to the setting of the adjacent locally listed heritage asset.

10.10. It is proposed for three roof lights to be inserted onto the front roof slope and for solar panels to be installed just below these on the roof slope. Originally it was proposed for the roof lights to be placed high at the top of the roof with panels filling the roof below, which officers considered to not represent good quality design, cluttering the roof. Amended plans were received which reduced the number of panels and the roof lights are now proposed to be sited lower down on the roof slope. This proposed change is considered to now result in a more proportionate and balanced roof scape which would not appear overly cluttered. The roof lights themselves would not appear out of character given that various properties along Howard Street feature roof lights, and the number and size proposed would be considered appropriate for the size of the roof slope.

10.11. Whilst solar panels located on the front roof slope of dwellings are not common along Howard Street, Officers consider that their introduction in the street would not be highly out of character given the varied age and design of properties. Although solar panels are typically utilitarian additions, it is considered that given they would be arranged in a uniform layout in the centre of the roof, that these would not detract from the character or appearance of the dwelling, nor to the setting of the adjacent locally listed heritage asset.

Alterations to the existing front fenestration

10.12. The existing dwelling has a projecting bay window at ground floor level next to the entrance door, with two windows above at first floor level. It is proposed to replace the existing UPVC openings on the front elevation of the property with white timber/timber-effect composite sash windows and door. It is considered that this proposed change from UPVC to timber or timber-effect composite would be a positive improvement to the character and appearance of the property which would enhance the appearance from Howard Street. It is considered that the alterations would be an improvement to the property and would not cause any harm to the setting of the locally listed building next door.

Demolition of garage and erection of two storey side extension

10.13. Currently at the western side of the dwelling there is a single storey lean-to garage. It is proposed to demolish this existing garage and to replace it with a two storey side extension. This would infill the entire width between the host dwelling and 141 Howard Street to the west, and would feature a garage at ground floor level, with living accommodation above. At ground floor it is proposed for there to be a new garage door and at first floor level two new sash windows. The extension would be set back from the principal elevation of the dwelling by 30cm, and would have a pitched roof set down from the ridgeline of the host dwelling by 25cm. The two storey side extension would extend for 7m in depth, in line with the original rear elevation of the host dwelling.

10.14. It is considered that the existing garage is not of a high quality design and given that garages are not common within Howard Street nor contribute positively to the character of the street, that as such its demolition would be acceptable in principle.

10.15. As noted previously, the character of Howard Street is varied with some detached and semi-detached properties, however predominantly there are rows of terraced properties. It is considered that the proposed replacement of the single storey garage with a two storey infill extension would due to the site context not detrimentally impact upon the character or appearance of Howard Street, as the existing gap between the host dwelling and 141 Howard Street is not an important feature of the streetscene. The infill extension would essentially join the host dwelling up with the rest of the terrace to the west, and as such would not be out of keeping. Whilst the dwelling would effectively have a frontage nearly twice the width of the other properties in the terrace, given that the terrace is not entirely uniform, it would not be considered highly prominent. The terrace to the west features varying materials, varied styles of openings particularly at ground floor level, and the property on the western end of the terrace has its frontage facing onto Golden Road. As such on this occasion due to the pattern and grain of development along Howard Street, it is considered that the removal of the gap between the site and 141 Howard Street would be acceptable; fitting comfortably into the streetscene.

10.16. The proposed extension would be set back and set down from the main dwelling which would ensure that it has a subservient relationship to the host dwelling. It is considered that the design of the fenestration as amended would be acceptable, with a white timber/timber-effect composite door and two sash windows above, in which the scale of the windows would appropriately respond to the design of the windows located at first floor level on the main dwelling with matching stone window headers and cills. The extension would be finished in brick and roof tiles to match the host dwelling, and as such the extension proposed would be considered overall to have a high quality design which would complement the host dwelling, and would not give rise to any harm to the setting of the locally listed heritage asset.

10.17. It is also proposed for the front roof slope of the extension to feature solar panels alike those proposed on the roof slope of the main dwelling. Although solar panels are typically utilitarian additions, it is considered that given they

would be arranged in a uniform layout in the centre of the roof, that these would not detract from the character or appearance of the dwelling, nor to the setting of the adjacent locally listed heritage asset.

Part single, part two storey rear extension

10.18. It is proposed to erect a part single, part two storey rear extension which would partially extend to the rear of the proposed side extension. At ground floor it is proposed to erect a flat roofed extension which would measure 3m tall. It would have a stepped layout where it would extend for a maximum depth of 7.4m along the boundary with the former Donnington Arms, and near to the boundary of 141 Howard Street the wider element would measure 2.3m in depth. Above this flat roofed extension the first floor part would feature a pitched roof and which would partially replace the existing first floor projection. This would measure 3.9m in width and 3.9m in depth.

10.19. In relation to the single storey rear extension, it is considered that this would be a sizeable addition to the property, however given the depth and scale of the existing ground floor projection at the site, coupled with the fact that many of the neighbouring dwellings have large ground floor extensions, it is considered that the scale of the single storey extension would not be out of character with the surrounding area and on balance would be acceptable in design terms. It is proposed to finish the extension in brick to match the existing dwelling, and there would be contemporary elements with a metal clad header above aluminium framed Crittall style sliding doors. Although the design of the extension would be contemporary in design and would deviate from the more traditional design elements of the property, given the flat roofed form and the high quality choice of materials proposed, overall it is considered that the design would be appropriate and of a high quality, particularly given it is single storey only and of limited visibility outside the site.

10.20. In relation to the first floor extension, given that the design and siting of the extension would largely reflect the existing rear projection, coupled with the limited increase in width, and the subservient form of the roof with eaves matching the host dwelling and the ridgeline being set down, that overall this element would be a subservient addition which would not be out of character. It is appreciated that the extension would extend off the rear wall of the proposed dormer window (discussed further below), and whilst this is unfortunate, again given the presence of other examples of such design in the local area, it would be considered unreasonable to refuse permission on this basis alone.

10.21. The top of the first floor rear extension would be visible from Silver Road where there is a view of the rear of the former Donnington Arms. Given that the design of the first floor extension is considered to be of a traditional design with sympathetic materials, it is considered that this would be of an appropriate design which would help blend in with the backdrop of the view and would not detract from the setting of the Donnington Arms.

Rear dormer window

10.22. It is proposed in association with a loft conversion to erect a flat roofed rear dormer window on the rear roof slope of the property. This would measure 4.5m in width, 2.65m in height, and 3.6m in depth; essentially spanning the entire rear roof slope. Whilst large flat roofed dormer windows are not considered to be typically of a high quality design, there are many examples of dormer windows in the local area. Due to householder permitted development rights which allow such alterations to a roof, these have been erected along many properties within the street without needing the Local Planning Authority's consent. As such, it is considered that it would be unreasonable to object to the principle of such an addition where they are very common within the immediately locality.

10.23. In terms of the detailed design of the dormer, it would be finished in wall hung tiles to match the roof on its cheeks, which is considered to be an appropriate finish as this would help mitigate any stark contrast from the roof itself. Aluminium frame windows are proposed at the rear and it is considered that the finish and design proposed would continue the window hierarchy as they replicate the size and design of the windows at first floor level.

10.24. The rear dormer would be visible from the same view described previously on Silver Road, where the rear of the former Donnington Arms is clearly visible. Whilst the dormer window would be a large addition to the roof, Officers consider that given its sympathetic design, particularly the use of roof tiles to clad the cheeks which would not form a stark contrast with the rest of the roof, that the dormer would not cause any harm to the setting of the former arms and its architectural interest.

Air source heat pump

10.25. It is proposed to install an air source heat pump within the rear garden. This would measure 0.65m in height, 0.83m in width, and 0.28m in depth. This would be a relatively small structure which would not be visible from the public realm, and as such although air source heat pumps can be rather utilitarian in their design, it is considered in this instance that the addition would not be harmful to character and appearance of the property. This addition would also not be sited within the setting of the Donnington Arms.

10.26. Overall it is considered that the proposal would be considered to comply with Policies DH1 and DH5 of the Oxford Local Plan and the NPPF, and that no harm would be caused by the proposals upon the setting of the former Donnington Arms. It must be noted that this assessment has been based upon the amended plans only.

b. Neighbouring amenity

10.27. Policy H14 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, and does not have an overbearing effect on existing homes. Appendix 3.6 of the Oxford Local Plan sets out guidelines for assessing the loss of sunlight and daylight using the 45/25 degree code.

10.28. Policy RE7 states that planning permission will only be granted for development that ensures that the amenity of communities, occupiers and neighbours is protected.

10.29. Policy RE8 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 not be granted for development that will generate unacceptable noise and vibration impacts.

10.30. The site in question is located between 141 Howard Street and Everest Nepalese Restaurant; the former Donnington Arms.

141 Howard Street

10.31. 141 Howard Street is a two storey end of terrace property located to the west of the application site. It currently benefits from a part single, part two storey rear projection. The proposed two storey side extension would not extend beyond the front elevation of the neighbouring dwelling. As such the daylight and outlook afforded to the front facing openings would not be detrimentally impacted, nor would the neighbours privacy. There are also no openings located on the eastern side elevation of the neighbouring building which would be affected by the two storey infill side extension.

10.32. At the rear of no. 141, there are glazed doors serving the kitchen/diner. The 45 degree angle test has been applied to these doors and the proposal would not contravene this angle. On the side of the neighbours ground floor extension there is a window serving a utility room, however given this is not a habitable room the 45 degree uplift angle test does not need to be applied to this opening.

10.33. There is also at ground floor level on the original rear elevation of the property a window serving a lounge. Officers have applied the 45 degree angle test to this opening and the proposed ground floor rear extension would significantly contravene this. The 25 degree uplift angle test has also been applied to this window and the proposed rear extension would also contravene this. Although the rear extensions would not comply with the test, Officers note that the existing rear projections at the site already contravene both of these mentioned angles too. As such this opening would receive at present limited light. It is also noted that the neighbouring lounge benefits from a second source of light from the front ground floor bay window; the lounge has an opening directly into the front siting room. As a result, on balance, Officers considered that it would be unreasonable to refuse the application in this regard as the room would still receive light from the opening to the front of the site which would not be impacted by the proposals.

10.34. There is a rear facing window at first floor level which serves a bedroom. The 45 degree angle test has been applied to this opening and the proposed first floor rear extensions would not contravene this angle. As such it is considered that the daylight afforded to this room would not be detrimentally impacted by the extensions.

10.35. The neighbouring dwelling has a rear roof light serving the loft. The proposed raised ridgeline and rear dormer window would be situated over 3.3m away from

the shared boundary, and therefore it is considered that the alterations to the roof would be located a sufficient distance away from this roof light so not to detrimentally impact upon the daylight.

10.36. The ground floor extension would have a total depth of 7.3m which is significant. Officers consider however that due to the stepped alignment of the extension, coupled with the neighbours benefitting from a deep extension of their own at some parts spanning the full width of site to the boundary, that the stepped alignment would mitigate its potential impact upon the outlook afforded to the neighbour, and that overall the proposal would not be overbearing.

10.37. Although the first floor rear extension would be 1m closer to the neighbour, given it would not extend further in depth compared to the existing projection and its pitched roof where the ridgeline would be located over 4.2m away from the boundary, that this element would not be overbearing, nor detrimental upon outlook. Whilst the dormer would be a large addition to the roof, given this would be contained on the roof slope and would not extend beyond the rear elevation of the neighbouring property, it is considered that this would not detrimentally impact upon outlook, nor would it be overbearing to no. 141.

10.38. There are openings proposed to the side of the ground floor extension which would serve the utility/boot room and the W.C. Although located in close proximity to the neighbouring dwelling, given its siting at ground floor level and the tall boundary treatment between the sites, it is considered that these openings would not overlook the neighbour. There are no openings proposed to the side of the first floor extension and although there would be openings introduced at second floor level height to the rear within the proposed dormer, it is considered that these openings would not create new views when compared to the existing first floor rear projection window.

Everest Nepalese Restaurant

10.39. Although at ground floor the neighbouring building comprises of a restaurant, at first floor level there is a flat used for residential accommodation.

10.40. Given that the proposed two storey side extension would not extend beyond the front elevation of the host dwelling, this element of the scheme would not detrimentally impact upon any openings to the front serving the neighbouring flat. For the same reasons it would not detrimentally impact upon the privacy or outlook afforded to the neighbouring flat, nor would it be considered overbearing.

10.41. Due to the flat being located at first floor level, the proposed ground floor rear extension would be considered not to detrimentally impact upon the daylight afforded to the openings to the rear serving the flat, nor would it be overbearing, detrimental upon their outlook, nor would it be harmful to the occupiers' privacy.

10.42. In relation to the first floor rear extension, raised ridgeline and rear dormer window proposed, the 45 degree angle test has been applied to the north facing windows located closest to the application site. The window located immediately next to the shared boundary would be contravened however the second window would not be contravened. Although the window located next to the boundary

would be impacted, it is already contravened by the existing dwelling and therefore it is considered there would not be any further detrimental impact compared to the existing situation. The 45 degree uplift angle test has also been applied to the two side facing windows at first floor level facing the application site, and the proposals would not contravene this angle. It is therefore considered that the proposed first floor rear extension, raised ridgeline and rear dormer would not detrimentally impact upon the daylight afforded to this flat.

10.43. Although the property is proposed to be extended at first floor level to the rear, the proposed extension would not extend any closer to the flat when compared to the existing rear projection, nor would it extend any deeper than the existing first floor rear projection of the application site. It is appreciated that the height of the eaves and the ridgeline would be taller than the roof of the existing first floor projection. Nevertheless, given the extension would still be located 1.8m away from the shared boundary, the rear opening serving the flat (not on the boundary) being located 3.4m away, and the side facing windows being located over 7.5m away, Officers consider that the increased height would unlikely be harmful to the outlook of the neighbouring occupiers, nor would the proposal be overbearing.

10.44. With regard to the raised ridgeline and dormer window, the dormer would be contained on the roof slope, located 3.4m away from the rear facing window (not on the boundary), and would only project 1.9m in depth beyond this window. In relation to the side facing windows, the dormer would be located over 7.5m away. The raised ridgeline would not be noticeable from the rear facing openings and only very glimpsed views would be appreciated from the side facing window; nevertheless it is only proposed to increase by 26cm. Overall it is therefore considered that the proposals would not be detrimental upon the outlook from this flat or be overbearing.

10.45. No openings are proposed at first floor level to the eastern side of the property facing the flat. Furthermore the openings proposed to the rear of the dormer would be sited in front of the rear facing window serving the flat and the closest side window serving the flat. Whilst located behind the small side facing window serving the flat, this opening would be located at least 8.7m away and given the side facing opening is located immediately next to a protruding wall, and as such it is considered that the proposed openings within the dormer window would not overlook or detrimentally impact upon the privacy of the occupiers of this flat.

10.46. All other properties are considered to be located a sufficient distance away from the site and therefore there would likely be no impact upon their access to daylight, outlook or privacy.

10.47. An air source heat pump is proposed to be sited within the rear garden to the side of the single storey rear extension. Given its siting at ground level in the garden and its small size, it is considered that this element would not have any impact upon the neighbours in terms of loss of light, creating a sense of enclosure or loss of privacy.

10.48. The proposed air source heat pump would be sited generally in close proximity with other neighbouring dwellings, and it is noted that whilst air source heat pumps used for domestic premises usually have a low noise output, there is

still however the potential for noise to be generated causing a nuisance to other occupiers. Officers note however that the proposed siting of the air source heat pump would be located in a position which would be acceptable using permitted development rights, for which the application site has been checked and there has been no removal of permitted development rights for this property based on conditions attached to any previous planning consents. As such a formal noise assessment was not required, however to control potential noise issues and to ensure there would not be an increase in noise that would be harmful to the amenity of neighbouring properties, two conditions have been recommended which would ensure the noise does not exceed background levels, and that the pump would be mounted on anti-vibration isolators.

10.49. Given that the proposal includes a flat roofed extension to the rear, a condition has been recommended which would prevent the proposed flat roof being used as a platform, terrace or balcony as this use would be considered unacceptable, creating detrimental privacy impacts upon the neighbouring occupiers through direct/perception of overlooking, noise and disturbance.

10.50. Subject to the recommended conditions, the proposal would be considered to comply with Policies H14, RE7 and RE8 of the Oxford Local Plan 2036.

c. Vehicle parking and highways safety

10.51. Policy M3 states that in CPZs where development is located within a 400m walk to frequent public transport services and within 800m walk to a local supermarket or equivalent facilities, planning permission will only be granted for residential development that is car-free. It also states that in the case of the redevelopment of an existing or previously cleared site, there should be no net increase in parking on the site from the previous level and the Council will seek a reduction where there is good accessibility to a range of facilities.

10.52. Policy M4 states that where additional parking is to be provided in accordance with Policy M3, planning permission will only be granted for new residential developments if:

a) provision is made for electric charging points for each residential unit with an allocated parking space; and

b) non-allocated spaces are provided with at least 25% (with a minimum of 2) having electric charging points installed.

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

10.54. The application site is located within the Magdalen South Controlled Parking Zone. The site is located within an 800m walk of a local supermarket and within an 400m walk to a frequent public transport service. As such the site is eligible to be a car-free development.

10.55. It is proposed to demolish the existing garage on the site and within the proposed two storey side extension incorporate a garage at ground floor level.

Although the existing garage does not provide a compliant car parking space of 3m x 6m, evidence has been provided within the Design and Access Statement submitted for the application which shows that the garage has been used historically as a parking space.

10.56. The Local Highways Authority were consulted on the application and they noted that given evidence has been provided of the garage fitting a car inside, that as a result they consider the new garage would not constitute an increase in off-street parking on the site, and as such would not be contrary to Policy M3 as no net gain in parking would result.

10.57. Officers also note that it is proposed to install an electric vehicle charging point inside the garage. Whilst this would not be strictly required in accordance with Policy M4 as the proposal is not creating a new dwelling, this would be welcomed; encouraging the use of electric vehicles in the city.

10.58. The Local Highways Authority did note however that they had concerns regarding the construction phase of the project with Howard Street being an important two-way cycle route, having multiple parked cars on the carriageway and a high number of pedestrians using it at peak times. They noted that construction vehicles will need to be managed carefully to avoid peak times and park in appropriate locations without creating safety concerns to pedestrians and cyclists, with banksmen being present for any manoeuvring taking place. As such they raised no objection subject to a condition requiring a construction traffic management plan being submitted to and approved in writing prior to construction.

10.59. Subject to this condition, the proposal would be considered to comply with Policies M3, M4 and RE7 of the Oxford Local Plan 2036.

d. Bicycle parking

10.60. Policy M5 states that planning permission will only be granted for development that complies with or exceeds the minimum bicycle parking provision as set out in Appendix 7.3. Appendix 7.3 states that for a house with 3 or more bedrooms, at least 3 spaces per dwelling would be required. It also states that bicycle parking should be, well designed and well-located, convenient, secure, covered (where possible enclosed) and provide level, unobstructed external access to the street

10.61. It is proposed to accommodate bicycle storage within the garage. This would ensure that there is secure and covered space available for the occupiers to park any bicycles, and the location within the garage would provide well-located and convenient access to the road itself.

10.62. Although it has not been specified how many bicycles would be parked inside the garage, given that this is a householder application and the number of bicycles specified within Appendix 7.3 does not need to be strictly adhered to; rather being for new dwellings, the provision of cycle parking is welcomed.

10.63. As such the proposal would be considered to comply with Policy M5 of the Oxford Local Plan 2036.

e. Drainage

10.64. Policy RE4 of the Oxford Local Plan states that all development is required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off.

10.65. The site is located in Flood Zone 1 and is not at significant risk of flooding from any sources. However in accordance with Policy RE4, the development should be drained using a sustainable drainage system (SuDS).

10.66. Subject to a condition which requires the proposal to be drained using SuDS, the proposal would be considered to comply with Policy RE4 of the Oxford Local Plan 2036.

f. Ecology

10.67. 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. Compensation and mitigation measures must offset any loss and achieve an overall net gain for biodiversity.

10.68. All species of bats and their roosts are protected under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2017 (as amended). These laws make it an offence to deliberately kill, injure or capture a bat; to damage, destroy or obstruct access to a breeding or resting place; and to intentionally or recklessly disturb a bat while in a structure or place of shelter or protection.

10.69. A preliminary ecological appraisal was submitted with the application in which the existing building was assessed to be of negligible suitability for roosting bats and no further surveys were recommended. No potential roosting features (PRFs) were identified externally or internally.

10.70. The Council's internal ecology officer was consulted on the proposal and they confirmed that they were satisfied that a robust assessment was undertaken and the potential presence of protected habitats and species has been given due regard.

10.71. 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.

10.72. The Council's ecology officer also confirmed that they were satisfied that European Protected Species are unlikely to be harmed as a result of the proposals.

10.73. Subject to a condition which requires details of ecological enhancements to be submitted to the Local Planning Authority prior to occupation, and informatives reminding the applicant of their duty in relation to bats and wild birds, the proposal would be considered to accord with Policy G2 of the Oxford Local Plan, the Wildlife and Countryside Act 1981, The Conservation of Habitats and Species Regulations 2017 (as amended), and the NPPF.

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 decision apply a presumption in favour of sustainable development. This means approving development that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides a clear reasons for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

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

Compliance with development plan policies

11.4. In summary the proposed development is acceptable in regards of its design and would not cause any detrimental harm upon the character and appearance of the dwelling itself or the streetscene of Howard Street, nor the setting of the locally listed Donnington Arms. The proposals would not cause any detrimental impacts upon the amenity of any neighbouring dwellings, and nor would the proposals cause any impacts in relation to drainage or ecology. In addition the

proposal would not cause any detrimental impacts associated with vehicle and bicycle parking nor highways safety, subject to conditions. As such the proposals are considered to comply with the policies of the Oxford Local Plan, and the NPPF.

11.5. Therefore officers considered that the proposals 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 are 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.

Development in accordance with approved plans

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

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

Materials – as specified

3. The materials to be used in the new development shall be those as specified on the approved plans. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure the satisfactory visual appearance of the new development in accordance with Policy DH1 of the Oxford Local Plan 2036.

SuDS

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

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

Ecological enhancements

5. Prior to occupation of the development, details of ecological enhancement measures including at least one bat roosting device or one bird nesting device per dwelling 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 beforehand by the Local Planning Authority.

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

Construction Traffic Management Plan

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

- A CTMP which is appropriately titled, including 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 approved CTMP shall be adhered to at all times during the construction of the development.

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

Amenity – no balcony

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or enacting that Order), no part(s) of the roof of the building(s) permitted shall be used as a balcony or

terrace nor shall any access be formed to the roof.

Reason: To safeguard the amenities of the adjoining occupiers in accordance with Policy H14 of the Oxford Local Plan 2036.

Noise

8. The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. This will maintain the existing noise climate and prevent 'ambient noise creep'.

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

Noise vibration

9. Prior to use, plant or equipment and associated 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 ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with Policy RE8 of the Oxford Local Plan.

INFORMATIVES :-

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

2 All species of bats and their roosts are protected under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended). Please note that, among other activities, it is a criminal offence to deliberately kill, injure or capture a bat; to damage, destroy or obstruct access to a breeding or resting place; and to intentionally or recklessly disturb a bat while in a structure or place of shelter or protection. Occasionally bats can be found during the course of

development even when the site appears unlikely to support them. In the event that this occurs, work should stop immediately and advice should be sought from a suitably qualified ecologist. A European Protected Species Mitigation Licence (EPSML) may be required before works can resume.

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

13. APPENDICES

- **Appendix 1 –** Site location plan

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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CHERWELL
DESIGN & BUILD

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denotes increased footprint at ground floor
site boundary
extent of demolition

N W E S

0 12.5 62.5
Scale 1:1250

0 5 25
Scale 1:500

PLANNING

Crown copyright and database rights 2024 OS 100035409

Appendix 1

LOCATION PLAN @ 1:1250

BLOCK PLAN @ 1:500

Rev.	Date	Description	Author
-	-	-	-

Notes:
1. This drawing is copyright of: Cherwell Design & Build Ltd. Reproduction is only to take place with our written authority.
2. These Plans are subject to 'Planning and Building Regulation Approval' or any other statute in law before building commences.
3. Any structural work where mentioned on the drawing is subject to a qualified structural and civil engineer calculations before building work commences.
4. All drawings marked preliminary or planning are not to be built or manufactured from.
5. If any discrepancies are found in the drawings these are to be brought to the attention of Cherwell Design & Build Ltd. for rectification.
6. Boundary line indicative only. Exact location must be determined on site before building work commences.

MAY 2024 | CD-23-145HS-PL-00.1
varies@a3 | Proposed Site & Location Plans

145 HOWARD STREET
OXFORD
OX4 3AZ

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17th September 2024

Application number:	24/01468/FUL
Decision due by	2nd September 2024
Extension of time	27th September 2024
Proposal	Erection of a single storey rear infill extension. Removal of 1no. window and 1no. door. Insertion of 4no. windows and formation of stone thresholds to the rear elevation.
Site address	8 Dunstan Road, Oxford, Oxfordshire, OX3 9BY – see **Appendix 1** for site plan
Ward	Headington Ward
Case officer	Hannah Riddle
Agent:	Ms Dominique Andrews **Applicant:** Ms Mary Clarkson and Mr Michael Tappin
Reason at Committee	The application has been submitted on behalf of a councillor.

1. RECOMMENDATION

1.1 Oxford City Planning Committee is recommended to:

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

1.1.2. **agree to 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 Services considers reasonably necessary.

2. EXECUTIVE SUMMARY

2.1 This report considers the erection of a single storey extension to the rear of the existing building and the associated fenestration alterations.

2.2 This report considers the following material considerations:

- Design and visual amenity
- Impact on designated heritage assets

- Impact on residential amenity
- Other matters

2.3 Officers conclude that the proposed development is acceptable with regards to its design, its impact on the significance of designated heritage assets, its impacts upon the residential amenity of neighbouring dwellings and its impacts upon surface water drainage and archaeological deposits subject to the recommended conditions and informatives. Overall, the proposal is considered to be in accordance with policies S1, DH1, DH3, DH4, H14, RE4 and RE7 of the Oxford Local Plan and policies GSP4, CIP1 and CIP4 of the Headington Neighbourhood Development Plan 2032.

3. LEGAL AGREEMENT

3.1 This application is not subject to a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1 The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1 8 Dunstan Road is a detached property located on the northern side of Dunstan Road with the front (southwest) stone elevation immediately abutting the pavement. There is a walled garden to the rear and a large field beyond the garden which is within the ownership of the applicants.

5.2 The property is in the northwestern corner of Old Headington Conservation Area and the building is of significance being Grade II Listed.

5.3 Opposite 8 Dunstan Road is another Grade II Listed building known as Manor Farmhouse. The two buildings are prominent in the streetscape and together create an important pinch point on Dunstan Road that acts as an arrival point for the built-up part of the village.

5.4 To the north of 8 Dunstan Road is a group of five houses (10 – 18 Dunstan Road) designed by Ahrends, Burton and Koralek in the 1960's. The houses are described as being the most controversial buildings in the Old Headington Conservation Area due to the experimental architecture employed. However they are set back from the road and are partially hidden by a front boundary wall with only the roof profiles visible.

5.5 8 Dunstan Road, originally known as Lower Farm, is noted as a positive building within the Dunstan Road character area. As a Grade II Listed building, the property possesses historic and architectural special interest which is largely derived from its historic character and appearance as a vernacular farmhouse which is a reminder of the rural character of Old Headington.

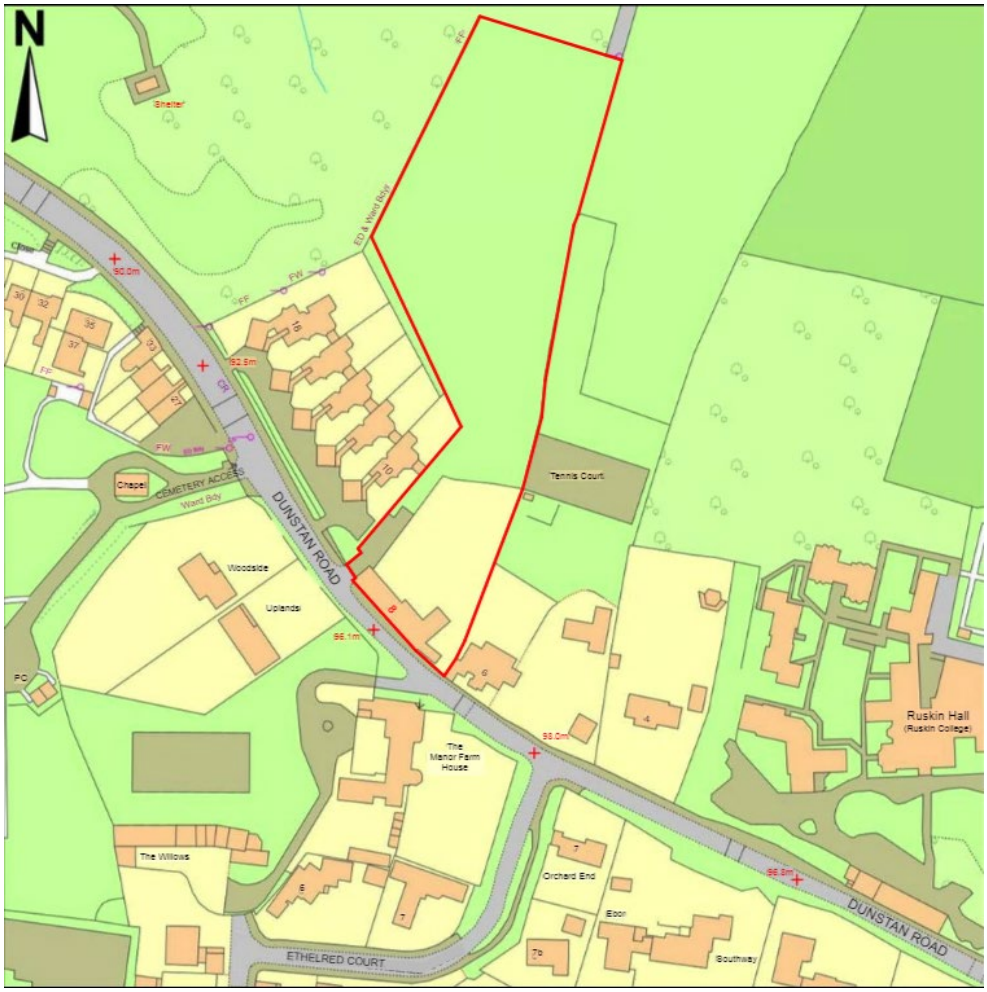
5.6 Lower Farm originally consisted of the main farmhouse with outbuildings to its east. The main farmhouse was originally a two-storey stone building built under a slate

roof. The front elevation contains 5no. 12-paned timber sash windows and a 6-panel timber front door, all of which are still present.

5.7 Lower Farmhouse was fully refurbished in 2002-2003, under applications 01/00766/NFH and 01/00765/L, creating the layout as shown on the existing plans. This refurbishment included the outbuildings which have been sympathetically extended, converted, and incorporated into the footprint of the main house. The historic stone boundary wall to the street has been retained. A conservatory has also been constructed to the rear.

5.8 The two-storey outbuilding immediately to the east of the main house was extensively modified to allow full use of the ground and first floor spaces. The rear wall of the outbuilding was rebuilt in brick and stone and it was re-roofed resulting in the creation of an overhanging roof canopy which created a covered porch entrance to the rear of the property.

5.9 See block plan below:



6. PROPOSAL

6.1 The application seeks planning permission for a single storey rear extension and associated fenestration alterations to the rear elevation.

6.2 The extension would infill the covered porch area created under applications 01/00766/NFH and 01/00765/L. The area infilled would measure approximately 3.7m wide by 1.7m deep and would result in an enlarged kitchen/dining area. The rear entrance door would be retained and the run of casement timber windows would be continued along the length of the newly aligned rear wall. The extension would be constructed in brick to match the brick found within the existing rear elevation of the outbuilding and timber casement windows would be installed to match those as existing.

6.3 Separate listed building consent is sought for the associated internal alterations shown on the proposed plans and detailed in the Design, Access and Heritage Statement which will be dealt with as a separate matter under application 24/01469/LBC.

7. RELEVANT PLANNING HISTORY

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

01/00765/L - Listed building consent for external alterations and additions including new dormers and roof lights on rear roof slopes; insertion of rooflights on front roof slopes; new roof on outbuilding; bay window, conservatory and loggia on rear elevation; replacement of existing windows and relocation of front door. Internal alterations including removal of existing staircase and internal partitions and wall and installation of new stair case. Approved 12th December 2001.

01/00766/NFH - Alterations and additions including the insertion of new dormers on rear roof slopes, new roof on outbuildings and bay window, conservatory and loggia on rear elevation.. Approved 12th December 2001.

02/01597/LBC - Listed Building consent for formation of opening in rear garden wall and installation of new steel gates and stone steps. Setting back of vehicular entrance gates.. Approved 1st November 2002.

02/01598/FUL - Planning permission for formation of opening in rear garden wall and installation of new steel gates and stone steps. Setting back of vehicular entrance gates.. Approved 1st November 2002.

06/00596/FUL - Erection of two outbuildings. Approved 2nd June 2006.

24/01469/LBC - Reconfiguration of internal areas to include the reduction in size of the ground floor entrance lobby, relocation of a door opening into the TV room and refurbishment of the kitchen including floor finishes. Floor to be part excavated for floor build-up. New internal door openings. Insertion of a structural steel beam.. Pending consideration

8. RELEVANT PLANNING POLICY

8.1 The following policies are relevant to the application:

8.2 It should be noted that the proposed submission draft for the Oxford Local Plan 2040 has been submitted for examination on 28th March 2024 and therefore its policies may be afforded some weight but noting that they cannot be given full weight at this stage.

Topic	National Planning Policy Framework	Local Plan	Neighbourhood Plans:
Design	131 - 141	DH1 - High quality design and placemaking	GSP4 - Protection of the setting of the site CIP1 - Development respect existing local character
Conservation/ Heritage	195 - 214	DH3 - Designated heritage assets DH4 - Archaeological remains	CIP4 - Protecting important assets
Housing	60 - 84	H14 - Privacy, daylight and sunlight	
Environmental	180 - 194	RE4 - Sustainable and foul drainage, surface and groundwater flow RE7 - Managing the impact of development	
Miscellaneous	7-14	S1 - Sustainable development	

9. CONSULTATION RESPONSES

9.1 Site notices were displayed around the application site on 23rd July 2024 and the three-week consultation period expired on 13th August 2024.

9.2 The application was also advertised in the Oxford Times on 18th July 2024.

Statutory and non-statutory consultees

9.3 Friends of Old Headington – letter of support

Public Representations

9.4 No representations were received.

10. PLANNING MATERIAL CONSIDERATIONS

10.1 Officers consider the determining issues to be:

I. Design and visual amenity
II. Impact on designated heritage assets
III. Impact on residential amenity
IV. Other matters

I. Design and Visual Amenity

10.2 Policy DH1 states that planning permission will only be granted for development of high-quality design that creates or enhances local distinctiveness and Appendix 6.1 of the Oxford Local Plan 2036 (OLP 2036) outlines a design checklist which proposals should respond to.

10.3 Policies GSP4 and CIP1 of the Headington Neighbourhood Plan 2032 (HNP) emphasise the importance of responding to setting and local character in the Headington area.

10.4 The proposed development is to the rear of the host dwelling, and it would not be visible from within the street scene. It will therefore have no visual impact upon the wider character of Dunstan Road or the character and setting of Old Headington Conservation Area which the property is located within.

10.5 The extension is to the rear of the two-storey outbuilding to the east of the main farmhouse. Following the renovations approximately 20 years ago the outbuilding is now attached to the main farmhouse and functions as the kitchen/diner.

10.6 The extension would infill an area approximately 3.7m wide x 1.7m deep and would result in the rear elevation being brought into full alignment. The rear wall would be constructed in brick to match the existing brickwork and new double glazed timber casement windows would be installed to match the size and design of the windows already present in this part of the property. The existing rear entrance door is to be re-installed above a stone threshold.

10.7 The extension would result in the loss of the external access to the conservatory however, the doorway is retained internally and would become an internal door providing access between the kitchen/diner and the conservatory. The loss of the external door within the rear elevation is a minor and acceptable change.

10.8 The proposal results in a modest alteration to the footprint of the property and is considered to follow good design principals in that it is visually integrated with, and visually subservient to, the host dwelling and would not detract from its character or appearance.

10.9 The proposal is in accordance with policy DH1 of the OLP 2036 and policies GSP4 and CIP1 of the HNP 2032.

II. Impact on Designated Heritage Assets

10.10 Policy DH3 states that permission will only be granted for development affecting a designated heritage asset if it is demonstrated that due regard has been given to the impact upon 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 Policy CIP4 of the HNP 2032 seeks development proposals which address the conservation and enhancement of the significance, character and any special architectural or historic features of significance the designated heritage asset may possess.

10.12 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 heritage assets' conservation.

10.13 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 also require Local Planning Authorities to have special regard to the desirability of preserving the setting of a Listed Building, as well as preserving or enhancing the character and appearance of the Conservation Area and which it is accepted is a higher duty.

10.14 The site falls within the Old Headington Conservation Area and the property is a Grade II Listed Building. During the application, the Council's Heritage team were consulted and no objections to the proposal have been raised citing no harm to either of the designated heritage assets.

10.15 During the course of the application, as requested by the Council's Heritage Officer, an additional ground floor plan was submitted which illustrates the original and non-original structures within the building. The plan clearly shows the proposed extension would not adjoin or result in the loss of any of the original structural walls or roof.

10.16 As previously mentioned within this report, modern alterations have sensitively been undertaken to the property which include the complete rebuilding of the rear elevation of the two-storey attached outbuilding and the replacement of its roof. As such, these parts of the property's structure are considered to have low historical significance and the development would be carried out in this area. Therefore, there is no objection to the proposal to infill the covered area to enlarge the kitchen/diner as there would be no loss or damage to the original structure of the building which has high historical and architectural significance.

10.17 The proposed development would utilise external materials which are already present within the modern parts of the property and which have been established to complement the historic character of the main farmhouse. The extension would be a sympathetic and minor modification to an area of the property with low historical or architectural significance.

10.18 The historical street wall to the front would be retained and views along Dunstan Road would be unaffected preserving the character of the Old Headington Conservation Area.

10.19 It has been concluded that the development would preserve the setting and appearance of the grade II Listed Building, and therefore the proposal accords with Section 66 of the Act. It has also been concluded that the development would preserve the character and appearance of the Conservation Area, and therefore the proposal accords with Section 72 of the Act. In addition, no harm would be caused to the significance of the heritage assets, and as such the proposal accords with guidance contained in Chapter 16 of the NPPF and policy DH3 of the OLP 2036.

III. Impact on Residential Amenity

10.20 Policy H14 of the OLP 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 and does not have an overbearing effect on existing homes.

10.21 Policy RE7 of the OLP 2036 states that planning permission will only be granted for development that ensures that the amenity of communities, occupiers and neighbours is protected.

10.22 The host dwelling is detached and sited within a substantial plot. The property is sited between 6 and 10 Dunstan Road which are detached properties located at least 15m from the proposed area of development.

10.23 The development is centrally positioned in the plot and would not reduce the separation distances between the host dwelling and its neighbours. Furthermore, as it is an infill extension beneath an existing overhanging roof there would be no new built form projecting beyond the established footprint of the building or above the existing roof profile. It is therefore considered the development will not give rise to any overshadowing or overbearing effects. Furthermore, there would be no change to the outlook enjoyed by neighbouring properties.

10.24 In terms of overlooking, the proposal is single storey and would introduce new windows in the rear elevation. The views afforded would be across the private amenity space of the host dwelling and be like those already achievable. The increased number of windows would not result in any new or harmful views of neighbouring properties.

10.25 The proposal would not have a detrimental impact upon the residential amenity of neighbouring occupiers and is in accordance with polices H14 and RE7 of the OLP 2036.

IV. Other Matters

10.26 Policy RE4 of the OLP 2036 states that all development is required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off.

10.27 The site is located in Flood Zone 1 and is not at significant risk of flooding from any sources. Furthermore, as the development would infill an area sited beneath a pre-existing roof structure and on a hardstanding floor there would no increase to the impermeable area on the site. There would be no material change to the permeability of the site and surface water could continue to drain as is existing.

10.28 As such, on this occasion it is not considered reasonable to apply a condition requiring the development to be drained using SuDS as required by policy RE4 and the proposal is acceptable in terms of its impact on surface water drainage.

10.29 Policy DH4 of the OLP 2036 seeks to ensure the significance of Oxford's archaeological legacy is sustained and that where there the loss or harm of archaeological deposits is warranted development results in a thorough investigation of the impacted archaeology.

10.30 The property lies with an Area of Archaeological Interest where prehistoric, Roman, Anglo-Saxon and medieval activity has previously been identified.

10.31 Following consultation from the Council's Archaeologist it is concluded that the application is too small scale to have any likely significant archaeological implications. No further archaeological surveys are required to support the proposal. Therefore, the proposal is considered acceptable in terms of its impact on archaeological deposits.

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 not cause detrimental harm to the design and visual amenity of the host dwelling or the wider locality, in

compliance with Policy DH1 of the OLP 2036. The proposal would not be detrimental upon the amenity of any neighbouring occupiers and would comply with Policies H14 and RE7 of the OLP 2036. In addition, the proposal has due regard to the setting and character of the designated heritage assets, in compliance with policy DH3 of the OLP 2036. Finally, the proposal would have no significant impacts upon the capacity of the site to sustainably drain surface water and it would have no significant archaeological implications, in compliance with policies RE4 and DH4 of the OLP 2036. As such the proposals are considered to comply with the policies of the OLP 2036, and the NPPF.

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 are 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.

Development in accordance with approved plans

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

Reason: To avoid doubt and to ensure an acceptable development as

indicated on the submitted drawings in accordance with policy DH1 of the Oxford Local Plan 2036.

Materials

3 The materials to be used in the new development shall be those as specified on the approved plans. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure the satisfactory visual appearance of the new development in accordance with Policy DH1 and DH3 of the Oxford Local Plan 2036.

INFORMATIVES :-

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

13. APPENDICES

Appendix 1 – Site location plan

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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Appendix 1

Scale 1:1250 (@ A3 size)

LOWER FARM, 8 DUNSTAN ROAD, OXFORD OX3 9BY - LOCATION PLAN 2

Ordnance Survey
Licensed Mapping

© Crown copyright and database rights 2024 OS 100054135. Map area bounded by: 454010,207715 454292,207997. Produced on 22 June 2024 from the OS National Geographic Database. Supplied by UKPlanningMaps.com. Unique plan reference: p8f/uk/1115616/1501314

client Mary Clarkson Michael Tappin	scale 1:1250 @ A3 date June 2024	drawing title LOCATION PLAN 2	
project LOWER FARM, 8 DUNSTAN ROAD, HEADINGTON, OXFORD, OX3 9BY		drawing no. 8DR(LP)001-2 REVISION NO.	

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Minutes of a meeting of the Planning - Oxford City Planning Committee on Tuesday 20 August 2024

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OXFORD CITY COUNCIL

Committee members present:

Councillor Clarkson (Chair)	Councillor Fouweather (Vice-Chair)
Councillor Coyne	Councillor Henwood
Councillor Hollingsworth	Councillor Hunt
Councillor Rawle	Councillor Ottino (for Councillor Chapman)
Councillor Regisford	Councillor Upton

Officers present for all or part of the meeting:

Victoria Ashton, Planning Officer
Jane Cotton, Planning Lawyer
Robert Fowler, Development Management Team Leader (West)
Amber Khaloon, Trainee Solicitor
Emma Lund, Committee and Member Services Officer

Apologies:

Councillors Altaf-Khan and Chapman sent apologies.

Substitutes are shown above.

21. Declarations of interest

There were no declarations of interest.

22. 24/00667/FUL: 111 and 113 Wytham Street, Oxford OX1 4TN

The Committee considered an application (24/00667/FUL) for demolition of existing rear extension at 113 Wytham Street; erection of a part single, part two storey rear and side extension at 113; erection of a first floor rear extension at 111 Wytham Street; alterations to roof to form hip to gable; formation of 2no. rear dormers in association with loft conversions; formation of front porch to 113; installation of 2no. solar panels to front elevation of 111; installation of 2no. solar panels to the front elevation of 113; insertion of 2no. rooflights to the front elevation of 111; insertion of 3no. rooflights to the front elevation of 113; alterations to 1no. rooflight to the front elevation of 111 and alterations to front bay window to 111. A severable development where the development at 113 and the development at 111 could be carried out individually (amended description).

The Planning Officer gave a presentation outlining the details of the site location and the proposals; this included site photos and existing and proposed elevations and plans. The following was highlighted:

- The application was a joint application, and officers had therefore considered the potential planning impacts including potential impact on neighbouring amenity in the event that one of the properties did not proceed with the proposed development. This was because the two dwellings were in different ownerships, and officers considered that the development could be implemented on each property separately, which would give rise to different amenity impacts. Officers considered that the impact to neighbouring amenities for both properties would be acceptable for the reasons set out in the officers' report. As a result, a legal agreement was not considered necessary as each of the extensions would be acceptable in isolation of the other.

- Condition 4, which was recommended as part of the permission, sought to address the eventuality that the existing extension at 113 were demolished and not re-built, as this would raise a concern in design terms with the party wall between the two existing rear single storey extensions. By inclusion of this condition, officers have requested further information about the finish of this wall to be provided in the instance that the wall were left visible, in order to ensure high quality design. This condition would not need to be discharged if the flank wall were not left exposed.

- A separate application for the erection of a single storey rear outbuilding at no. 113 Wytham Street was also before the Committee for consideration, and that application included land contamination as a material consideration. The Planning Officer clarified that this was due to the rear garden (where the outbuilding would be sited) being located on a former landfill site. However, the joint application for nos. 111 and 113 did not raise any land contamination issues as the area of development did not fall within the area of the previous landfill site in the rear garden: this had been confirmed with the Council's Land Contamination Officer.

- The proposal was deemed to be acceptable with regard to design, impact on neighbouring amenity, flooding and ecology and was therefore recommended for approval, subject to the conditions outlined in the officers' report.

The Committee asked questions about the details of the application which were responded to by officers.

On being proposed, seconded and put to the vote the Committee agreed with the officers' 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 is 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 Services considers reasonably necessary.

23. 24/00668/FUL: 113 Wytham Street, Oxford OX1 4TN

The Committee considered an application (24/00668/FUL) for erection of a detached single storey rear outbuilding and installation of solar panels to outbuilding roof at 113 Wytham Street, Oxford.

The Planning Officer gave a presentation outlining the details of the site location and the proposal. This included site photos and the proposed elevations and plans. The Planning Officer highlighted that the application was deemed acceptable in terms of design, neighbouring amenity, flooding and land contamination and was therefore recommended for approval subject to the conditions outlined in the officers' report.

The Committee asked questions about the details of the application, which were responded to by officers. In response to a question, officers drew attention to condition 4 which stipulated that the development may only be used for a purpose incidental to the use of the dwellinghouse at 113 Wytham Street. It also stipulated that no cooking facilities may be installed in the outbuilding, in order to ensure that it was not used for primary living accommodation.

On being proposed, seconded and put to the vote the Committee agreed with the officers' recommendation to approve the application 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.

24. Minutes

The Committee resolved to approve the minutes of the meeting held on 16 July 2024 as a true and accurate record.

25. Forthcoming applications

The Committee noted the list of forthcoming applications.

26. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 6.17 pm

Chair …….. **Date: Tuesday 17 September 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.