

Agenda

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Planning Review Committee

South Side, Oxpens Road

This meeting will be held on:

Date: **Thursday 18 April 2024**

Time: **6.00 pm**

Place: **Committee Rooms 1, 2 and 3, Oxfordshire County Council, County Hall, New Road, Oxford OX1 1ND**

For further information please contact:

Emma Lund, Committee and Member Services Officer, Committee Services Officer



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

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

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

Committee Membership

Councillors: Membership 9: Quorum 5: substitutes are permitted.

Councillor Dr Hosnieh Djafari-Marbini	Northfield Brook;
Councillor James Fry	Walton Manor;
Councillor Stephen Goddard	Wolvercote;
Councillor Dr Amar Latif	Cowley;
Councillor Mark Lygo	Churchill;
Councillor Lucy Pegg	Donnington;
Councillor Mike Rowley	Barton & Sandhills;
Councillor Roz Smith	Quarry & Risinghurst;
Councillor Naomi Waite	Hinksey Park;

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

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

Agenda

Pages

Planning applications - background papers and additional information

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

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

- 1 **Election of Chair for the Council Year 2023-24**
- 2 **Election of Vice-Chair for the Council Year 2023-24**
- 3 **Apologies for absence and substitutions**
- 4 **Declarations of Interest**
- 5 **23/02506/CT3: South Side, Oxpens Road, Oxford OX1 1RX**

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Site Address: South Side, Oxpens Road, Oxford

Proposal: Construction of pedestrian/cycle bridge across the River Thames from Grandpont Nature Park to Oxpens Meadows (additional information)

Reason at Committee: The application has been called in to the Planning Review Committee by Councillors Muddiman, Miles, Sandelson, Pegg, Rawle, Malik, Djafari-Marbini, Kerr, Mundy, Dunne, Jarvis and Nala-Hartley (the first 12 members) additional members calling it in were Councillors Thomas, Gant, Goddard and Latif.

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

Recommendation:

The Planning Review Committee is recommended to:

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

6 Minutes

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Recommendation: That the minutes of the meeting held on 11 November 2021 are approved as a true and accurate record.

7 Dates of future meetings

Meetings are scheduled for 6.00pm on

30 May 2024

27 June 2024

23 July 2024

27 August 2024

19 September 2024

17 October 2024

Meetings will be cancelled if not required or may be rearranged.

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

Information for those attending

Recording and reporting on meetings held in public

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

The Council asks those recording the meeting:

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

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

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

Councillors declaring interests

General duty

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

What is a disclosable pecuniary interest?

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

Declaring an interest

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

Members' Code of Conduct and public perception

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

Members' Code – Other Registrable Interests

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

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

Members' Code – Non Registrable Interests

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

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

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

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

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

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

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

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

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

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

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

The following minimum standards of practice will be followed:

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

Public requests to speak

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

Written statements from the public

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

Exhibiting model and displays at the meeting

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

Recording meetings

This is covered in the general information above.

Meeting Etiquette

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

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

Planning Review Committee

18th April 2024

Application number:	23/02506/CT3		
Decision due by	7th February 2024		
Extension of time	29th March 2024		
Proposal	Construction of pedestrian/cycle bridge across the River Thames from Grandpont Nature Park to Oxpens Meadows (additional information)		
Site address	South Side, Oxpens Road, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Osney And St. Thomas Ward		
Case officer	Sarah De La Coze		
Agent:	Mr Paul Comerford	Applicant:	Oxford City Council
Reason at Committee	The application has been called in to the Planning Review Committee by Councillors Muddiman, Miles, Sandelson, Pegg, Rawle, Malik, Djafari-Marbini, Kerr, Mundy, Dunne, Jarvis and Nala-Hartley (the first 12 members) additional members calling it in were Councillors Thomas, Gant, Goddard and Latif.		

RECOMMENDATION

The Planning Review Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report subject to the required planning conditions set out in section 2 of this report and grant planning permission subject to:

- the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure biodiversity offsetting which is set out in this report; and

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

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

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

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

EXECUTIVE SUMMARY

1.2. At the Oxford City Planning Committee on the 19th March 2023 the committee resolved to approve the grant of planning permission for a new cycle and pedestrian bridge connecting Grandpont Nature Reserve with Oxford Meadows and delegated authority to the Head of Planning and Regulatory Services to issue the planning permission subject to conditions and to the prior completion of a legal agreement to secure biodiversity off-setting.

1.3. The decision of the Oxford City Planning Committee has subsequently been called-in to the Planning Review Committee by Councillors Muddiman, Miles, Sandelson, Pegg, Rawle, Malik, Djafari-Marbini, Kerr, Mundy, Dunne, Jarvis and Nala-Hartley (the first 12 members) additional members calling it in were Councillors Thomas, Gant, Goddard and Latif for the following reason:

The building of a new bridge adjacent to an existing bridge is not an efficient use of land or resources to deliver sustainable growth and development and it is therefore contrary to policies RE1 and RE2 in the Local Plan 2016-2036

1.4. A copy of the officer's committee report to the meeting of the Oxford City Planning Committee on 19th March 2024 is included within **Appendix 2** of this report. The report provided a full assessment of how the proposal would accord with the policies of the current development plan when considered as a whole, and the range of material considerations that along with the development plan policies supported the grant of planning permission. The report also includes a full assessment of how the scheme would also accord with the aims and objectives of the National Planning Policy Framework (NPPF). Having regard to the fact that the development conforms with the development plan as a whole, along with the aims and objectives of the NPPF, members were advised that paragraph 11 of the revised NPPF states that the proposal should be approved without delay. Moreover the report also concludes that there are not any material considerations that would outweigh the compliance with these national and local plan policies.

1.5. Accordingly it is considered that the committee report provided in **Appendix 2** should be read in conjunction with this report.

1.6. This report includes the verbal updates that were given to members during the meeting of the Oxford City Planning Committee on 19 March 2024 and includes the clarification provided on the specific issues which were raised during the committee meeting and in relation to the specific reasons given with the call-in request to the Planning Review Committee.

LEGAL AGREEMENT

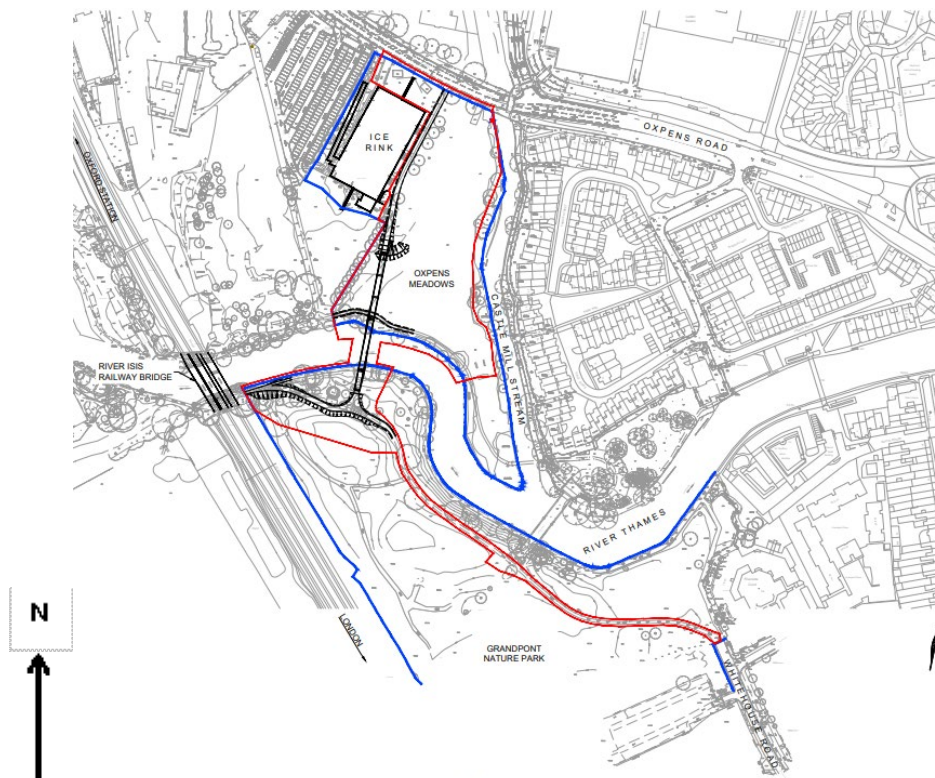
- 1.7. This application is subject to a legal agreement to secure the delivery of a minimum of 5% biodiversity net gain and a Landscape and Ecological Management Plan (LEMP) outlining the long-term ecological management of the site for a period of 30 years.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 1.8. The proposal is not liable for CIL.

SITE AND SURROUNDINGS

- 1.9. The site is located to the south west of the City Centre.
- 1.10. The bridge landing site north of the Thames sits between Oxpens Meadows and the Oxpens allocation site. Oxpens Meadows is bounded by Oxpens Road to the north, Castle Mill Stream to the East with St Ebbes beyond. To the south of the Thames is the pedestrian and cycle towpath which connects to Osney Mead and Osney Island. The Ice Rink and Oxpens allocation is to the west.
- 1.11. The landing site south of the Thames includes land part of Grandpont Nature Park, it also includes a pedestrian and cycle footpath.
- 1.12. The site is not located within a Conservation Area but sits within close proximity to the Osney and Central Conservation Areas.
- 1.13. See site plan below:



PROPOSAL

- 1.14. The application seeks permission for the construction of pedestrian/cycle bridge across the River Thames from Grandpont Nature Park to Oxpens Meadow comprising:
- i. a steel bridge structure with a total span of 98.90m with a river span of 23.39m;
 - ii. associated access points;
 - iii. improvements to existing footpath/cycleway connections;
 - iv. ecological enhancements ; and
 - v. ancillary development including hard and soft landscaping.
- 1.15. The improvement works include addressing the gradient of the path to the south of the river, within the application boundary, where the pathway to the west will be realigned to provide a gentler gradient to facilitate walking and cycling. The path adjacent to the ice rink that leads on to the Oxpens Road will be widened to allow more space for pedestrians and cyclists to pass.
- 1.16. The bridge has been designed to be a shared space between pedestrians and cyclists and will have a deck width of 3.5m. The bridge will allow for a dry route over Oxpens Meadows to be created when the meadows are flooded.

RELEVANT PLANNING POLICY

- 1.17. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents
Design	135-141	RE1 - Sustainable design and construction RE2 - Efficient use of Land G5 - Existing open space, indoor and outdoor DH1 - High quality design and placemaking DH2 - Views and building heights	
Conservation/ Heritage	195-214	DH3 - Designated heritage assets DH4 - Archaeological	

		remains DH5 - Local Heritage Assets	
Natural environment	180-194, 157-175	RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface G1 - Protection of Green/Blue Infrastructure G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	
Transport	108-117	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development	
Environmental	189-194	RE6 - Air Quality RE9 - Land Quality	
Miscellaneous	7-12	S1 - Sustainable development RE7 - Managing the impact of development AOC1 - West End and Osney Mead SP2 - Osney Mead SP1 - Sites in the West End	West End SPD

CONSULTATION RESPONSES

1.18. A complete summary of all consultation responses received in relation to this application from statutory and non-statutory consultees and public representations is contained within Section 9 of the officer's report to the

meeting of the Planning Committee on 19th March 2024 attached at **Appendix 2**.

- 1.19. Two additional letters of comment was received following the committee of the 19th March from an address in Western Road and Cyclox. The comments refer to the impact of the bridge on the Nature Reserve, the impact of the widening of the footpath, the poor alignment, the lack of compliance with LTN1/20. These issues have been addressed in either the committee report which is attached in **Appendix 2** or in the relevant section of this report.

PLANNING MATERIAL CONSIDERATIONS

- 1.20. A copy of the officer's report to the meeting of the Planning Committee on 19th March 2024 is included within **Appendix 2**. It is considered that the officer's report provides a full assessment of the scheme in relation to the relevant policy considerations within the existing local development framework; however this report is intended to respond on the issues which have been raised in relation to the reasons given with the members' request to call the application to the Planning Review Committee
- 1.21. The minutes of the meeting show that during the meeting the Committee also discussed a number of points, therefore this report will focus on those points along with the call-in reason and the verbal updates that were given at committee meeting.
- 1.22. The following issues are discussed in this report:
- i. The building of a new bridge adjacent to an existing bridge is not an efficient use of land or resources to deliver sustainable growth and development and it is therefore contrary to policies RE1 and RE2 in the Local Plan 2016-2036
 - ii. The requirement for a new bridge when there is the existing Gasworks Bridge in the vicinity
 - iii. The impact of the bridge on the Meadows and Nature Reserve and removal of trees
 - iv. Funding of the bridge
 - v. Verbal updates given at committee
- i. The building of a new bridge adjacent to an existing bridge is not an efficient use of land or resources to deliver sustainable growth and development and it is therefore contrary to policies RE1 and RE2 in the Local Plan 2016-2036**
- 1.23. Policy RE1 relates to sustainable design and construction. The planning statement submitted with the application references this policy and how the development would accord with the criteria contained within it.

- 1.24. The policy sets out that planning permission will only be granted where it can be demonstrated that the following sustainable design and construction principles have been incorporated, where relevant:

a) Maximising energy efficiency and the use of low carbon energy;

Principally the bridge seeks to reduce energy and carbon associated with the transport network by making improvements to connectivity throughout the city in order to encourage a modal shift towards walking and cycling. The design of the bridge has also considered these issues by reducing the material demand required by the bridge as well as maximising off site construction which would also allow for few trips associated with the bridge construction.

b) Conserving water and maximising water efficiency;

As the bridge is a piece of infrastructure the use of water supply as part of its operation is not relevant.

c) Using recycled and recyclable materials and sourcing them responsibly;

The bridge limits the use of concrete which reduces its embodied carbon. The use of steel also maximises the opportunity for recycling at the end of its life as well as allowing for easier maintenance which could prolong its working life.

d) Minimising waste and maximising recycling during construction and operation;

The design process for the development has had to consider how the bridge will be constructed. This has meant that a large proportion of the bridge can be fabricated offsite within a factory where waste can be minimised as part of the controlled environment using specialist machinery. Reducing the amount of concrete to construct the bridge reduces the number of concrete pours, and optimising the sequencing of these concrete operations can reduce wastage. Finally, the use of alternative paint will be explored to reduce maintenance requirements in later life which will have waste associations. As there is limited development existing on site, opportunities to maximise recycling during construction is limited. However, the repurposing of topsoil will be encouraged during construction for example using material from excavation for fill where appropriate. There is also scope to recycle organic clearance materials for mulching the proposed landscaping, as well as the repurposing for ecological features where feasible.

e) Minimising flood risk including flood resilient construction;

Flood mitigation measures are provided as part of the scheme including allowing for climate change – this is set out in the flood risk assessment.

f) Being flexible and adaptable to future occupier needs; and

This criteria is typically meant for buildings whereby consideration is given to designing buildings that can be used for various purposes. That said the bridge will allow for future needs as it would help improve pedestrian and cycle routes in this part of the city which would help encourage the modal

shifts in access which is an objective of the County Council's wider highways strategies for the city and wider county. The provision of a bridge in this location is also identified within the Local Plan as an objective to improve connectivity throughout the West End, to support and encourage connectivity within the West End and beyond in general terms as well as in relation to allocated development sites in the Local Plan.

g) Incorporating measures to enhance biodiversity value.

The proposal has been designed to reduce impacts on the site as much as possible, and includes additional landscaping and tree planting to lessen any impacts. In addition biodiversity offsetting is proposed in accordance with policy G2 of the Local Plan.

- 1.25. On this basis officers are therefore of the opinion that the proposal accords with policy RE1 of the Oxford Local Plan.
- 1.26. Policy RE2 of the Oxford Local Plan refers to efficient use of land. The policy preamble sets out that this policy relates mainly to the provision of housing and ensuring that developments achieve an appropriate density to contribute towards the city's need especially where land is constrained. It was not meant to relate to development proposals such as this which are looking to provide infrastructure. Notwithstanding this officers have considered it in the context of the bridge. The policy states:
- 1.27. Planning permission will only be granted where development proposals make efficient use of land. Development proposals must make best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford, as well as addressing the following criteria:

a) the density must be appropriate for the use proposed;

The site is an open area which has the capacity to accommodate a new bridge. The bridge will be located within an area of change as identified in policy AOC1 of the Oxford Local Plan. The preamble to the policy highlights the potential for a new bridge and states "*The West End is the south west corner of the city centre, including Oxford Station. Osney Mead sits on the other side of the river, but with good connectivity to Oxford Station and potential to be better integrated with the city centre via a bridge to the West End. Much of the area is underutilised and does not reflect Oxford's international reputation or live up to its potential.*"

The policy also highlights the need to improve connectivity.

Policy AOC1: West End and Osney Mead

Planning permission will be granted for new development within the area of change where it would take opportunities to deliver the following, where relevant:

- Create high-density urban living that makes efficient use of land
- Maintain a vibrant mix of uses
- Has regard to the framework set out in the West End Design Code
- Maximise the area's contribution to Oxford's knowledge economy
- Enhance public realm along the waterways
- Enhance connectivity throughout the area, including along and across waterways
- Enhance the pedestrian and cycling experience
- Ensure that the heritage of the area informs and guides new development proposals
- Create easy and attractive transport interchange
- Reduce car parking

b) the scale of development, including building heights and massing, should conform to other policies in the plan. It is expected that sites at transportation hubs and within the city and district centres in particular will be capable of accommodating development at an increased scale and density, although this will also be encouraged in all other appropriate locations where the impact of so doing is shown to be acceptable;

The bridge has been designed to respond to its setting. The location of the bridge takes advantage of the existing levels at Grandpont. The existing towpath is unaffected and passes under the bridge. The bridge lands close to the level of the upper path through Grandpont. The low and refined profile of the bridge, combined with the aim to allow for transparency through the bridge together minimises negative impact on landscape setting. The structural design has led the form of the bridge which reflects a response to the site context. Shifting the structural mass to either end of the bridge, allows it to line up with the tree growth at which point views through are already much reduced. In addition, this structural mass is situated on opposite sides of the bridge so there is always one section that is open which maintains openness and outlook on one side or the other, when passing over the bridge and avoids a tunnel effect for users.

The bridge will bring with it a visual change to the area given but this must be seen in the context of the city. As mentioned the area to the north is an 'Area of Change' where the context of the area is expected to change and therefore officers consider that the bridge would sit comfortably within its own setting as a standalone application, it will also sit comfortably within the 'Area of Change' and will be experienced as part of a large part of the city which is likely to bring with it regeneration in the future.

c) opportunities for developing at the maximum appropriate density must be fully explored; and

The bridge is considered to be of a scale that sits comfortably within its setting. There is always a balance to be made when considering maximum appropriate density and officers are of the opinion that the proposed width, design and location of the bridge is acceptable to its specific setting taking in to account all the competing priorities.

d) built form and site layout must be appropriate for the capacity of the site.

High-density development (for residential development this will indicatively be taken as 100dph) is expected in the city centre and district centres.

As set out previously with regard to the local plan policies the bridge delivers the local plan requirements in improving connectivity in a way that is appropriate for the site and setting. The Grandpont Nature Park covers some 14 acres (excluding the recreation ground). The application sets out that the footprint of the proposed bridge and path is approximately 0.14 acre which is just 1% of the area.

1.28. On that basis, whilst it is clear that this policy was meant to apply to the provision of development such as housing, rather than an infrastructure project, officers are of the opinion that the proposed development would meet the requirements of policy RE2 of the Oxford Local Plan.

1.29. The call-in reason states that the bridge is not an efficient use of land or resources to deliver sustainable growth and development. Officers are of the opinion that a new piece of infrastructure linking and improving east west connections across the city, as well as linking significant allocation sites would help deliver sustainable growth and development. The inclusion of a new bridge in this location would help promote and encourage sustainable forms of travel across the city in line with the city and county's aspirations to reduce the reliance on the private motorcar and encourage more sustainable forms of travel. The West End SPD and Oxford Local Plan further confirms this by highlighting that a new bridge crossing is a key infrastructure project and the Osney and West End allocation sites also highlights the aspiration for a new bridge to be delivered. For these reasons the proposal is considered to comply with Oxford's Development Plan.

ii. The requirement for a new bridge when there is the existing Gasworks Bridge in the vicinity.

1.30. The officer report located in **Appendix 2** sets out that consideration was given to whether the Gasworks Bridge could be used instead of the new bridge. As the report explains, this was not considered suitable for a number of reasons. Following the committee meeting further clarification has been provided by the applicant as to why the Gasworks Bridge is not considered as an alternative

and what works would be required in order to upgrade the Gasworks Bridge to make it a suitable alternative.

1.31. The following works/issues would need to be resolved/required:

- Raising the parapet of the bridge from 1.1m to 1.4m to make it suitable for cycling
- Increasing the width of the access path on the north side to 3m to create a shared use path, necessitating the removal of part of the wall and piers on the north side and setting back other items and removal of trees before the path would narrow back to 2m
- Two path options were identified but it was recognised that there were flood implications that would need to be explored. It was suggested a 1.5m raising of path levels would be necessary for the path through the floodplain. This would involve greater construction within the meadows which is sensitive in terms of archaeology and flood capacity and would require the agreement of the Environment Agency
- The North approach, even with improvements, would be narrower only meeting minimum standards with areas of constraint, and therefore would have less capacity than the proposed route
- The existing path to Oxpens Road alongside the Castle Mill Stream is too narrow to be comfortably used for cycling and there is no room to improve it because of its location between the stream and housing.
- The Castle Mill Stream bridge is below standard to allow cyclists and pedestrians to pass, 2.05m
- The Western end of the Castle Mill Stream bridge is situated in an area of the Oxpens Meadows that regularly floods.
- The historic bridge would need to be altered, with raised parapets and removal of the piers on the Northside, affecting its appearance.

1.32. In addition to these points there is no funding available to undertake alterations to the Gasworks Bridge. Oxfordshire County Council highways also identified that the connecting routes from the Gasworks Bridge are of low quality.

1.33. Having regard to the above points, Officers are satisfied that the use of the Gasworks Bridge was explored but not taken forward for the reasons given above. When the Local Plan and West End SPD were adopted, the Gasworks bridge was in existence and the need and aspiration for a new bridge was still considered to be a key infrastructure priority. The principle of a new bridge that sits alongside the Gasworks Bridge is therefore acceptable in policy terms and officers are of the opinion that the inclusion of an existing bridge in the vicinity (the Gasworks Bridge) would not in itself be a reason for refusal as the local policy takes into account the existing infrastructure in the area and the use and existence of one bridge does not exclude the inclusion of another bridge in policy terms.

iii. The impact of the bridge on the Meadows and Nature reserve and removal of trees.

- 1.34. The bridge would bring with it a change to the appearance of the Nature Reserve and Meadows with the inclusion of a new bridge. On the south the bridge landing position has been chosen so it can land on the footpath without impacting on the tow path beneath. Tree planting is proposed to help mitigate the impact of the bridge landing location.
- 1.35. Along this stretch of the Nature Reserve there are other infrastructure elements that are visible such as the Gasworks Bridge and the Railway Bridge. The inclusion of another bridge would therefore not be seen as an alien or inappropriate addition given what else is present in the vicinity nor would it be considered out of context with this section of the Nature Reserve. The proposed bridge would not impact on the usability of the Nature Reserve and would instead see upgrades to the footpath allowing for it to be more accessible which is supported by the Local Plan. The location of the bridge on the Meadow side would still allow for a large area of useable space and is considered appropriate for this Area of Change identified in the Local Plan. As set out previously the Local Plan and West End SPD supports the inclusion of a bridge in this location and the bridge has been designed in response to its setting.
- 1.36. A number of concerns were raised about the removal of trees from the site prior to the application being determined. As set out in the officer report in **Appendix 2** the trees were removed by the applicant in advance of any planning permission in order to avoid the bird nesting season. The site is not in a Conservation Area and the trees removed were not subject to a TPO, therefore no permission was required for their removal. In addition, the forestry commission have confirmed that the works carried out did not require a felling licence.
- 1.37. The application seeks to provide additional tree planting on the site. These include 6 native trees to the north and 3 to the south of the Thames, in addition 40 feathered trees will be integrated into the wider landscaping works. Officers are therefore of the opinion that whilst the proposal will see the loss of some trees, this would not include any category A trees and the proposed planting would be acceptable in terms of mitigating against the loss of the trees.

iv. Funding for the bridge

- 1.38. The funding for the bridge is not a material planning consideration and is therefore not considered by officers when making their recommendation to approve the application and this should not be taken into account by members when considering the application.

v. Verbal updates given at committee on the 19th March 2024.

A number of verbal updates were given at the committee meeting on the 19th March, The following comments relate to those that have not already been addressed in either the committee report in **Appendix 2** or this report.

EIA Screening

- 1.39. Prior to the committee meeting, representations were made that the development had not been appropriately screened as to whether an Environment Impact Assessment (EIA) was required.
- 1.40. The applicant did seek an opinion from officers prior to the submission of the application as to whether an EIA was necessary. Having reviewed the screening request officers were satisfied that the development would not give rise to significant environmental effects that would need to be considered through the submission of an Environmental Impact Assessment. The application was supported by a range of technical documents that considered the environmental impact of the development and the assessment contained within the committee report in **Appendix 2** has considered these impacts and conditions are imposed which will mitigate any impact.
- 1.41. In addition comments were made as to whether the bridge should be screened in combination with the Oxpens development and Osney Mead allocation. The application for the bridge is a standalone development that can be delivered on its own without the need for the Oxpens or Osney Mead allocations to be delivered and vice versa. Therefore, the bridge does not need to be screened with the surrounding development allocations and was therefore screened on its own merits.

Flooding and the sequential test

- 1.42. Prior to the committee meeting, concerns were raised that the committee report did not provide commentary on the sequential and exception tests relating to flood risk as set out within the NPPF. Officers advised members at the meeting that these tests were considered within the Flood Risk Assessment submitted with the application and that officers agree with the assessment contained within this document.
- 1.43. Officers consider the development to be essential infrastructure and that this type of development is acceptable in flood zone 3b, notwithstanding this, the sequential and the exception test will still need to be met.
- 1.44. With regard to the bridge, policy SP1 and SP2 sets out that a new cycle and pedestrian bridge over the river should be delivered in this location to link and enhance routes to the city centre. The aspiration for a new bridge over a watercourse, would in itself be required to cross an area of high risk to flooding. The Local Plan and West End SPD sets out that this area should be the location for the bridge. Officers therefore consider the sequential test has been met. If a development cannot be located in an area of lower flood risk an exception test should be carried out.
- 1.45. *Paragraph 170 of the NPPF sets out:*
- 1.46. *“To pass the exception test it should be demonstrated that: a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. Both elements*

of the exception test should be satisfied for development to be allocated or permitted.”

- 1.47. The application sets out that the application would bring with it wider sustainability benefits by providing a route that improves cycle and pedestrian connectivity to the city centre as well as surrounding allocated sites. In addition, the application is supported with an FRA that demonstrates that the development would not increase flood risk. Officers therefore consider that the exception test has been met.
- 1.48. A comment was also received regarding the consultation of the application. Site notices were placed around the site in November 2023 and an advert placed in the newspaper in November 2023, in line with the statutory requirements.

CONCLUSION

- 1.49. Having regard to the matters dealt with in this report and the committee report to the Planning Committee on 19th March included in **Appendix 2**, 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.
- 1.50. The NPPF recognises the need to take decisions in accordance with section 38 but also makes clear that it is a material consideration in the determination of any planning application. The main aim of the NPPF is to deliver sustainable development, with paragraph 11 detailing the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the NPPF. The relevant development plan policies are considered to be consistent with the NPPF.

Compliance with Development Plan Policies

- 1.51. Therefore in conclusion it is necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.
- 1.52. The proposal is considered to comply with the development plan.

Material considerations

- 1.53. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report and in the report at Appendix 2.
- 1.54. National Planning Policy: The NPPF has a presumption in favour of sustainable development. NPPF paragraph 11 states that proposals that

accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.

- 1.55. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, Paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 1.56. The proposals submitted under this full application comprise the erection of a new cycle and foot bridge and associated footpath improvements. The proposal will not have an unacceptable impact on flooding, highways, neighbouring amenity, the historic environment, biodiversity or trees as well as the other matters discussed in the report and conditions have been included to ensure this remains in the future.
- 1.57. It is therefore recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 2 below and to the prior completion of a legal agreement made pursuant to section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report.

2. CONDITIONS

Time limit

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

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

Approved Plans

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

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

Materials

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

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

Contaminated Land 1

4. The development shall not come into use until the approved remedial works, as outlined within Chapter 9 of the submitted Ground Investigation Report by Stantec, have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority. All piling works must be carried out in accordance with the Environment Agency guidance for piling in potentially contaminated sites (EA, 2001 and 2002).

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

Contaminated Land 2

5. 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 2016 – 2036

Construction Traffic Management Plan (CTMP)

6. A Construction Traffic Management Plan (CTMP) shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of development. This should identify as a minimum;

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site and should account for the proposed traffic filter trial.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
- The erection and maintenance of security hoarding / scaffolding if required.
- Arrangements for delivery of abnormal loads
- Detailed drawings of temporary construction access points and their reinstatement

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

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

Oxpens Road connection

7. Prior to work commencing on the bridge structure full details of the junction of the connecting path and Oxpens Road shall be submitted to and approved in writing by the Local Planning Authority. This should include proposals for dropped kerbs, tactile paving requirements and measures to prevent unauthorised vehicle access. The works shall be completed in accordance with the approved details prior to the bridge being opened to public use.

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

Landscape Proposals

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

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

Landscape Proposals Reinstatement

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

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

Landscape Management Plan

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

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

Landscape Surface Design – Tree Roots

11. No development shall take place until details of the design of all new hard surfaces and a method statement for their construction shall first have been submitted to and approved in writing by the Local Planning Authority and the hard surfaces shall be constructed in accordance with the approved details unless otherwise agreed in writing beforehand by the Local Planning Authority. Details shall take into account the need to avoid any excavation within the Root Protection Area of any retained tree and where appropriate the Local Planning Authority will expect "nodig" techniques to be used, which require hard surfaces to be constructed on top of existing soil levels in accordance with the current British Standard 5837: "Trees in Relation to Design, Demolition and Construction – Recommendations".

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

Underground Services Tree Roots

12. No development shall take place until details of the location of all underground services and soakaways have been submitted to and approved in writing by the Local Planning Authority. The location of underground

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

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

Tree Protection Plan (TPP)2

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

Arboricultural Method Statement (AMS) 1

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

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

Arboricultural Monitoring Programme (AMP)

15. Development, including demolition and enabling works, shall not begin until details of an Arboricultural Monitoring Programme (AMP) have been submitted to and approved in writing by the Local Planning Authority (LPA). The AMP shall include a schedule of a monitoring and reporting programme of all on-site supervision and checks of compliance with the details of the Tree Protection Plan and Arboricultural Method Statement, as approved in writing by the Local Planning Authority. The AMP shall include details of an

appropriate Arboricultural Clerk of Works (ACoW) who shall conduct such monitoring and supervision, and a written and photographic record shall be submitted to the LPA at scheduled intervals for approval in writing in accordance with the approved AMP. The development shall then be carried out in accordance with the approved AMP unless otherwise agreed in writing by the Local Planning Authority.

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

CEMP

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

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

Method Statement

17. No development shall take place until the applicant, or their agents or successors in title, has submitted a detailed method statement for the construction and removal of temporary works in compliance with the Balfour Beatty method parameters (February 2024) All works shall be carried out and completed in accordance with the approved method statement, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including post medieval remains in accordance with Policy DH4 of the Oxford Local Plan 2016-2036

Archaeology

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

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including prehistoric, medieval, post medieval and early modern remains in accordance with Policy DH4 of the Oxford Local Plan 2016-2036

Great Crested Newts

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

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

Great Crested Newts 2

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

Reason: In order to adequately compensate for negative impacts to great crested newts, and in line with section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006. In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WMLOR112, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

Compliance with existing detailed biodiversity method statements

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

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

Construction Environmental Management Plans (Biodiversity)

22. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following.
- a) Risk assessment of potentially damaging construction activities on the River Thames and surrounding habitats.
 - b) Identification of “biodiversity protection zones”.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on the River Thames and surrounding habitats during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of a qualified ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

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

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

Ecological Enhancements

23. Prior to occupation of the development, details of ecological enhancement measures including at least four bat roosting devices and three bird nesting devices shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the proposed specifications, locations, and arrangements for any required maintenance. The approved devices shall be fully constructed under the oversight of a suitably qualified ecologist prior to occupation of the approved development, and evidence of installation provided to the Local Planning Authority. The approved devices shall be maintained and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

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

Limitation of Lighting

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

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

Flood Risk Assessment

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

- The soffit height of the bridge shall be set at a minimum height of 58.20 metres above Ordnance Datum (mAOD), in accordance with section 6.1.2 of the submitted flood risk assessment.
- 84.6m³ of compensatory storage shall be provided, in accordance with section 6.2.6 of the submitted flood risk assessment and detailed in the flood compensation scheme in Appendix D (drawing reference OXPEN-STN-GENALL-DR-L-3001-P04, dated 26th February 2024). At no point during the construction of the proposed development result in a temporary loss in floodplain storage.

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

Reasons: In accordance with paragraph 170 of the NPPF: • To prevent an increase in the risk of flooding elsewhere by ensuring that compensatory storage of flood water is provided. • To prevent an increase in flood risk elsewhere by ensuring that the flow of flood water is not impeded, and the proposed development does not cause a loss of floodplain storage. • To prevent obstruction to the flow and storage of flood water, which would lead to an increase in flood risk elsewhere. This condition is supported by local plan policy NE3 of the Oxford Local Plan 2036.

Dust Mitigation

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

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

SuDS

27. The drainage system shall be implemented in accordance with the approved Detailed Design detailed below prior to the use commencing:

- Flood Risk Assessment and Surface Water Drainage Strategy 332610335 | Rev: P02 | Date: October 2023
- General Arrangement Bridge Scheme (OXPEN-STN-GEN-ALL-DR-C-0005)
- General Arrangement Bridge Scheme and Oxpens Masterplan (OXPEN-STN-GEN-ALL-DRC-0006)
- Floodplain Compensation Drawing (OXPEN-STN-GEN-ALL-DR-C-3000)
- Proposed Drainage Layout (OXPEN-STN-GEN-ALL-DR-C-0007)
- MicroDrainage Calculations • Northern Soakaway • Southern Soakaway

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal in accordance with policy RE4 of the Oxford Local Plan.

Surface Water Drainage

28. Construction shall not begin 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 subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- 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 Paragraph 155 of the National Planning Policy Framework (NPPF) and Local and National Standards and policy RE4 of the Oxford Local Plan.

SuDS As Built and Maintenance Details

29. Prior to first use, 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.

Informatives

1. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels – if altered, to be such that water flows away from the railway. Drainage does not show up on Buried service checks.
2. Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basic Asset Protection Agreement, if required, with a minimum of 3 months notice before works start. Initially the outside party should contact assetprotectionwestern@networkrail.co.uk
3. Please note that this consent does not override the statutory protection afforded to species protected under the terms of The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended), or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992.
4. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place: • on or within 8 metres of a main river (16 metres if tidal) • on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal) • on or within 16 metres of a sea defence • involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert • in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

APPENDICES

- **Appendix 1** – Site Plan
- **Appendix 2** – Committee Report
- **Appendix 3** – ODRP Letter

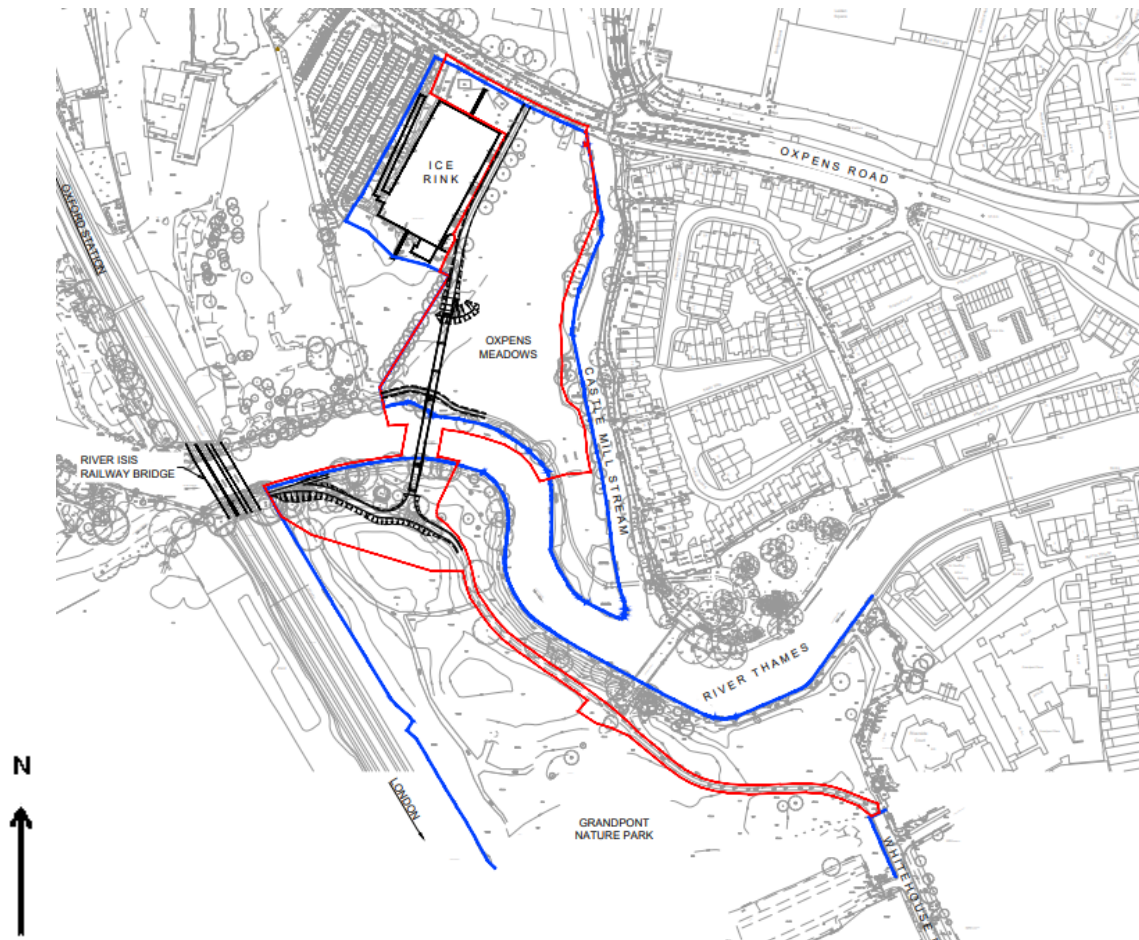
HUMAN RIGHTS ACT 1998

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.

Appendix 1 – Site Location Plan



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Oxford City Planning Committee

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

1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

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

- the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure biodiversity offsetting which is set out in this report; and

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

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

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

2. EXECUTIVE SUMMARY

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

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

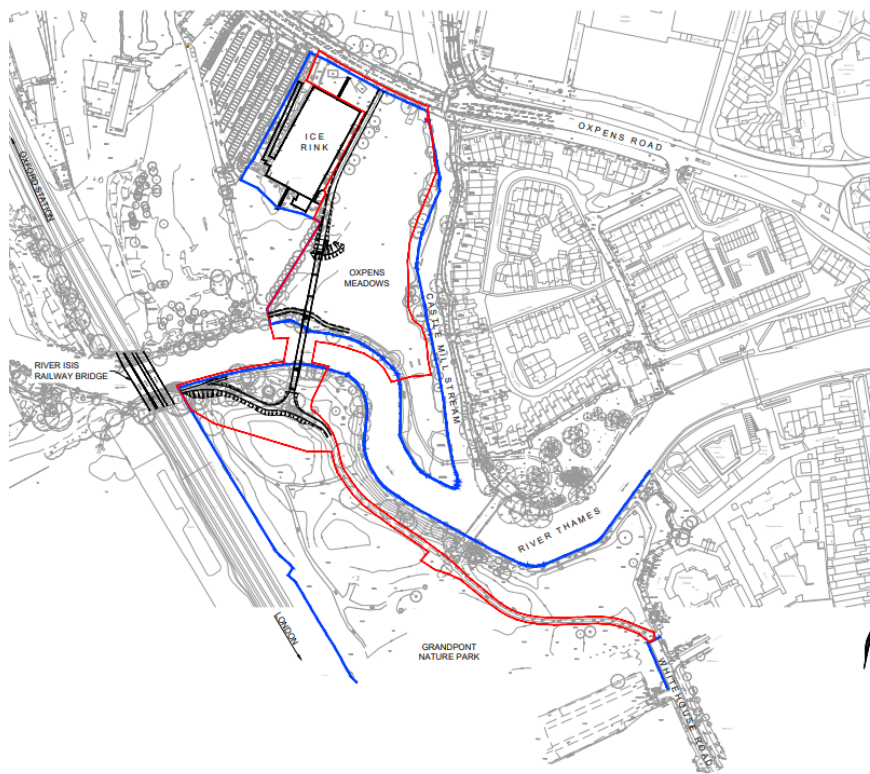
5.1. The site is located to the south west of the City Centre.

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

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

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

5.5. See site plan below:



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Ordnance Survey 100019348

6. PROPOSAL

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

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

- ii. associated access points;
- iii. improvements to existing footpath/cycleway connections;
- iv. ecological enhancements ; and
- v. ancillary development including hard and soft landscaping.

6.2. The improvement works include addressing the gradient of the path to the south of the river, within the application boundary, where the pathway to the west will be realigned to provide a gentler gradient to facilitate walking and cycling. The path adjacent to the ice rink that leads on to the Oxpens Road will be widened to allow more space for pedestrians and cyclists to pass.

6.3. The bridge has been designed to be a shared space between pedestrians and cyclists and will have a deck width of 3.5m. The bridge will allow for a dry route over Oxpens Meadows to be created when the meadows are flooded.

7. RELEVANT PLANNING POLICY

7.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents
Design	135-141	RE1 - Sustainable design and construction RE2 - Efficient use of Land G5 - Existing open space, indoor and outdoor DH1 - High quality design and placemaking DH2 - Views and building heights	
Conservation/ Heritage	195-214	DH3 - Designated heritage assets DH4 - Archaeological remains DH5 - Local Heritage Assets	
Natural environment	180-194, 157-175	RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface G1 - Protection of Green/Blue Infrastructure G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced	

		Green and Blue Infrastructure	
Transport	108-117	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development	
Environmental	189-194	RE6 - Air Quality RE9 - Land Quality	
Miscellaneous	7-12	S1 - Sustainable development RE7 - Managing the impact of development AOC1 - West End and Osney Mead SP2 - Osney Mead SP1 - Sites in the West End	West End SPD

8. CONSULTATION RESPONSES

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

Statutory and non-statutory consultees

Oxfordshire County Council

Highways

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

Drainage

- 8.6. No objection subject to conditions

Environment Agency

8.7. No objection subject to conditions

Thames Valley Police

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

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

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

Natural England

8.11. No objection

Network Rail

8.12. No objection subject to informatives

Historic England

8.13. No comment

Cyclox

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

Oxford Preservation Trust

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

9. Public representations

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

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

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

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

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

a. Principle of development

- 10.2. The principle of a new foot/cycle bridge over the Thames is set out in policies SP1, AOC1, M1 of the OLP as well as the West End SPD.
- 10.3. Policy SP1 of the OLP states that development coming forward in Oxpens should not prevent a new foot/cycle bridge coming forward. Policy SP2 further reiterates the requirement for a foot/cycle bridge to be delivered in order to provide better connectivity between sites such as Osney Mead with the city centre. Policy AOC1 further reiterates this desire to link the south west corner of the city with the west end and city centre.
- 10.4. Policy M1 of the OLP states that “Planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport”. The West End SPD sets out that the bridge is one of the key infrastructure priorities in relation to movement.
- 10.5. Policy M1 of the OLP also refers to new pedestrian and cycle routes which are detailed on the local plan policies map. The policy sets out that proposals will be expected to deliver these links and where opportunities arise to secure improvements. The proposal seeks to improve the neighbouring paths alongside delivering the bridge. The improvement works include addressing the gradient of the path to the south of the river, within the application boundary, where the pathway to the west will be realigned to provide a gentler gradient to facilitate walking and cycling. The path adjacent to the ice rink, to Oxpens Road, will be widened to allow more space for pedestrians and cyclists to pass. Works also include improvements to surfacing of the paths to the north

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

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

b. Design and Impact on the Historic Environment

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

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

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

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

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

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

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

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

c. Neighbouring amenity

- 10.38. Policy RE7 of the Oxford Local Plan states that planning permission will only be granted for development that ensures that standards of amenity are protected. This includes the amenity of occupiers and neighbours is protected in addition to not having unacceptable, unaddressed transport impacts and provides mitigation measures where necessary.
- 10.39. The proposed bridge will be located more than 85m from the rear of the closest residential property. Either side of the bridge will be the connecting paths. Whilst the bridge may be visible from the neighbouring properties, it is considered that the bridge is sufficiently distanced from the neighbouring properties so not to have an adverse impact. The bridge is not proposed to be lit at this point, but provision has been made so it could be lit in the future. Notwithstanding this, it is considered that any lighting that may come forward in the future would be designed in a way to focus light on the bridge. Given the separation distance of the bridge and neighbouring properties the bridge is not considered to have an unacceptable impact.
- 10.40. The indirect amenity impacts arising from the development is associated with temporary construction activities, most notably construction traffic, noise disturbance and dust generation. To address matters arising from the construction phase of the development a Construction Environmental Management Plan (CEMP) is recommended to be required as a condition. With regard to traffic a construction traffic management plan (CTMP) would be required as a condition which would deal with construction traffic. The development is therefore considered to accord with Policies RE 7 of the Oxford Local Plan.

d. Highways

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

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

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

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

e. Sustainability

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

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

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

f. Biodiversity

- 10.57. Policy G2 of the Oxford Local Plan states that development that results in a net loss of sites and species of ecological value will not be permitted. Policy G2 also identifies that compensation and mitigation measures must offset the loss and achieve an overall net gain for biodiversity. For all major developments proposed on greenfield sites or brownfield sites that have become vegetated, this should be measured through use of a recognised biodiversity calculator. To demonstrate an overall net gain for biodiversity, the biodiversity calculator should demonstrate an improvement of 5% or more from the existing situation.
- 10.58. The application is accompanied by an Ecological Impact Assessment and a Biodiversity Net Gain Report. The report sets out *“The proposed development will result in the loss of some areas of woodland within the Grandpont Nature Park area and areas of grassland to the north of the Thames, with the bridge crossing over the River Thames. The landscape design for the proposals have sought to enhance the areas of retained woodland and grassland and the bankside habitat of the River Thames, through additional tree planting, woodland planting and removal of non-native invasive species as set out within the proposed landscape design”*.
- 10.59. The revised biodiversity metric indicates that proposed development would result in a net loss 0.33 habitat units on-site (-3.86%), a loss of 0.47 hedgerow units (-73.13%), and a loss of 0.01 watercourse units (-0.14%). The applicant is proposing to deliver the required offsetting to reach a net gain of 5% in all unit types through a third-party provider such as the Trust for Oxfordshire’s Environment (TOE). Government guidance sets out biodiversity net gain. *“For*

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

- 10.60. The applicant stated that they wished to register the site under the District Level Licence held by the planning authorities in Oxfordshire and administered by NatureSpace (WML-OR112). The applicant has submitted a NatureSpace report to this end in support of the application that confirms the proposed development would be eligible for this.
- 10.61. Regarding protected species, the site was assessed to have the potential to support great crested newts (GCN) due to the presence of suitable waterbodies within 500m and suitable terrestrial habitat on-site. GCN are a European protected species. The species is protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).
- 10.62. The local planning authority must consider the likelihood of a licence being granted when determining a planning application. This requires consideration of the “three tests” development must pass to qualify for a licence, as set out in The Conservation of Habitats and Species Regulations 2017 (as amended):
 - 10.63. a) The purpose of the development must be preserving public health or public safety or another imperative reason of overriding public interest (including those of a social or economic nature);
 - 10.64. b) There must be no satisfactory alternative; and
 - 10.65. c) The development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.
- 10.66. According to the NatureSpace report, the application site contains both a green zone and a white zone, which are respectively defined as an area where GCN may be present, and where there is a low probability of presence. This indicates there is a relatively low risk of an impact arising as a result of the proposed development, which the applicant is seeking to address through registration of the site under the District Level Licence.
- 10.67. Officers are satisfied that the development meets the 3 tests. For the first test, it complies with planning policy and provides public benefits in the form of a new sustainable route being provided linking allocated sites with the city centre, with regard to the second test there would be no alternative than to deliver this bridge in this location given the specific reference and requirements of the

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

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

g. Drainage and Flooding

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

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

h. Environmental Health

Contaminated Land

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

Air Quality

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

i. Other matters

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

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

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

11. CONCLUSION

- 11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. The NPPF recognises the need to take decisions in accordance with section 38 but also makes clear that it is a material consideration in the determination of any planning application. The main aim of the NPPF is to deliver Sustainable Development, with paragraph 11 detailing the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the NPPF. The relevant development plan policies are considered to be consistent with the NPPF.

Compliance with Development Plan Policies

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

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

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

Material considerations

- 11.5. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.
- 11.6. National Planning Policy: The NPPF has a presumption in favour of sustainable development. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.
- 11.7. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, Paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 11.8. The proposals submitted under this full application comprise the erection of a new cycle and foot bridge and associated footpath improvements. The proposal will not have an unacceptable impact on flooding, highways, neighbouring amenity, the historic environment, biodiversity or trees as well as the other matters discussed in the report and conditions have been included to ensure this remains in the future.
- 11.9. It is therefore recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 below and to the prior completion of a legal agreement made pursuant to section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report.

12. CONDITIONS

Time limit

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

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

Approved Plans

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

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

Materials

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

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

Contaminated Land 1

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

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

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

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

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

Contaminated Land 2

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

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

Construction Traffic Management Plan (CTMP)

6. A Construction Traffic Management Plan (CTMP) shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of development. This should identify as a minimum;
- The CTMP must be appropriately titled, include the site and planning permission number.
 - Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site and should account for the proposed traffic filter trial.
 - Details of and approval of any road closures needed during construction.
 - Details of and approval of any traffic management needed during construction.
 - Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
 - Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
 - The erection and maintenance of security hoarding / scaffolding if required.
 - Arrangements for delivery of abnormal loads
 - Detailed drawings of temporary construction access points and their reinstatement

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

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

Oxpens Road connection

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

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

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

Landscape Proposals

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

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

Landscape Proposals Reinstatement

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

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

Landscape Management Plan

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

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

Landscape Surface Design – Tree Roots

11. No development shall take place until details of the design of all new hard surfaces and a method statement for their construction shall first have been submitted to and approved in writing by the Local Planning Authority and the hard surfaces shall be constructed in accordance with the approved details

unless otherwise agreed in writing beforehand by the Local Planning Authority. Details shall take into account the need to avoid any excavation within the Root Protection Area of any retained tree and where appropriate the Local Planning Authority will expect "nodig" techniques to be used, which require hard surfaces to be constructed on top of existing soil levels in accordance with the current British Standard 5837: "Trees in Relation to Design, Demolition and Construction – Recommendations".

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

Underground Services Tree Roots

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

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

Tree Protection Plan (TPP)2

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

Arboricultural Method Statement (AMS) 1

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

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

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

Arboricultural Monitoring Programme (AMP)

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

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

CEMP

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

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

Method Statement

17. No development shall take place until the applicant, or their agents or successors in title, has submitted a detailed method statement for the construction and removal of temporary works in compliance with the Balfour Beatty method parameters (February 2024) All works shall be carried out and completed in accordance with the approved method statement, unless otherwise agreed in writing by the Local Planning Authority.

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

visitors, including post medieval remains in accordance with Policy DH4 of the Oxford Local Plan 2016-2036

Archaeology

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

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including prehistoric, medieval, post medieval and early modern remains in accordance with Policy DH4 of the Oxford Local Plan 2016-2036

Great Crested Newts

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

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

Great Crested Newts 2

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

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

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

Compliance with existing detailed biodiversity method statements

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

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

Construction Environmental Management Plans (Biodiversity)

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

a) Risk assessment of potentially damaging construction activities on the River Thames and surrounding habitats.

b) Identification of "biodiversity protection zones".

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

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

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

f) Responsible persons and lines of communication.

g) The role and responsibilities on site of a qualified ecological clerk of works (ECoW) or similarly competent person.

h) Use of protective fences, exclusion barriers and warning signs.

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

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

Ecological Enhancements

23. Prior to occupation of the development, details of ecological enhancement measures including at least four bat roosting devices and three bird nesting devices shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the proposed specifications, locations, and arrangements for any required maintenance. The approved devices shall be fully constructed under the oversight of a suitably qualified ecologist prior to occupation of the approved development, and evidence of installation provided to the Local Planning Authority. The approved devices shall be maintained and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

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

Limitation of Lighting

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

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

Flood Risk Assessment

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

- The soffit height of the bridge shall be set at a minimum height of 58.20 metres above Ordnance Datum (mAOD), in accordance with section 6.1.2 of the submitted flood risk assessment.
- 84.6m³ of compensatory storage shall be provided, in accordance with section 6.2.6 of the submitted flood risk assessment and detailed in the flood compensation scheme in Appendix D (drawing reference OXPEN-STN-GENALL-DR-L-3001-P04, dated 26th February 2024). At no point during the construction of the proposed development result in a temporary loss in floodplain storage.

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

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

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

Dust Mitigation

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

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

Informatives

1. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels – if altered, to be such that water flows away from the railway. Drainage does not show up on Buried service checks.
2. Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basic Asset Protection Agreement, if required, with a minimum of 3 months notice before works start. Initially the outside party should contact assetprotectionwestern@networkrail.co.uk
3. Please note that this consent does not override the statutory protection afforded to species protected under the terms of The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended), or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992.
4. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place: • on or within 8 metres of a main river (16 metres if tidal) • on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal) • on or within 16 metres of a sea defence • involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert • in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

13. APPENDICES

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

14.HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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Report of the Oxford Design Review Panel

Oxpens Bridge

15 September 2022

Introduction

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

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

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

Paragraph 133 of the National Planning Policy Framework (2021) states that “local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for a Healthy Life 51. These are of most benefit if used as early as possible in the evolution of schemes and are particularly important for significant projects such as large scale housing and mixed use developments. In assessing applications, planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels.”

Summary

The principle and location of the new bridge at Oxpens has been agreed for some time. The Panel has been invited to advise on its siting, design and relationship to its surroundings.

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

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

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

Key recommendations

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

Detailed comments and recommendations

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

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

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

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

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

Appendix B: Scheme details

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

Confidentiality

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

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

Role of design review

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

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

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Minutes of a meeting of the Planning Review Committee on Thursday 11 November 2021



Committee members present:

Councillor Munkonge (Chair)	Councillor Thomas (Vice-Chair)
Councillor Coyne	Councillor Linda Smith
Councillor Waite	Councillor Wolff
Councillor Snowton (for Councillor Roz Smith)	Councillor Miles (for Councillor Goddard)
Councillor Fry (for Councillor Turner)	

Officers present for all or part of the meeting:

Adrian Arnold, Head of Planning Services
Andrew Murdoch, Development Management Service Manager
Clare Gray, Principal Planner
Gill Butter, Principal Heritage Officer
Sally Fleming, Planning Lawyer
Catherine Phythian, Committee and Member Services Officer

Also present:

Apologies:

Councillor(s) Goddard, Roz Smith and Turner sent apologies.
Substitutes are shown above.

7. Declarations of Interest

Councillor Munkonge stated that he was a graduate of Oxford Brookes University and that he had also called the application in to committee. He said that he had expressed no view on the application and had not made his mind up on the matter and approached it with an open mind.

Councillor Fry stated that he had called the application in to committee but he had expressed no view on the application and had not made his mind up on the matter and approached it with an open mind.

Councillor Snowton stated that he was a member of the campaigning group Oxford YIMBY, but was not aware that the group had taken any stance on the application and he was approaching the application with an open mind.

Councillor Coyne stated that she was the ward councillor for Headington Hill and Northway and although she had been in contact with local residents regarding the

application she had not made her mind up on the matter and approached it with an open mind.

Councillor Miles stated that she was a member of Cyclox, an organisation which had commented on the application but that she had taken no part in the organisation's discussions or decision making regarding the application before the Committee. She said that she was approaching the application with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

8. 21/01185/FUL: Site Of Blocks C F G H J K L And M, Clive Booth Hall, John Garne Way, Oxford, OX3 0FN

The Committee considered an application (21/01185/FUL) for planning permission for the demolition of twelve buildings (including main accommodation Blocks C, F, G, H, J, K, L and M) and the erection of twelve buildings to provide student accommodation, with ancillary communal and social facilities and associated administrative building (Class C2) and the erection of children's nursery (Class E). Alterations to car parking, installation of cycle parking structures and associated landscaping works, including reorganisation of existing footpaths and cycle ways, drainage features and ancillary development. Installation of a waste compactor unit and alterations to an existing road to enable access.

The application was before the Committee as it had been called in by 13 councillors following the decision of the Oxford City Planning Committee to refuse the application on 12 October 2021.

The Planning Officers presented the report and referenced the following typographical amendments:

- Recommendation 1 – there was a sentence missing; the correct recommendation should read:
 1. **Resolve to 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*
- Para 2.3 – delete “*Having voted to refuse the application,*” so that; sentence reads “*Members debated the reasons for refusal of the application*”.
- Para 9.1 Human Rights Act – first sentence should read “*in reaching a recommendation to **approve** this application...*”
- Para 10.1 Section 17 of the Crime and Disorder Act 1988 – final sentence should read “*In reaching a recommendation to **grant** planning permission,*”

The Planning Officer highlighted the main differences between the current application (21/01185/FUL) and the previous application (18/02587/FUL):

- the reduction in the net gain of student beds from 615 to 573.
- the reduction in the height of the flatted buildings on the western part of the site from 6/7 storeys to 5/6 storeys to reduce the bulk and mass of the development.

- The movement of buildings away from the northern boundary of the site in the vicinity of the John Garne Way allotments and from the boundary with residential properties on Pullens Field
- the reduction in the height of buildings 3 and 6 to two storeys nearest to the boundary with John Garne Way allotments to reduce overshadowing of the allotments.
- changes to the footprint and position of the buildings to allow for the retention of a greater number of higher quality trees and to retain a greater number of trees, with the greatest life expectancy, especially those that are necessary around the boundary and for layering through the site in filtering views in the locality.
- a revised design approach to the building's façade through a change in a materiality and greater articulation.

The Planning Officer advised the Committee that these changes between the two applications were as a result of extensive pre-application discussion between the applicant and planning officers; review of the application by ODRP and two rounds of public consultation with the local community and stakeholders. Those changes proposed were sufficient to address the reasons for refusal of the previous refused proposal in 2019.

Moreover, a further and significant change is the adoption of the Oxford Local Plan 2036 in June 2020. The Plan allocates the Clive Booth Student Village site for development, including student accommodation under Policy SP17, and this is required to be given full weight in the decision making process.

The Planning Officer further reminded the Committee of the relevance of Policy H9 of the Oxford Local Plan. That policy links the delivery of new/redeveloped and refurbished university academic facilities to the delivery of university provided residential accommodation, and ensures that provision of academic/administrative facilities for Oxford Brookes does not result in an increase in student numbers or the number of students living in Oxford in non-university accommodation does not exceed 4000 students. Further officers flagged that the policy states that this threshold of 4000 students shall be increased to 4500 students by 1 April 2023 if a scheme for a minimum of 500 student bedrooms has not been developed at Clive Booth Student Village.

The Planning Officer advised the Committee of the less than substantial harm to the significance of Headington Hill Conservation Area and views out of Central Conservation Area as well as the impact on trees and biodiversity as a result of the initial loss of trees. Officers had regard to paragraph 202 of the NPPF and regard to the public benefits that can be considered where there is less than substantial harm to the designated heritage assets. Officers advised that there are a number of public benefits that should be taken into account including the release of houses back to the private market therefore releasing pressure on Oxford's housing market and addressing Oxford's housing needs; students living on a University owned site enables the University to meet its own needs, thereby making accommodation more affordable for students and providing pastoral care in a way they can't manage when students are off site; placing students on one large campus within walking distance of the University's main academic facilities is more sustainable; the provision of a direct and safer connection to Headington Hill Campus through securing public realm improvements via

a S106 agreement making cross campus connections easier and safer and the provision of a nursery on site.

Roy Darke (representing local residents associations) spoke against the application and Alan Cooper (representing John Garne Way Allotments) was present to answer questions.

Astrid Schloerscheidt and Jerry Woods, (Oxford Brookes University) spoke in favour of the application. The following representatives from the university and its advisers were present to answer questions: Brendan Casey, Rob Linnell, Jon Alsop, James Roach and Dafydd Warburton.

The Committee asked questions of the officers and public speakers about the details of the application. The Committee noted the following responses from officers and the applicant:

- The electric vehicle charging infrastructure would be designed to allow the expansion of the number of charging points in the future and would cover both motor vehicles and bicycles.
- The type and location of cycle provision around the nursery
- The design provided fully accessible accommodation at all levels in all buildings; communal areas and all rooms could be remodelled to accommodate a variety of needs (e.g. hearing or sight)
- The concerns about the safety implications of the proposals in regard to the lack of cycle segregation on John Garne Way and the need to restrict left turns by construction and HGV traffic onto Headington Hill Road from Marston Road were a matter for the Highways Authority

The Committee's discussion centred on, but was not limited to, the following issues:

Trees and ecology

The Committee noted the arguments presented in the report regarding the quality and lifespan of the existing tree canopy and acknowledged that the replacement tree canopy would not offer full mitigation until about 2051. Nevertheless, they felt that this was not sufficient to reject the application. The Committee suggested that the ecological enhancements referenced in Condition 29 should take account of the importance of ensuring "permeability" to allow wildlife to move throughout the site.

Design – height and massing

The Committee noted the objections put forward by the public speakers but felt that overall the application, which kept close to the existing footprint, was acceptable given the constraints and topography of the site.

Unit (bed) numbers

The Committee noted the concerns raised with regards to the validity of the government ratio for calculating the release of homes into the private sector as a result of new developments for student accommodation. Nevertheless they accepted that this was the calculation set by central Government in the Housing Delivery Test. Further they accepted that the allocation of a minimum of 500 was set by the Planning

Inspector in the Local Plan. Although they accepted that there was a dispute between officer and objectors to the exact numerical formula for the release of private homes onto the general market on balance the Committee was persuaded that there was a wider public benefit in ensuring that some 500 students would be housed in modern, sustainable, fit for purpose and affordable accommodation on a dedicated campus and not in private sector properties across the city.

In reaching its decision, the Committee considered all the information put before it.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application, as revised above and subject to the following amendments and additions:

- Condition 29 – revised wording to make reference to site permeability for wildlife
- Condition 33 – clarification to include electric bikes
- Informative – on the desirability of cycle segregation on John Garne Way
- Informative – on the safety implications of restricting left turn for construction traffic and HGVs
- Informative – to advise tree removal should not be undertaken during the bird nesting season

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

9. Minutes

The Committee resolved to approve the minutes of the meeting held on 12 October 2021 as a true and accurate record.

10. Dates of future meetings

The Committee noted the provisional dates of future meetings.

The meeting started at 6.00 pm and ended at 8.00 pm

Chair

Date: Thursday 18 April 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.*