

## WEST AREA PLANNING COMMITTEE

24 September 2019

**Application number:** 18/02065/OUTFUL

**Decision due by** 20 November 2018

**Extension of time** 30 September 2019 for committee resolution

**Proposal** Hybrid planning application comprising:

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

(ii) Full application for part of Phase 1A comprising 15,850 m<sup>2</sup> (GIA) of employment space (Use Class B1), installation of an energy sharing loop, access junctions from the A40 and A44 (temporary junction design on A44), construction of a link road between the A40 and A44, open space, landscaping, temporary car parking (for limited period), installation of cycle parking (some temporary for limited period), foul and surface water drainage, pedestrian and cycle links (some temporary for limited period) along with associated infrastructure works. Works to the A40 and A44 in the vicinity of the site.  
(Amended plans and additional information received)

**Site address** Oxford North (Northern Gateway) Land Adjacent To A44, A40, A34 And Wolvercote Roundabout, Northern By-Pass Road – see **Appendix 1** for site plan

**Ward** Wolvercote Ward

**Case officer** Nadia Robinson

**Agent** Mr Robert Linnell, Savills      **Applicant:** Thomas White (Oxford) Ltd

**Reason at Committee** Major application

## 1. RECOMMENDATION

1.1. West Area 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 **appendix 3** of this report and grant planning permission, subject to:

- the receipt of a formal response from Highways England raising no objection to the application;
- the satisfactory completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended Heads of Terms which are set out in this report;
- the agreement of appropriate arrangements with Oxfordshire County Council and the applicant about the use of Community Infrastructure Levy payments; and

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

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

## 2. EXECUTIVE SUMMARY

2.1. This report considers a hybrid planning application for a 26-hectare site in the north of Oxford comprising an outline application with all matters reserved except access, and a detailed or 'full' application for part of the overall site.

2.2. The site, referred to in the application as 'Oxford North', falls into three, fan-shaped parcels of land to the north and north-west of the Wolvercote roundabout through which run the A44 and A40. The northern boundary of the site is formed by an elevated section of the A34. The site forms the most part of the 'Northern Gateway' which is a site allocated in the Core Strategy and which has its own Area Action Plan (AAP).

- 2.3. The Northern Gateway is a key strategic site which has been allocated in the Core Strategy for 90,000 square metres of employment space for the knowledge economy – science and technology, research, bio-technology and spin-off companies from the universities and hospitals. One of the objectives of the Oxfordshire Local Enterprise Partnership (OxLEP) Strategic Economic Plan for Oxfordshire 2016 is to deliver flagship gateway developments and projects that stimulate growth; Northern Gateway is identified as such a project. The site allocation also includes up to 500 housing units and other related uses that would support the employment use.
- 2.4. The red line of the planning application does not include all of the AAP area. Peartree Park and Ride, the Peartree services, the existing built form in the south of the site (garage, service station, BT station and hotel) and two parcels of land (in the south-west owned by Oxford City Council, and in the north owned by Merton College) are not included within the red line.
- 2.5. The planning application follows a constructive and collaborative period of pre-application discussions between the City Council and the applicant beginning in 2014, with close involvement from the County Council and Highways England.
- 2.6. In order to assist the Northern Gateway site to come forward for development, £5.9 million of Local Growth Fund money was allocated to improve transport in the north of the city by OxLEP. It has been agreed this will be used to complete the A40 works that form part of this planning application, with the work to be carried out by the County Council.
- 2.7. Oxford City Council applied for £10 million of Homes England's Housing Infrastructure Funding (HIF) (Marginal Viability) to use for infrastructure to support delivery of housing at Northern Gateway. The funding will be used at the start of the development, should permission be granted, to provide the infrastructure, such as internal roads, needed to deliver homes on site.
- 2.8. The application is a hybrid application comprising an outline application for the whole site, and a detailed application for an element within the overall site. All matters, except for access, are reserved from the outline application. This means that development of the rest of the site, besides the detailed application, would come forward as reserved matters applications with details of the appearance, landscaping, layout and scale. The full details of what is included in the application are set out in **section 6** of this report.
- 2.9. In summary, the outline application seeks permission for 87,300 square metres of employment space and 480 residential units. This falls just short of the overall AAP allocation because the site red line omits two parcels of land (in the south-west owned by Oxford City Council, and in the north owned by Merton College) that could accommodate the shortfall. The application also includes significant works to the A40 and A44 to calm traffic speeds and transform them into urban boulevards with upgraded

cycle and bus lanes. It also details the access proposal from these two main roads to the three parcels of development land.

- 2.10. The detailed part of the application is for a parcel of land in the centre of the site, close to the A40, on which is proposed three employment buildings totalling 15,850 square metres: two Workspace buildings clad in clay tiles with gabled open ends facing the A40 are proposed as well as building known as the Red Hall which is proposed as an incubator space for small enterprises and hub of the development. The adjacent link road between the A40 and A44, and the central park known as The Green are also proposed in detail. The whole of the A40 improvement works are included in the detailed application, as well as a temporary junction from the link road onto the A44.
- 2.11. The application falls within the parameters of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and is Environmental Impact Assessment (EIA) development. The application was submitted with an Environmental Statement which was supplemented with further information at the request of the City Council. Having assessed the submitted application, officers are satisfied that the Environmental Statement and further information provided complies with the 2011 EIA Regulations and that sufficient information has been provided to assess the environmental impact of the proposal.
- 2.12. The report sets out that, taken as a whole, the proposals align with the vision of AAP and accord with the Development Plan. The key issues are summarised below.
- 2.13. The quantum of Affordable Housing proposed is 35 per cent with a tenure split of 80 per cent social rented and 20 per cent intermediate housing. This follows a detailed and thorough period of viability appraisal between the Council's viability consultants and the applicant's viability consultants to seek to improve value and viability of the scheme and maximise the quantum of Affordable Housing the development can afford. As set out in **section 10b** of this report, the applicant's proposal of 35 per cent Affordable Housing at a 80:20 tenure mix is the maximum that the development could reasonably support. The legal agreement would include a review mechanism so that, if the development proves to be more viable than expected, this can be captured for the benefit of Affordable Housing.
- 2.14. Transport and highways issues are central to the scheme. Extensive consultation with the County Council and Highways England has been carried out to get the highways proposals right. These are based on robust and heavily tested traffic modelling to predict the impact of development. The approach has been conservative; this modelling does not include some planned improvements as part of demand management measures the County Council is undertaking. The 'humanising' of the A40 and A44, low levels of car parking for the employment uses and the various upgrades to bus, cycle and pedestrian infrastructure are anticipated to support a shift towards sustainable transport.

- 2.15. Less than substantial harm has been identified to two heritage assets (the setting of both Wolvercote with Godstow Conservation Area and the Manor and Church Farmhouses), at low and moderate levels respectively. The assessment is set out in **section 10d**. The balancing exercise required by the NPPF for less than substantial harm to heritage assets concluded that the public benefits of the development significantly outweigh the harm. As such, the proposal would meet the test of paragraph 196 of the NPPF and would accord with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.16. The outline application sets the design parameters, based on the AAP Design Code, while the full application provides more detailed proposals for one parcel of development within these parameters. The illustrative masterplan and details within the Design and Access Statement: Masterplan demonstrate the proposal's high-quality urban design. The overall landscape proposals and public spaces further assure that the development would be well-designed. The proposals have been reviewed on three occasions by the Oxford Design Review Panel (ODRP) and have received support from the panel, particularly in respect of the site-wide masterplanning and the architecture of the Red Hall and Workspace buildings.
- 2.17. A fundamental part of the energy strategy for the proposed scheme is a site-wide energy sharing loop network. High efficiency water to water heat pumps would provide space heating and cooling for all buildings, as well as domestic hot water. These heat pumps will be linked to the site-wide energy sharing loop connected to ground source energy boreholes. The proposed energy loop network is innovative and offers a low carbon energy solution with no harmful air quality impact. BREEAM Excellent is being targeted for the buildings in the detailed part of the application, which is welcome.
- 2.18. The report considers the material planning considerations and concludes with a summary of the economic, social and environmental impacts. In reaching a recommendation, officers have weighed up the benefits and dis-benefits of the proposed development relative to all material considerations discussed in this report. Overall, the proposed development would bring significant public benefits that accord with these three strands of sustainable development, as set out in the NPPF.
- 2.19. Having taken into account the provisions of the Development Plan, the policies in the NPPF, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval subject to the planning conditions set out in **appendix 3** and a Section 106 legal agreement whose Heads of Terms are set out in **appendix 4**.

### 3. LEGAL AGREEMENT

3.1. This application is subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure the following planning obligations:

- **Affordable Housing:** on-site provision, Affordable Housing adjustment, viability review
- **Public realm:** public open space, children's play space, public art, management plan
- **Transport and highways:** corridor works – A44 and A40, on-site infrastructure, Peartree interchange improvements, car parking management plan, travel plans, travel plan monitoring contribution (£6,000), variation of Traffic Regulation Order in relation to crossings to create safe routes to school (£5,000), contribution for local bus service enhancements (£2.88 million) – all financial contributions to be index-linked to maintain the real value of the payments
- **Other financial obligations:** carbon offset contribution should targets not be reached, off-site biodiversity enhancements
- **Restricted use:** employment space for occupiers within relevant knowledge economy sector
- **Employment initiatives:** community employment plans
- **Non-financial obligations/other:** notices, housing mix, accessibility, energy loop, health and sustainability, sustainable drainage, facilitating comprehensive development, mortgagee's consent, interest
- **Oxford City Council obligations:** spending of contributions, CIL agreement with Oxfordshire County Council, infrastructure in lieu of CIL, external funding, seeking contributions, neighbouring land obligations
- **Oxford City Council fees:** monitoring costs, legal fees

3.2. The Heads of Terms of the legal agreement, under the above headings, are set out in more detail in **appendix 4**, with some individual items discussed under the relevant part of **section 10** of this report.

3.3. A separate agreement, which is referred to within the Section 106 legal agreement, is to be made between the City and County Councils regarding the use of CIL money for infrastructure to reflect the City Council's City Executive Board (CEB) resolution to apply CIL receipts generated from future strategic scale development at Northern Gateway/Oxford North in order to fund investment in highways/transport infrastructure provision to support the delivery of the Northern Gateway strategic site allocation. The applicant will be funding through the planning agreement works directly and proportionately related to the development. CIL will be used to fund additional works that benefit development in the wider allocation area, and the community at large.

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

- 4.1. The full element of this hybrid planning proposal is liable for CIL of £456,955.50 (plus indexation) at current rates.
- 4.2. Should permission be granted for this hybrid application, later phases of development will come forward for approval as reserved matters applications. These reserved matters applications, if approved, would be liable for CIL as separate chargeable developments. The exact amount of CIL payable for all phases of development will depend on the floor area and uses of each reserved matters application and this is not yet known. However, an estimate has been made that development of the whole site as envisaged would be liable for £11.7 million of CIL.
- 4.3. As noted above, CEB resolved in November 2018 to apply CIL receipts generated from future strategic scale development at Northern Gateway/Oxford North in order to fund investment in highways/transport infrastructure provision to support the delivery of the Northern Gateway strategic site allocation.
- 4.4. The items of infrastructure that are to be funded by the CIL generated from the development are:
- commuted sums for the maintenance of the A44 and A40 by the Highways Authority
  - a financial contribution towards the cost of a scheme to improve Peartree interchange
  - funding for the creation of Controlled Parking Zones in Upper and Lower Wolvercote and Yarnton
- 4.5. There are a number of items that are likely to be eligible for infrastructure payments (in lieu of CIL payments) under the provisions of Regulation 73A of the CIL Regulations if the City Council decides to permit such an approach. Such payment-in-kind arrangements enable developers, users and authorities to have more certainty about the timescale over which certain infrastructure items will be delivered. This is infrastructure that is not “necessary” to make the development acceptable in planning terms. The following infrastructure is proposed to be delivered directly by the developer:
- the parts of the A44 works that provide a wider public benefit, such as the northbound bus lane, landscaping and tree planting, street furniture, drainage
  - two road crossings to provide safe routes to Wolvercote Primary School

- 4.6. Other infrastructure that would be appropriate to be CIL funded, should there be sufficient funds remaining from CIL receipts, include the following. A final decision on the expenditure of these funds will be made in due course:
- cost of expanding Wolvercote Primary School
  - Special Educational Needs financial contribution
  - contributions to off-site footpath and cycle links including, cycle routes on Woodstock Road, canal towpath improvements, enhancement of Joe White's Lane, cycle route improvements to Oxford Parkway via Five Mile Drive and Banbury Road
  - contribution towards the provision of an enhanced Peartree Park and Ride facility with additional spaces, improved waiting facilities and the installation of a decked car park
- 4.7. These items of “unfunded supporting infrastructure” are discussed in **section 10m** of this report.

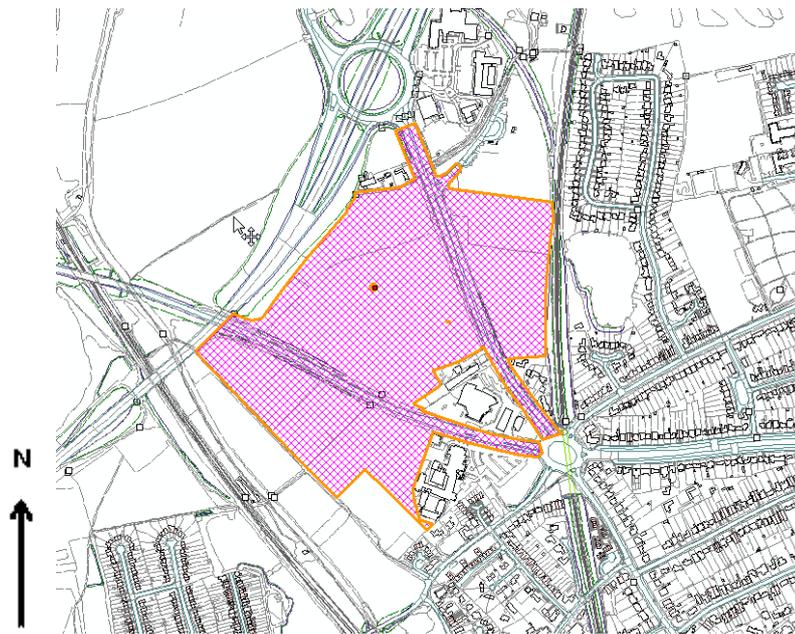
## **5. SITE AND SURROUNDINGS**

- 5.1. The site is a 26-hectare area of predominantly grazing farmland located in the north of Oxford, just inside the ring road. The site also takes in the A40 and A44 where these adjoin the farmland.
- 5.2. The site falls into three, fan-shaped parcels of land through which run the A44 and A40 trunk roads, converging at Wolvercote roundabout. The northern boundary of the site is formed by the A34 which, at this location, is raised above the general ground level. The eastern boundary of the site is formed by a railway line on raised embankment that connects Oxford station to Oxford Parkway station, the latter located about 1km to the north of the site. The south-western boundary is formed by Joe White's Lane bridleway (National Cycle Route 5) and the fields to the west that lead down to the Oxford canal and separate the site from much of the settlement of Wolvercote.
- 5.3. Within the application, the three parcels are referred to as:
- East: the parcel to the east of the A44, south of the Peartree Park and Ride and west of the railway line
  - Central: the largest parcel, to the west of the A44 and to the north-east of the A40
  - Canalside: the parcel to the south-west of the A40 and the north-east of Joe White's Lane
- 5.4. In terms of topography, the Central parcel is undulating with a high point to the north-west dropping to a low point to the north-east adjacent to the A44. Canalside slopes down from the A40 to Joe White's Lane. The East parcel

gradually slopes up from the boundary with the Park and Ride towards the south-east of the parcel and there is a ridge and furrow landform clearly apparent.

- 5.5. The land is predominantly agricultural grazing land and therefore there are relatively few trees for the land area involved; vegetation is mostly confined to the hedgerows of the field boundaries. The area has been assessed as having low landscape quality and historic integrity.
- 5.6. The site itself is of relatively low ecological value, although it lies less than 500 metres from the internationally protected Oxford Meadows Special Area of Conservation (SAC). The Oxford Meadows SAC is made up of four Sites of Special Scientific Interest (SSSI). These are Cassington Meadows SSSI, Pixey and Yarnton Meads SSSI, Wolvercote Meadows SSSI and Port Meadow with Wolvercote Common and Green SSSI. There are two reasons for this designation; the first is that the lowland hay meadows have benefited from the survival of traditional management, which has been undertaken for several centuries and exhibits good conservation structure and function. The second reason is that Port Meadow is the larger of only two known sites in the UK for a particular plant, the creeping marshwort (*Apium repens*).
- 5.7. The site forms a setting to Wolvercote with Godstow Conservation Area and the historic Goose Green, a registered common and an important open space in the area. Both lie to the south-west of the site, with the Conservation Area boundary taking in the field in the south-west of the application site.
- 5.8. A key characteristic of this part of Oxford and the application site is the presence of major trunk roads – the A40, A44 and A34. The area around the site experiences significant peak-hour congestion. The A34 is elevated where it abuts the application site. Speed limits on the A40 and A44 within the application boundary are up to 60 and 70 miles per hour respectively, reducing to 30 miles per hour close to the Wolvercote roundabout.
- 5.9. The parcel of land to the north of the application site, but within the AAP area adjoining the Peartree interchange is Red Barn Farm. This does not contain any residential accommodation and is currently occupied by TRAX, an organisation that runs courses for young people.

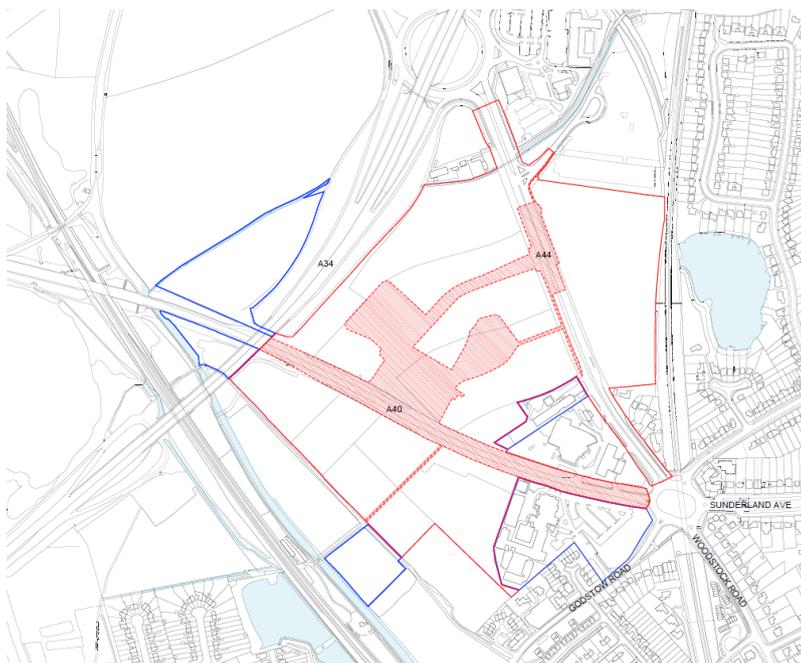
5.10. See site plan below:



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Ordnance Survey 100019348

## 6. PROPOSAL

- 6.1. This application is a hybrid application comprising both an outline application for the wider site with all matters reserved apart from access, plus a full (detailed) application for part of the wider site.
- 6.2. The application site plan below shows the extent of the outline application in red, and the extent of the full application in dotted line and hatched in red. The blue line indicates land within the control of the applicant but outside this planning application.

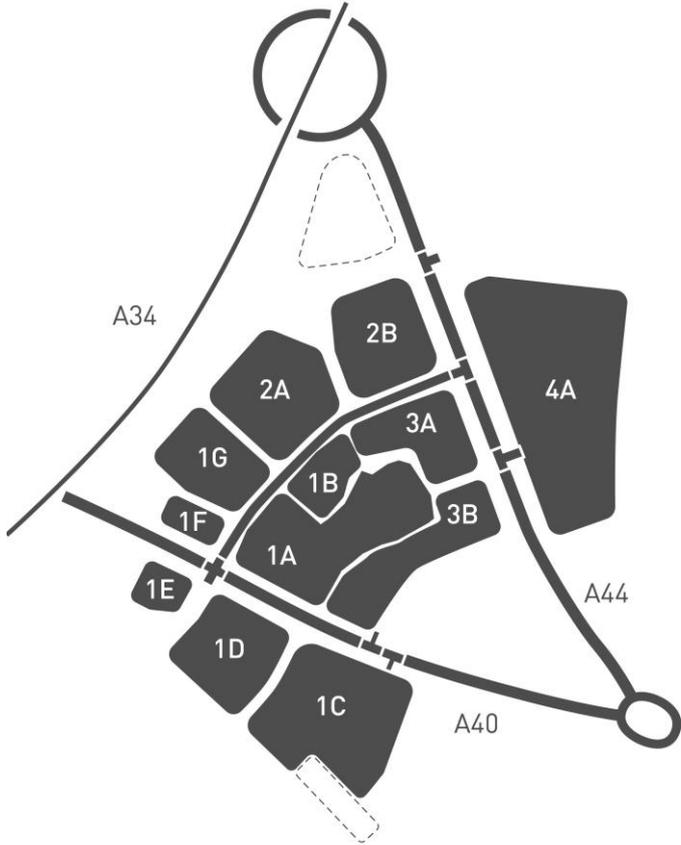


- 6.3. When submitting an outline application, certain matters relating to the access, appearance, landscaping, layout, and scale can be reserved for consideration at a later date. These are called 'reserved matters'. In this case, the access details for the scheme have been submitted for approval with this application but the appearance, landscaping, layout and scale are reserved matters to be considered for each phase of the development. While some information and principles are provided on these reserved matters within the outline application, the full detail would come forward, should permission be granted for this application, via reserved matters applications.
- 6.4. The outline part of the planning application seeks permission for:
- up to 87,300 square metres of employment space – Use Class B1
  - up to 550 square metres of community space – Use Class D1
  - up to 2,500 square metres of shops and services – Use Classes A1 to A5
  - a hotel of up to 180 bedrooms
  - up to 480 residential units – Use Class C3
  - 168 Affordable Housing units, of which 80% will be socially rented
  - an energy sharing loop to provide heating and cooling
  - vehicle access junctions from the A40 and A44 into the site
  - improvement works to the A40 and A44
  - link road between the A40 and A44 through the site
  - pedestrian and cycle access and routes through the site
  - car and cycle parking
  - open space and landscaping
- 6.5. The outline application includes three parameter plans that, if approved, would set the parameters for the reserved matters applications of the phases of development that would follow:
- Parameter Plan 01: Access and circulation
  - Parameter Plan 02: Land use
  - Parameter Plan 03: Building heights
- 6.6. An illustrative masterplan is also submitted to demonstrate that the quantum of development and design principles can be achieved, and to give an indication of how the site could be laid out within the parameters. This document is for illustrative purposes only and would not be an approved drawing.

- 6.7. The full part of the application is seeking permission for part of phase 1a of the development:
- three employment buildings totalling 15,850 square metres known as Workspace Buildings 1 and 2, and the 'Red Hall' – Use Class B1
  - an energy sharing loop to provide heating and cooling (within the detailed part of the application)
  - vehicle access junctions from the A40 and A44 into the site – the A44 junction to be a temporary design (left turn in, left turn out only)
  - link road approximately 6.5 metres in width between the A40 and A44 through the site
  - improvement works to the A40
  - pedestrian and cycle access and routes through the site (within the detailed part of the application) including a temporary footpath link to Joe White's Lane
  - temporary car parking and cycle parking
  - open space and landscaping (within the detailed part of the application)
- 6.8. The application constitutes development of the type listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (the EIA Regulations) and is Environmental Impact Assessment (EIA) development. A request for a scoping opinion for the development was made by the applicant in 2014 and a scoping opinion was issued by Oxford City Council in September 2014 confirming that an EIA is needed.
- 6.9. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 came into force on 16 May 2017; Regulation 76 sets out transitional arrangements from the 2011 Regulations and confirms that projects where a formal EIA screening or scoping request was submitted before 16 May 2017 shall continue to be considered under the 2011 Regulations. As noted above, a request for a screening opinion for this development was submitted in 2014; the 2011 EIA Regulations therefore apply to this development.
- 6.10. The application is accompanied by an Environmental Statement. The EIA Regulations require that an Environmental Statement includes such information as is reasonably required to assess the environmental effects of the development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile.
- 6.11. On 13 March 2019, the Council requested further information from the applicant under Regulation 22 (1) because officers considered that the information submitted in the Environmental Statement was not sufficient.

- 6.12. A formal request was made for:
- the inclusion of a number of development sites local to the site within the cumulative effects section
  - the correction of a statement in relation to Highways England's response to the submitted traffic modelling
  - additional targeted assessment of the impact on Port Meadow and its setting within the landscape character and visual amenity assessment
  - further work on the significance of certain heritage assets within the heritage assessment
  - the inclusion of an additional monitoring point within the air quality model
- 6.13. Having assessed the submitted application, officers are satisfied that the Environmental Statement and further information provided complies with the 2011 EIA Regulations and that sufficient information has been provided to assess the environmental impact of the proposal, taking account of cumulative impacts of other planned development.
- 6.14. **Section 10** of this report discusses the assessments within the Environmental Statement under the relevant material planning considerations.
- 6.15. An indicative phasing plan is submitted with the application setting how it is envisaged by the applicant that the site would be developed. It is divided into four main phases with sub-phases:
- phase 1a, 1b, 1c, 1d, 1e, 1f – parcels accessed from the A40, the majority of the residential plus commercial floorspace
  - phase 2a, 2b – parcels to the north of the central street, mostly commercial, a small amount of residential
  - phase 3a, 3b – parcels closest to the A44, all commercial, no residential
  - phase 4 – East parcel, a mix of residential and commercial

6.16. The diagram below sets out the indicative phasing plan:



6.17. The full part of this hybrid application includes much of phase 1a, but omits the residential and retail elements of phase 1a. It includes temporary cycle and car parking on land within phase 1f.

6.18. The proposed development is referred to in the application as ‘Oxford North’, whereas the AAP covers a wider area known as the ‘Northern Gateway’. These terms are used throughout this report in accordance with these definitions.

**7. RELEVANT PLANNING HISTORY AND BACKGROUND TO THE SITE**

7.1. The planning application history on land within the site boundary is not pertinent to this planning application. However, the main planning history would centre around its allocation for development within the Development Plan and the subsequent Area Action Plan which have been adopted following extensive public consultation and examinations in public by the Planning Inspectorate. It may benefit Members to understand this context ahead of the assessment later set out within this report.

*Core Strategy*

7.2. The land to the south-west of the A40 within the application site was formerly designated Green Belt land.

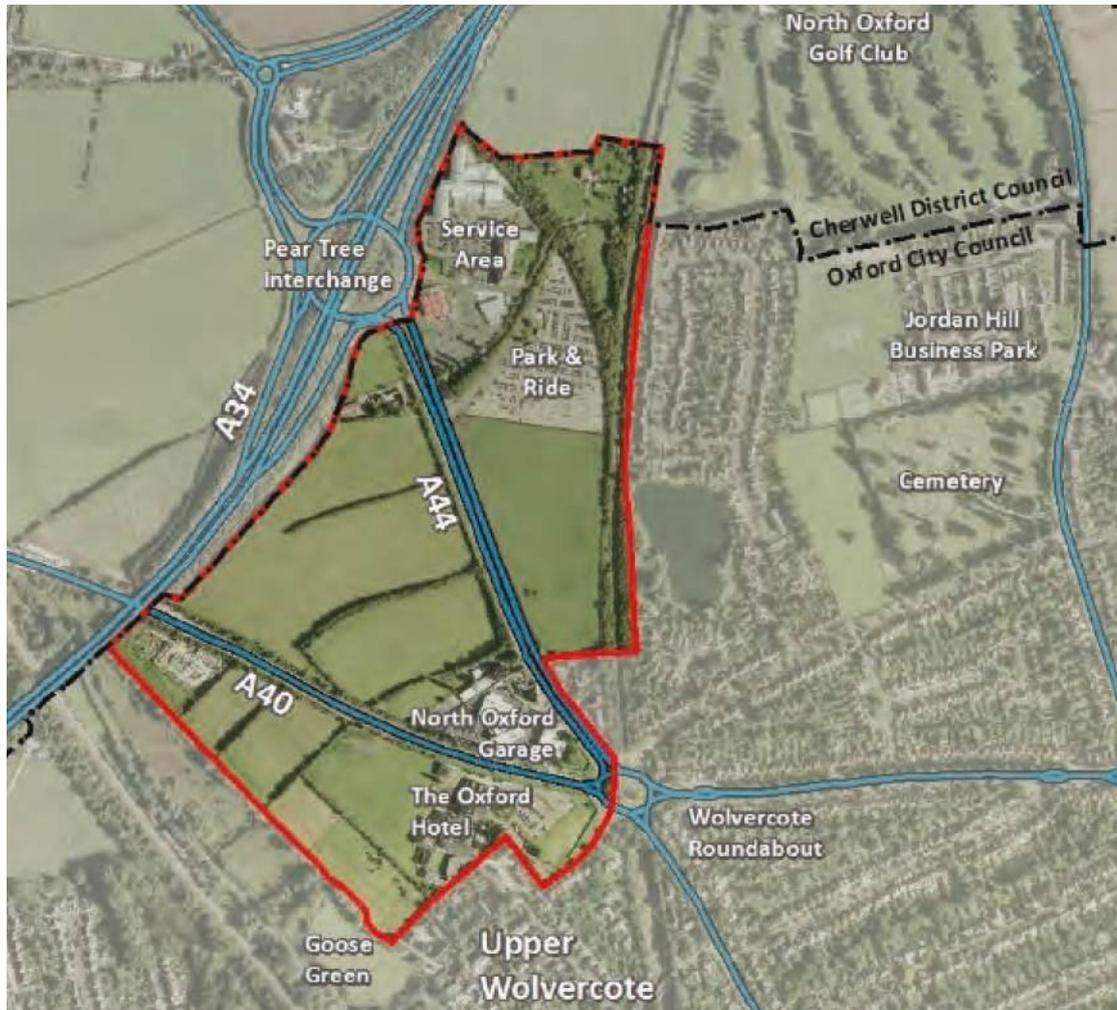
- 7.3. The Core Strategy in paragraph 3.3.24 states that there may be an opportunity for a small-scale review of the Green Belt boundary around the Northern Gateway area. At the examination of the Core Strategy, the Inspector considered that it would be appropriate for the Northern Gateway Area Action Plan (AAP) process to carry out a “highly focussed inner Green Belt boundary review...to consider whether exceptional circumstances exist to justify the release of Green Belt land”.
- 7.4. Accordingly, policy CS4 (Green Belt) of the Core Strategy states that an AAP for Northern Gateway AAP consider small scale, minor changes to the Green Belt boundary in the immediate vicinity of the currently safeguarded land, where this may be necessary to achieve a suitable and appropriate site for development. The Core Strategy states that the Northern Gateway AAP will bring land at Northern Gateway forward, and policy CS6 allocates it for employment-led development.

*Northern Gateway Area Action Plan (the AAP)*

- 7.5. The application site falls within the boundary of the AAP, adopted July 2015. At the time of the examination and adoption of the AAP, the promoter of the scheme was the Northern Gateway Consortium, which comprised St John’s College, Oxford and Kier Property, with Kier acting in relation to land then owned by Worcester College, Oxford.
- 7.6. The Council carried out a Green Belt review as part of the AAP process and concluded that there were exceptional circumstances to support a Green Belt review relating to: the regional imperative to deliver economic growth, the lack of alternative sites to accommodate economic growth, poor housing affordability in Oxford and the imperative to meet a backlog of housing needs, and worsening traffic congestion as a result of unsustainable patterns of development. The Inspector stated that, “the need to provide employment-led development, which is critical to the knowledge spine, together with the absence of alternative sites within Oxford, the opportunity to deliver up to 500 homes, and to address traffic issues, all in a comprehensive manner, amount to exceptional circumstances which justify the change to the Green Belt boundary proposed here”. The parcel of land to the south-west of the A40 was thereby released from the Green Belt.
- 7.7. With regard to implementation and delivery, the Inspector stated that this “will be dependent on master-plans and planning applications, to be supported by detailed evidence where necessary. Given the on-going work on travel and transportation matters, and the willingness of the Northern Gateway Consortium to work closely with the Council, there is no reason to suppose that the plan could not be implemented and delivered within the plan period.”
- 7.8. It is therefore envisaged that by 2026 the vision and objectives of the AAP can be substantially achieved. The AAP identifies the site as, “the largest single area of employment land for development in the city, and the most easily accessible from Oxford’s universities and hospitals which are going

to be the main sources of local economic growth for the city and will deliver many jobs for local people. It also represents a substantial opportunity to deliver much-needed housing for residents of the city, and to address traffic and congestion concerns in that part of the city.”

- 7.9. The AAP provides a policy framework for the area against which future development proposals will be assessed. The plan below shows the AAP boundary:



- 7.10. The vision statement set out in the AAP is:
- 7.11. “In 2026, the Northern Gateway has become a vibrant and successful extension to Oxford. It is a flourishing community for knowledge-based industries and plays a key role in Oxfordshire’s “Knowledge Spine”. Co-location of new and growing businesses, close links to the universities and hospitals, and a high quality working environment have helped foster a creative atmosphere where innovation thrives and new jobs have been created which offer opportunities for local people.
- 7.12. “Attractive new buildings, streets and open spaces add to its strong local character, making it a distinctive part of the city and a high quality ‘gateway’ point for people coming to the city. The emphasis on quality and

sustainability has made it an example for other new communities in the 21st century.

- 7.13. “Modern new homes with access to community facilities and open spaces have also made this a desirable place to live. The mix of housing has helped to encourage a balance of residents, with young and old, families and singles living together. New amenities provide a range of facilities and services for local people. This complements the facilities available in neighbouring areas for the benefit of the wider community.
- 7.14. “The Northern Gateway development helped deliver key improvements to the local transport network and enabled the securing of funds to provide wider transport improvements to the strategic road network. On foot, bicycle and public transport, the area is now well connected with surrounding communities and the city centre, linking places of work, homes and leisure. Pedestrian routes linking open spaces and community facilities are safe and easy to use.”
- 7.15. The AAP sets out six objectives:
- Objective 1 – Strengthen Oxford’s knowledge-based economy
  - Objective 2 – Provide more housing
  - Objective 3 – Improve the local and strategic road network and other transport connections
  - Objective 4 – Respond to the context of the natural and historic environment
  - Objective 5 – Create a gateway to Oxford
  - Objective 6 – Encourage a low-carbon lifestyle/economy
- 7.16. The land within the red line of this planning application falls within the AAP boundary; planning applications inside the AAP boundary will be assessed against the AAP policies. It is noted that the red line of the planning application does not include all of the AAP area. Peartree Park and Ride, the Peartree services, the existing built form in the south of the site (garage, service station, BT station and hotel) and two parcels of land (in the south-west owned by Oxford City Council, and in the north owned by Merton College) are not included within the red line.
- 7.17. This report addresses each of the AAP policies in the discussion of material planning considerations in section 10, assessing the application against each.

#### *Pre-application process*

- 7.18. Engagement with the applicant regarding the application site dates back to the preparation of the Core Strategy and the AAP. The submission of this planning application follows an extensive period of pre-application discussions starting in 2014 between the applicant and their agents and consultants, and planning officers at the City Council. The County Council

has been closely involved throughout these discussions, particularly around highways and transport issues.

- 7.19. Highways England, responsible for the strategic road network, of which the A34 is part, has also been closely involved with the development of the transport proposals.
- 7.20. The pre-application process included discussions and technical viability appraisal work by the applicant's viability consultants, Savills, and the City Council's viability consultants, JLL. These commenced in early 2017 and have been ongoing through the determination period of this planning application. This work has been undertaken in order to inform the level of Affordable Housing that shall be provided as part of the development.
- 7.21. The applicant has undertaken public consultation on the scheme and there have been five opportunities for the public to comment on proposals since 2013, including consultations prior to the adoption of the AAP. The most recent round of public consultation by the applicant was in the summer of 2018.

*Oxford Design Review Panel (ODRP)*

- 7.22. The masterplan and detail of phase 1a has been the subject of three reviews by the ODRP, held on 28 April 2016, 8 June 2017 and 24 May 2018. Although proposals for the site were reviewed by ODRP prior to this, the three most recent were proposals presented solely by this applicant. See **appendix 6** for the review letters from ODRP. The key points raised in each of the reviews are summarised below:
- 7.23. At the 28 April 2016 review, the ODRP recommended a hybrid planning application to initiate development and provide long term guidance to ensure a successful new place will be delivered. To ensure the design of the buildings and spaces is driven by the highest ambition in terms of design, details, materials and construction, it recommended:
  - developing an illustrative masterplan supported by parameter plans to help set and define the ambition for the Northern Gateway, as individual proposals are likely to emerge at different stages of the masterplan delivery
  - developing public realm and open space, streets, key buildings elements in phase 1, to set a high standard for the proposal. This should be part of the detailed application
  - key performance indicators such as biodiversity, carbon use, water, microclimate should be identified at this stage to help set high environmental and social targets throughout the masterplan delivery and construction
  - ensuring that the Design Code, if one is developed for this masterplan, is understood by everyone.

7.24. At the 8 June 2017 review, the ODRP made the following comments in relation to the masterplan:

- The scheme appears to be missing a world-class ambition for sustainability although the energy sharing loop system for heating, cooling and the provision of hot water is very positive
- The masterplan and the phase 1a proposals currently appear to mix urban, suburban, campus and business park characteristics and thus lack a clear spatial identity
- We recommend exploring greater diversity in building heights and density across the masterplan area, potentially with some taller buildings and a finer urban grain, to enhance the district's character and sense of place
- We recommend exploring what could be achieved to transform this part of Oxford in partnership with neighbouring landowners and in relation to Oxford Parkway rail station
- We strongly support 'humanising' the A40 and A44. Central Street should also be prioritised
- The proposal should plan to repurpose car parking as there is a shift away from the car
- A stronger vision for the landscape is needed; we suggest exploring ways in which the open spaces and landscape could feel 'wilder', to connect the new district with its natural surroundings
- Given the project's long-term timeframe, we strongly suggest deploying temporary ('meanwhile') uses across the masterplan area, as the phases of development evolve and are implemented

7.25. In relation to phase 1a of the development, the ODRP commented that, in principle, the part of the site indicated for phase 1a appears to be suitable to develop first. Humanising the A40, installing the new link road and providing the red hall, a flexible workspace building, a residential building and new outdoor spaces make for a sound set of components to be delivered as phase 1a. They questioned the viability of retail provision in the first phase, unless greater vitality and footfall can be achieved through other modifications to the proposals. The following points were raised in relation to phase 1a:

- Humanisation of the A40 could go further
- Basement parking is positive to reduce cars parked on streets
- Building only south side of central street could dilute vitality at an early stage
- Central street needs to be activated – could be pedestrian only during working hours
- Temporary car park is not in line with intended environmental aspirations

- Public square needs to be enclosed on north-east side to be successful
  - Workspace courtyards will be shaded
  - In principle, a series of carefully designed buildings with a humane industrial feel appears appropriate for Oxford North
  - The concept of the red hall, as a hub for business and social activity with a distinctive form and appearance, is positive. The building's proposed colour is enlivening, though there are concerns about the lack of activity on the north-east elevation
  - Workspace buildings should provide more activity onto the A40 and clearer fronts and backs
  - Departing from traditional materials may well be successful here. However, both metal and glass are not conducive to human-scale articulation at ground floor level or to adaptation. The clay bricks are welcome.
- 7.26. At the 24 May 2018 review, the ODRP stated that the narrative for the project – a place for creating and making – and the industrial references for the architecture are sound concepts that have the potential to create a place that is full of character.
- 7.27. It felt that the urban design and landscape for the overall masterplan had progressed alongside the concepts for the principal spaces and buildings. It recommended that, to further refine the proposals for the masterplan, the neighbourhood might benefit from further enhancement of the focal point for activity, routes and spaces and more ecological connectivity between the key green spaces.
- 7.28. The panel raised strong concerns regarding the quality of the internal and external residential environment being proposed in phase 1a, and stated that it did not support the principle of a hybrid application which excludes the residential accommodation as it would set limits and constraints for this building before the wider design issues are resolved. The following points were made by the panel:
- We believe there is scope to increase the proposed heights and densities across parts of the site
  - The development would benefit from further prioritisation of sustainable modes of transport
  - The central street would benefit from more activation
  - The concept for the three key open spaces and their role and function within this development is promising but they would benefit from further work to provide a clear hierarchy of spaces with individual characteristics. Smaller, more intimate spaces would provide more opportunities for relaxation and greening of routes
  - Management of on-site roads and landscaping is critical to the success of the development

- The visuals for the commercial buildings appear promising, the repeated gables will create a memorable form whilst also making reference to Oxford's skyline. Drawing upon Oxford's industrial heritage is a sound approach which will create a district that has its own distinct character within Oxford
- Humanising the A40, installing the new link road and providing the red hall, a flexible workspace building, a residential building and new outdoor spaces make for a sound set of components to be delivered as phase 1a
- The environmental credentials for the scheme could be much stronger and we would recommend exploring potential for greens roofs and renewable energy etc. in this phase
- The concept of the red hall, as a hub for business and social activity with a distinctive form and appearance, is positive and the building's proposed colour is enlivening. There is concern over its location and relationship with the outdoor space as it is not visible from the principal public square and felt it would be better positioned adjacent to this key space.

7.29. These reviews, along with close work between the architects and the Council's urban design officer, have guided the design development.

*Other context*

7.30. In order to assist the Northern Gateway site to come forward for development, £5.9 million of Local Growth Fund money was allocated to improve transport in the north of the city by the Local Enterprise Partnership. It has been agreed this will be used to complete the A40 works that form part of this planning application. The work will be carried out by the County Council.

7.31. Oxford City Council applied for and was awarded £10 million of Homes England's Housing Infrastructure Funding (HIF) (Marginal Viability) to use for infrastructure to support this development. The fund is a capital grant programme used to provide the final, or missing, piece of infrastructure funding in order to get existing sites unblocked quickly or new sites allocated. The funding will be used at the start of the development, should permission be granted, to provide the infrastructure, such as internal roads, needed to deliver homes on site.

7.32. The City Council is part of the Oxfordshire Growth Board which agreed a £215 million funding deal with central government to support the ambition of building 100,000 new homes across Oxfordshire between 2011 and 2031, addressing the county's severe housing shortage and expected economic growth. The Council is therefore committed to growth in jobs and housing across the city and this strategic site would make a key contribution to this growth agenda.

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan 2001-2016	Core Strategy	Sites and Housing Plan	Other planning documents	Emerging Local Plan 2036	Wolvercote Neighbourhood Plan
Design	Paragraphs 117-132	CP1 CP6 CP8 CP9 CP10 CP14 SR7	CS10 CS18	HP9	Northern Gateway Area Action Plan (AAP)	DH1 H14 DH7	
Conservation/Heritage	Paragraphs 184-202	HE2 HE3 HE7 HE10	CS4			DH2 DH3 DH4	
Housing	Paragraphs 34, 57, 59-76		CS22 CS23 CS24	HP2 HP3 HP12 HP13 HP14	Affordable Housing and Planning Obligations Supplementary Planning Document (SPD)  Balance of Dwellings SPD	H1 H2 H4 H10	
Commercial	Paragraphs 80-82, 86-87, 112	NE4 EC1	CS1 CS27 CS31		OxLEP Strategic Economic Plan for Oxfordshire 2016		
Natural environment	Paragraphs 170-177	CP11 NE15 NE20 NE21 NE23	CS12 CS21			G2 G8 G9	GBS3 GBS5 GBS6
Social and community	Paragraphs 91-101	CP13	CS19 CS20			E4 RE5 V6 V7	
Transport	Paragraphs 102-111	TR1 TR2 TR3 TR4 TR5 TR7 TR12 TR13 TR14	CS13 CS14	HP15 HP16	Parking Standards SPD  Oxfordshire County Council Local Transport Plan 4 2016	M1 M2 M3 M4 M5	CHS4 CHS6

Topic	National Planning Policy Framework	Local Plan 2001-2016	Core Strategy	Sites and Housing Plan	Other planning documents	Emerging Local Plan 2036	Wolvercote Neighbourhood Plan
Environmental	Paragraphs 148-165, 178-183	CP17 CP18 CP20 CP22 CP23 NE14 RC12	CS9 CS11	HP11	Energy Statement Technical Advice Note (TAN)  Natural Resources Impact Assessment SPD	RE6 RE7 RE8 RE9 V8	BES2 BES3 BES7 CHS3
Miscellaneous	Paragraphs 7-14, 38-46, 54-56		CS6 CS17	MP1	Wolvercote Neighbourhood Plan	S1 S2	

- 8.2. Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
  - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 8.3. The emerging local plan (the Local Plan 2036) is in Proposed Submission Draft format pending the Inspectors' independent examination into its soundness. It is therefore at examination stage. Weight can be given to the emerging policies; the level of weight is guided by the stage of the plan in the plan-making process and the objections made to relevant policies. Objections have been made to a number of policies and the Inspector has issued a number of questions to the City Council. Very limited weight is therefore attributed to these emerging policies.
- 8.4. The Wolvercote Neighbourhood Plan is also at examination stage, having received the Examiner's Report. Its boundary takes in the whole of the Oxford North outline application site. It has reached an advanced stage and therefore reasonable weight should be attached in particular to the spatial policies that, if the plan is made, will form part of the Development Plan. The plan will however only come into force (if approved) after a decision taken at the Referendum.
- 8.5. Accordingly, the policies in the emerging Local Plan 2036 and the Wolvercote Neighbourhood Plan are given limited but reasonable weight.

The relevant policies are referred to where appropriate in section 10 of this report.

- 8.6. In addition to the policies and documents above, National Planning Practice Guidance (NPPG) is also a material planning consideration.

## **9. CONSULTATION RESPONSES**

- 9.1. This planning application has been subject to three public consultations.
- 9.2. For the initial submission of the application, site notices were displayed around the application site on 21 August 2018 and an advertisement was published in The Oxford Times newspaper on 23 August 2018. This is referred to as consultation 1.
- 9.3. Following receipt of further information, including further information required under Regulation 22 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended), site notices were displayed around the application site on 28 March 2019 and an advertisement was published in The Oxford Times newspaper on 28 March 2019. This is referred to as consultation 2.
- 9.4. The third public consultation followed receipt of a revised viability appraisal and Affordable Housing statement, as well as other amended and additional material. Site notices were displayed around the application site on 20 June 2019 and an advertisement was published in The Oxford Times newspaper on 20 June 2019. This is referred to as consultation 3.
- 9.5. The consultation comments received in relation to the application are summarised below. Officers would make Members aware that copies of all consultation responses listed below are available to view in full on the Council's public access website.

### **Statutory consultee comments**

- **Canal & River Trust**

- 9.6. Financial contributions sought towards improvements to 320 metres of the Oxford canal towpath due to direct link from the site onto the Oxford canal towpath at bridge 234. The 320 metre stretch would be from bridge 234 to Godstow Road. The canal towpath is a popular cycling and walking route to access the town and rail station approximately 4km away; it is considered likely to be used by future occupants of the development thereby increasing usage. The figure to improve this length to a tar spray and chip would be in the region of £150,000. This figure is of course variable and dependant on a proper survey.

- **Cherwell District Council**

- 9.7. The AAP boundary abuts the south-western edge of the proposed site allocation for 530 dwellings at Land West of Oxford Road in the Cherwell Local Plan 2011-2031 (Part 1) Partial Review Submission Plan ("Policy PR6b") as well as the southern edge of land proposed to be removed from

the Green Belt (Policy PR3 (c)). This emerging Plan seeks to meet Oxford's unmet housing needs and it is clearly desirable to maximise opportunities for connecting links between Oxford North and the proposed residential allocations. A link within and up to the city's boundaries appears not be proposed as part of the current application. Such opportunities should therefore be further explored by the City Council in the consideration of this application (with connecting routes safeguarded) in the interests of achieving mutual benefits, including pedestrian/cycle connection to Oxford Parkway.

9.8. Oxford City Council should rigorously review the assumptions and findings of this appraisal to ensure that optimum levels of Affordable Housing are provided which both respond to the local level of need and ensure viable development can be delivered. It is the city's high Affordable Housing needs which have led to higher overall housing requirements for Oxford; requirements which cannot be met within its own boundaries. It is therefore imperative that developments within the city seek to meet those affordable needs and to deliver 50% of its housing as affordable wherever possible. The viability appraisal should be undertaken following current Government guidance. As submitted it contains a number of assumptions which require further clarification and scrutiny. Key areas include the approach to benchmark land values and the use of residual profit appraisal.

- **Environment Agency** (comment received during consultation 1)

9.9. No objection subject to conditions relating to land contamination and surface water drainage.

9.10. The Geo-Environmental Assessment of Ground Conditions report and associated monitoring confirm that the risks of land contamination are not particularly large, but not totally insignificant. Monitoring has identified some low levels of contamination, though nothing within the monitoring cause significant concern with regards to impact on controlled waters. As such we can confirm we would not be pursuing further investigation/remediation. Due to the presence of made ground and possible sources from the park and ride, hotspots of contamination may be encountered. As such a careful watching brief for contaminants should be maintained during any development.

- **Environment Agency** (comment received during consultation 2)

9.11. Upon further review of the site and its historical uses, we no longer wish to recommend the two conditions listed in our previous response.

- **Highways England** (comment received during consultation 1)

9.12. Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current

activities and needs as well as in providing effective stewardship of its long-term operation and integrity. In the case of this proposal, our interest is in the A34.

- 9.13. There are number of matters and issues to be resolved with both the Outline and Full planning applications. We are continuing to work with Peter Brett Associates to resolve and for them to provide the necessary information to enable Highways England to determine the potential impacts to the safe and efficient operation of the A34. It is likely there will be a need for further meetings between all parties including Oxfordshire County Council, Oxford City Council and the applicants.
- 9.14. We request that you do not determine the planning application (other than a refusal) until we have received the additional information from the applicant and reviewed it accordingly. This will allow us to provide a formal response to the planning application in accordance with the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018.
- **Highways England** (comment received during consultation 2)
- 9.15. We have been continuing engagement with the applicant and other stakeholders to enable Highways England to provide a substantive response to the application. This dialogue is ongoing and has progressed significantly in recent weeks but there are a number of outstanding items we are working with the applicant to agree.
- 9.16. We note there will be a number of further technical notes and other documents submitted by the applicant to inform decisions on this application. We request that you do not determine the planning application (other than a refusal) until we have received the additional information and documentation from the applicant and reviewed it accordingly. This will allow us to provide a formal response to the planning application in accordance with the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018.
- **Historic England**
- 9.17. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.
- **Natural England** (comment received during consultation 1)
- 9.18. No objection.
- 9.19. Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on the Oxford Meadows Special Area of Conservation and has no objection to the proposed development.
- 9.20. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

- 9.21. Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which Wytham Woods Site of Special Scientific Interest has been notified and has no objection.
- 9.22. It is apparent that there are Local Wildlife Sites within close proximity to the application site; you should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraph 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity.
- 9.23. It is noted that Chapter 7 of the Environmental Statement reports on Change in Biodiversity Value. We have not analysed the application of the DEFRA Biodiversity Metric to the site as reported, however we would like to highlight that the new NPPF published in July this year sets out a need for plans to demonstrate measurable net gains in biodiversity, thus the application of a metric is welcomed. However, it is of concern that the Environmental Statement reports that there would be an overall loss in biodiversity value at the site; we encourage the identification of further measures to achieve a net gain in biodiversity at the earliest opportunity. It may be possible for Natural England to provide advice on achieving biodiversity net gain for this proposal through our Discretionary Advice Service.

- **Network Rail**

- 9.24. Network Rail has no objection in principle to the above proposal but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission. The local authority should include these requirements as planning conditions if these matters have not been addressed in the supporting documentation submitted with this application.

- **Oxfordshire County Council** (comment received after consultation 3 on 13 September 2019)

- 9.25. The Oxford North development is recognised as an important key development for the city, providing both private and affordable housing and significant employment opportunities to support the Oxford City Local Plan.
- 9.26. As the Area Action Plan outlines, the development also faces several challenges being bordered by the strategic route of the A34 and having two major arterial routes of the A40 and A44 going through the development. However, there are also opportunities for good sustainable transport links to the city and surrounding areas.
- 9.27. Oxfordshire County Council has been engaged in discussions with the City Council and the developer Thomas White Oxford (TWO) regarding the

challenges faced by both the location and the viability of the development due to the infrastructure requirements.

- 9.28. The County Council has supported Oxford City Council in securing Local Growth Funding (£5.9m) and HIF Marginal Viability Funding (£10m) which provides some additional financial support to assist the viability of the development.
- 9.29. It is understood that only 25% of the housing proposed will be affordable. This falls significantly short of the City Council's adopted policy which requires 50%. The County Council strongly urges the City Council to secure a higher proportion of affordable housing to meet the significant housing need of Oxford. However, officers recognise the limitations in planning regulation afforded to the County Council, as the Transport and Education Authority, to comment on this issue.
- 9.30. It should be noted, to get to a more positive development viability and trying to achieve the policy compliant affordable housing allocation, the County Council has had to limit the extent of the transport measures that would mitigate the development. Oxfordshire County Council and the City Council have declared a Climate Change Emergency and Oxford is also branded as a Cycle City. We recognise that sustainable transport connections should be provided wherever possible even though our ability to require this is limited due to the legislation.
- 9.31. Due to funding, the County Council will not be asking for transport connections to Oxford Parkway station in favour of the developer funding other transport improvements on the A44 and A40. High quality sustainable connections would go a long way in setting good sustainable travel habits and less reliability on the car and pressure on the road network.
- 9.32. The County Council's position is to ensure the provision of school places and secure sufficient mitigation to minimise the traffic and environmental impact of the development.
- 9.33. Comments from relevant County areas of responsibility are summarised below.
- 9.34. Transport: No objection subject to conditions. The key issues are:
- The development is in compliance with Policies NG4, NG5 and NG6 of the Area Action Plan (AAP).
  - The county council does not object to the planning application provided the delivery of the mitigation package is secured which includes:
    - a. Works on the A40 and A44
    - b. Bus service enhancements
    - c. Improvements to walking route to Wolvercote Primary School
    - d. Funding for a new CPZ in Upper and Lower Wolvercote
    - e. Contribution to improvement scheme at Peartree Interchange

- f. On-site parking controls
- The on-site link road will be dedicated as public highway but maintained by the developer as agreed due to the high specification materials proposed to be used. The link road will be governed by weight, parking and waiting restrictions.
  - The county council has requested a number of conditions which ensure that the mitigation required comes forward in a timely manner to ensure that the impact of the development is managed.
- 9.35. Lead Local Flood Authority: no objection subject to conditions
- 9.36. Education: to mitigate the impact on the sufficiency of school capacity £2,738,560 is required for the expansion of Wolvercote Primary School to provide Primary and Early Education, plus £81,153 in financial contributions for Special Education Needs provision.
- 9.37. Local member views from Cllr Paul Buckley: Objection due to:
- Highways provision leading to traffic congestion on A40 and A44 as well as air pollution ‘hot-spots’;
  - Cycling and pedestrian provision does not consistently follow recognised best practice in support of walking and cycling;
  - Affordable Housing provision at 25% does not satisfy AAP requirement;
  - Design of buildings too tall at 5 storeys in height and the Red Hall is not designed to a high enough aesthetic standard.
  - **Thames Valley Police – infrastructure** (comments received during consultation 1)
- 9.38. Given the scale and significance of the proposal Thames Valley Police consider it appropriate that the developer should contribute towards the provision of infrastructure to mitigate the impact of the development. In order to mitigate against the impact of growth Thames Valley Police have calculated that the “cost” of policing new growth in the area equates to £104,913.20 to fund the future purchase of infrastructure to serve the development. This would cover the following elements: staff set-up, vehicles, mobile IT, Automatic Number Plate Recognition cameras, premises, radio coverage, control room and police national database capacity.
- 9.39. Thames Valley Police may also wish to discuss the possibility of an “on-site” touchdown type facility for officers being provided at nil cost. This could be in lieu (in part or whole) of the above request.
- **Thames Valley Police – Secured by Design** (comments received during consultation 3)
- 9.40. Note that comments were received from Thames Valley Police in relation to design issues during consultations 1 and 2. As some issues were resolved

through revised plans and a meeting with the applicant, this report summarises below the comments received during consultation 3 only.

- 9.41. Secured by Design (SBD): A pre-construction condition relating to SBD accreditation was agreed in principle and TVP repeats its request that the authority attaches an appropriately worded condition to any approval for this application.
- 9.42. CCTV: It was agreed that a strategy should be developed and it was noted that buildings in Phase 1A will be capable of operating independent or with a shared system. Future flexibility and adaptability should also be designed in at the earliest opportunity across the development.
- 9.43. Hostile vehicle mitigation: It was agreed that street furniture and landscaping could be used to prevent opportunistic vehicle intrusions, assisted by robust building fabric.
- 9.44. Canalside rear boundaries: The designs were explained in more detail and I now have no concerns in relation to this aspect as defensible space/planting will be provided between dwellings and the public realm.
- 9.45. Defensible space to homes on A40 frontage: Again, designs were expanded upon and I now have no concerns in relation to this aspect as defensible space/planting will be provided between dwellings and the public realm.
- 9.46. Market Square and Central Open Space vehicular access: It was agreed that provision of access control features will be considered at the detailed design stage. I repeat my recommendation that measures should be provided to prevent unauthorised intrusion on to these potentially vulnerable spaces.
- 9.47. Street furniture robustness: Where it is not appropriate/desired to have bollards providing casual intrusion protection, robust street furniture etc. should be provided to protect vulnerable areas.
- **Thames Water** (final comments)
- 9.48. No objection subject to conditions.
- 9.49. Outline part of application – waste: following initial investigations, Thames Water has identified an inability of the existing foul water network and surface water infrastructure to accommodate the needs of this development proposal. Two conditions recommended.
- 9.50. Outline part of application – water: following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Condition recommended.
- 9.51. Detailed part of application – waste: with regard to foul water sewage network infrastructure capacity, we would not have any objection to the

above planning application, based on the information provided. The application indicates that surface waters will not be discharged to the public network and as such Thames Water has no objection.

- 9.52. Detailed part of application – water: following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Condition recommended.

#### **Non-statutory consultee and group comments**

- **Campaign to Protect Rural England (CPRE) Oxfordshire**

- 9.53. Objection. We are concerned that the transport impacts of this application have been significantly downplayed, leading to underestimates in both likely congestion and air pollution, and the subsequent impacts for public and environmental health. We also have a concern about the impact of the proposed Red Hall design and its potential impact on Port Meadow and the SAC.

- 9.54. The impact of the additional cars on an already heavily congested road system will increase the journey time for those working elsewhere in the city, reduce the attractiveness of Oxford centre as a place to visit/ do business in, due to the traffic problems of getting there, increase the levels of airborne pollution.

- 9.55. Building new offices and other employment sites is unnecessary when there are so many empty sites on other half completed office and science parks around Oxford available.

- 9.56. The estimates provided by the applicant as to future emissions of NOX gases deriving from this development are based on a number of hypotheses of an exceedingly technical nature, but which quite obviously give rise to absurd results.

- 9.57. We are concerned that the design of this tall, bulky building [Red Hall] is inappropriate and unsympathetic to what is a semi-rural location overlooking Port Meadow and Oxford Meadows Special Area of Conservation (SAC).

- **Cyclox (comments received during consultation 1)**

- 9.58. Cyclox welcomes the emphasis on sustainable transport. Within the site under the control of Thomas White Oxford (TWO) there is cycle-user provision that is just adequate. We press for secure and covered cycle parking, differently designed for shorter-stay and longer-stay use, and with at least 10% of cycle stands to be suitable and easily accessible for inclusive cycling.

- 9.59. We are commenting on the transport aspects of the plan. We object to the plans, as there are no safe and attractive routes that follow natural desire lines from the site to and from schools, workplace, shops, train stations, on

continuous comprehensive cycle routes. We wish to see continuous, safe, segregated cycle access, built to Dutch CROW standards, in order to navigate the current barriers and impediments which are Peartree interchange (to Yarnton and Kidlington), and the Wolvercote roundabout.

- 9.60. They need to be kept fully segregated throughout their length, not shared with the pedestrian path, to accord with both the Oxfordshire Cycling Design Guide, OCDS and the Walking Design Guide.
- 9.61. The Wolvercote roundabout is a significant barrier that prevents this. A grade-separated route across the roundabout is the only workable solution that can fulfil Policies 03 [...encouraging a greater proportion of journeys to be made on foot, by bicycle, and/or by public transport...] and 04 of LTP4 [...prioritising needs of different types of users in developing transport schemes or considering development proposals...] Forcing people on foot or cycle to wait several times to cross each separate carriageway across this very heavily trafficked five-arm junction flagrantly breaches these Policies. An overbridge must be provided for those on foot and on cycle, that will link all five arms across a raised central circulation space above, and completely separated from, the motor traffic below it. The ramps and circulation space must be lit 24/7 and must be gritted when the weather freezes.
- 9.62. The proposed connections to the canal route once upgraded are welcome because they provide non-hostile cycling access to and from destinations to the south and north along NCN5. But a quiet route like this can only ever be a daytime route, because of the over-riding ecological objections to lighting it. This reinforces the need for grade-separation operating 24/7 at Wolvercote roundabout.
- 9.63. Connectivity of the Oxford North site to and from NCN51 including Oxford Parkway station is vitally necessary but is utterly unattractive and inadequate in the plans, since cycle users will be required to deviate via Five Mile Drive. Which future resident or commercial visitor will set off southwards, to reach a destination (Parkway) that is north of the site, being obliged to use a route that is 40% further (2.7 km when it could be 1.65 km or even less)? Access that accords with the natural desire line is essential from the northern margin of the Oxford North site, connecting to and from Parkway alongside the railway. Most of the necessary land is owned by Network Rail, who have an interest in promoting straightforward access to its railway station.
- **Cyclox** (comments received during consultation 2)
- 9.64. Cyclox recognises the imperative to create new residential and employment development but is concerned about and objects to the design for cycling as transport.
- 9.65. Furthermore, as a group campaigning for cycling as a mode, the urban design of the proposed place is also a matter of concern to us in that inactive frontages line the main streets.

- 9.66. Where segregated [cycle] provision exists, e.g. as Bus Stop bypasses, Cyclox welcomes this provision. However, Cyclox cannot accept that this limited provision then becomes a mere 'Advisory Lane' on the carriageway. The cycling facilities for cycling as a transport mode are disjointed and not adequate. No conformance or high-quality route, as set out in the County's Oxford Transport Strategy, is evident in the proposals.
- 9.67. Dual Network concept for 'confident cyclists' and then the shared-footway/cycle facilities provisions for others is obsolete. Certainty needed over colour and maintenance of cycle lane colour. There is inconsistency over cycle lane standards used.
- 9.68. Design and Access Statement does not refer to the A40 as a Cycle Super Route as per County guidance. The design does not comply with these requirements.
- 9.69. Cyclox welcomes Peartree roundabout improvements but has concerns about Park and Ride area crossing.
- 9.70. Plot/parcel principles section of the Design and Access Statement ignores the main streets and does not provide for an 'active frontage'. There is no reference as far as I can see to MHCLG's guidance on Design (2014).
- 9.71. The designs and Transport Strategy do not prioritise movement by bicycle and walking in that the main routes are inactive façades. The main routes have a hodgepodge of provision types which for cycling, do not make up a safe, segregated coherent provision which would enable a maximum share of journeys being made by bike. There are enhancements which are welcomed but these in sum, fall short of an enabling cycling route system usable by all. The connections into adjacent Oxford are compromised by their deference to the car.
- 9.72. A safe and desirable crossing of the Wolvercote roundabout is a basic starting point which fails to be addressed. Some kind of oversailing connection is one possibility. Along the lines of the Hovenring, Eindhoven.
- 9.73. Cyclox welcomes the vision of the connection to Oxford Parkway but is concerned that it is no more than a wish without serious effort to expedite its implementation.

- **Low Carbon Oxford**

- 9.74. Objection for the following reasons:
- 9.75. Energy: There is a huge opportunity for Oxford North to lead the way as an exemplar of a zero-emission site. We expect the standards to be well beyond the current building standards. We hope to see all the buildings on site being built to passive house standards. While we welcome commitment to minimising energy use, the ambition here should be to become a zero-emission site (or even a site that exports energy). Phase 1a BREEAM performance score overall meets 'excellent' rating (just). This is very disappointing. We would like to see a commitment from TWO to achieving

'outstanding' rather than the 'excellent'. To commit to zero emissions no gas should be brought into the site. We would like to know where will the electricity will come from to run the heat pumps? If from the National Grid then it will not be low carbon. You state that solar PV can be installed 'subject to roof design'. This is not acceptable and we object strongly to this. Roofs should be designed so that they are suitable for PV panels. Aesthetics should not win out over functionality here. You state that solar thermal is a potential. In your table 5.4 however all the criteria are traffic lighted green so more effort needs to be made to utilise this technology. We presume it is compatible with the district energy network.

- 9.76. Transport: We object to the plans for the road layout. There are no safe and attractive routes into and out of the site for people who walk and cycle. We also object to the fact that there is a through road crossing the site which will encourage rat running. The site should be designed along 'mini-Holland' lines with access only by motorised transport, but full permeability for people who cycle and walk. It is likely that there will be huge increase in journeys as a result of this development. The roads surrounding the area already at capacity and congestion and air pollution will increase if further vehicles are added to the roads. Wolvercote and Cutteslowe roundabouts are amongst the worst spots for air quality in the Oxford City AQMA.
- 9.77. Comments on the plans within the Oxford North site: A44 and A40 street boulevards: Within the site we note the desire that the A44 and A40 boulevards have continuous segregated cycle paths. The design of the cycle paths must be stepped as defined in the Oxfordshire Cycling Design Guide. They should be 2m wide. At all junctions where cyclists wish to turn right from the cycle path there must be signals, with frequent intervals between light changes. We strongly object however to the fact that all the segregated cycle paths become shared paths as they approach the Wolvercote roundabout. This is totally unacceptable. We wish to see continuous, safe, segregated cycle access, built to Dutch CROW standards, in order to navigate the current barriers and impediments which are Peartree Roundabout (to Yarnton and Kidlington), and the Wolvercote Roundabout. We do not believe that there is sufficient cycle parking for a site that is setting itself high environmental standards. It reaches minimum requirement. Also in line with accessibility legislation 10% of spaces need to accommodate non-standard bikes, e.g. child carriers, tricycles, tandems, trailers.
- 9.78. Comments on connectivity with off-site cycle routes: The connectivity between the Oxford North site with routes outside the site is a major impediment. The cycle network fails unless segregated bike routes are comprehensive and continuous with other feeder routes. No detailed drawings are presented however to inform our comments about this connectivity. The Wolvercote roundabout is a significant barrier. Surely the only solution is 'grade-level' separation, a pedestrian and cycle roundabout above the Wolvercote roundabout. A single bridge that goes straight over the Wolvercote roundabout to the Woodstock road would be a good alternative. A grade separated route over the roundabout would show that Oxford is truly in the 21st century. Other ways need to found to get onto the

site which don't involve the roundabout and minimise multiple signalised crossings. The routes to Joe White's lane to the canal provides a good option to get off the site, however unless the routes are lit, they would only be accessible in daylight hours. We are disappointed that the route to Parkway Station involves going via Five Mile Drive. There is opportunity to create a route northwards out of the site along the railway. Discussions with other landowners could be held to negotiate access. We welcome the proposal to signalise the Pear Tree roundabout.

- 9.79. Employment and housing: We cannot find any commitment to affordable housing in the documents. The application includes only 480 homes, fewer than the already modest number in the AAP. The requirement in the AAP was for 50% affordable housing, of which 80% should be social rented housing. As noted above, one of the main reasons for allowing this part of the Green Belt to be built on was 'poor housing affordability in Oxford and ..... backlog of housing needs'. We strongly object to the lack of provision of affordable housing, particularly social rented housing.

- **Merton College (owners of Red Barn Farm site situated to the north of the application site)**

- 9.80. Holding objection pending clarification that the existing vehicular access to Red Barn Farm from the A44 is not adversely affected by the development.

- 9.81. Overall support for the principle of development at Oxford North subject to ensuring that development is capable of being fully aligned with the Northern Gateway Area Action Plan (2015) and related development plan policies, and does not impact upon the deliverability of development at Red Barn Farm.

- 9.82. Not all land in the AAP boundary is included in the application but application states it would not preclude comprehensive development. Access to the Red Barn Farm parcel would not be until 8-10 years after permission is granted. Road access and servicing to the edge of other land parcels is welcome.

- 9.83. The application underestimates the development capacity of the Red Barn Farm parcel. Only 2,700 square metres remains of the AAP allocation for employment floor space.

- **Oxford Bus Company**

- 9.84. Support in principle subject to bus service contributions secured via Section 106 legal agreement. Objection to exclusion of Park and Ride site.

- 9.85. Due to traffic congestion in the area, demand management measures and sustainable transport opportunities must be at least sufficient to deal with traffic demand from the development.

- 9.86. The Council should ensure that the bus lanes could not run right up to the Wolvercote roundabout as this would provide enhanced bus priority.

- 9.87. Section 106 contributions for bus services are needed to mitigate increased travel demand. This would be for a bus service linking Parkway to the site, a “pick me up” service and a service through the Eastern Arc to Cowley Centre.
- 9.88. Improvements to the Park and Ride facilities are needed to encourage more users of the service which will in turn mitigate overall traffic congestion. The increased parking spaces at the Park and Ride were part of the transport mitigation measures in the AAP. The absence of one of the key measures will have an impact on traffic generation in the locality.
- 9.89. Concerns over the practicalities of delivering the management measures to prevent abuse of the Park and Ride. Management measures should be agreed prior to determination to ensure Park and Ride spaces are retained for their intended purpose.
- **Oxford North and West Green Party**
- 9.90. Objection. Oxfordshire Green Party (OGP) did not support the inclusion of the Northern Gateway site in the Core Strategy.
- 9.91. A key issue remains the extent of the proposed employment growth and the imbalance between this and the available housing. Such levels of employment growth will lead to increased demand for housing and exacerbate the existing housing crisis in the city.
- 9.92. There is no commitment to affordable housing. The requirement in the AAP was for 50% affordable housing, of which 80% should be social rented housing. One of the main reasons for allowing this part of the Green Belt to be built on was ‘poor housing affordability in Oxford and ... backlog of housing needs’. We strongly object to the lack of provision of affordable housing, particularly social rented housing.
- 9.93. The aim should be to achieve a zero-emissions site, using the highest standards for energy efficiency and energy supplied solely by renewables. All buildings should be designed to minimise their environmental impact. There are bold claims about the sustainability of the buildings and systems on the site, but important opportunities have been missed and standards set too low.
- 9.94. Wolvercote and Cutteslowe roundabouts are amongst the worst spots for air quality in the Oxford City AQMA. Air quality legislation dictates that no development is permitted to make air quality worse within the AQMA, yet this development with its predicted extra car movements will make it worse. Key roads in the area, particularly the A40, are often at full capacity, even outside peak hours. The proposed housing developments around Eynsham, Kidlington and Yarnton will bring more car movements. Given the level of traffic moving between the A40 and A44, the proposed new road within the site will be used as a rat run.
- 9.95. We need to focus on reducing the need to travel and on walking, cycling and public transport. We want to see investment in these modes, not new

roads. We have many concerns about the cycling proposals, both within the site and connecting with the surrounding area. The proposals are far from best practice.

- 9.96. Concerns over surface water flooding in the low point towards the north end, close to the A34 roundabout, where Trax currently is situated. The development should be making much more use of rainwater harvesting, to conserve water and energy and reduce risk of flooding. We noted reference to harvesting water but only for commercial buildings.
- 9.97. The scale of the site and height of the buildings will result in major visual impacts, particularly for nearby residents. The view from Port Meadow will also be affected, although from the simulated image provided in the application, it is difficult to gauge how people will feel about this. The development will result in heavier use of Port Meadow, a SSSI and grazing land that is already under pressure from visitor numbers.
- 9.98. With the increase in residents, there must be additional provision made for local services such as education and health care. There should be access to allotments.
- **Oxford Preservation Trust** (comment received during consultation 1)
- 9.99. The Trust does not object to the proposals and recognises that the site is part of the Oxford Local Plan and is covered by the Northern Gateway Area Action Plan (AAP).
- 9.100. The Trust acknowledges the value of new business premises but suggests that these must be balanced with new homes that are greatly needed. We cannot support the idea of this becoming an out-of-town retail destination which is highly car reliant, and does not take account of the large shopping centre in the middle of the city, and other suburban centres.
- 9.101. The Trust's opinion is that while the overall package of transport measures proposed, appears not to worsen congestion, overall it is likely to result in an increase in vehicle movements, emissions and noise. There is some new segregated and on highway provision for cyclists, but this is of limited value because it is discontinuous and does not help them negotiate the main junctions. It is unlikely to lead to any modal transfer from car to bike.
- 9.102. This development however, in the Trust's opinion while altering key junctions in the area, does nothing to assist the future provision of a segregated bus rapid transport network protected from the queues and congestion that exists in this area for large parts of the day.
- 9.103. There is a significant amount of large scale building proposed for office and commercial use. It is important that the finish to these buildings is as sensitive as possible to the urban/rural edge location of the proposals and that the adjacent Green Belt is given sufficient consideration. The Trust is pleased to note the inclusion of public open space and amenity space to preserve some of the openness and inter-visibility that is a value of the green setting of Oxford. The Trust suggests that to ensure this openness,

and the appropriate conservation of the Setting of Oxford, these open spaces should be protected as 'Local Green Space' possibly a condition to the development consent.

9.104. The Trust draws attention to the Historic England: Assessment of the Oxford View Cones (2015), which is referenced in the Northern Gateway AAP. The Trust notes some reference to the long distance views and building heights having been considered through the application, but suggests that continue review of these impacts should be made with each iteration and application associated with this project.

- **Oxford Preservation Trust** (comment received during consultation 3)

9.105. The Landscape Addendum confirms that there would be localised significant visual effects on the western extends of Port Meadow, with minor effects also anticipated at the southern and northern vantage points. OPT would urge officers to carry out a full and robust assessment of these potential impacts. Port Meadow and Wolvercote Common are a SSSI, a Scheduled Ancient Monument and together with the nearby Yarnton and Pixey Mead a Special Area of Conservation (SAC) under the European Habitats Directive and as such require special consideration when the scale of development proposed could have the potential to detrimentally impact upon their character and views in and out of the identified area.

- **Oxfordshire Clinical Commissioning Group (OCCG)**

9.106. The 480 dwellings proposed will cause considerable pressure on the infrastructure for health. The four practices in the vicinity are experiencing considerable pressure on service provision, and this population increase of circa 1,200 people will significantly impact on their ability to manage further provision. OCCG therefore wish to apply for CIL or s106 funding to support their infrastructure requirements.

- **Sport England**

9.107. No objection. The site is not considered to form part of, or constitute a playing field as defined The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595), therefore Sport England has considered this a non-statutory consultation.

9.108. Sport England would encourage the Council to consider the sporting needs arising from the development as well as the needs identified in its Infrastructure Delivery Plan (or similar) and direct Community Infrastructure Fund monies to deliver new and improved facilities for sport.

9.109. Sport England would commend the use of the 'Active Design' (October 2015) guidance in the master planning process for new residential developments to promote healthy communities through good urban design.

- **Summertown & St. Margaret's Neighbourhood Forum**

- 9.110. The Forum believes that the Council should strongly resist pressure from the landowners and developers of Oxford North to reduce their affordable housing obligations. The viability analysis should be looked at again to critique various assumptions. It is difficult to believe that the Oxford North site, on the edge of one of the fastest growing and most prosperous areas of the South East, owned largely by a very wealthy Oxford College, and supported by generous grants for infrastructure, and with relatively few demands for community services such contributions to new schools or health centres (neither have been required), is not viable for 50% affordable housing – especially given the loose Government definition of affordable housing.
- 9.111. PBA have produced well thought out plans for cycle routes & footpaths alongside both the A40 & A44 within the application site. It is disappointing that they have not produced similar plans, in conjunction with other Oxford North landholders & Oxfordshire County Council (OCC), for cycle routes & footpaths outside the application site. These should link up with the rest of North Oxford, Oxford City & the surrounding area by means of completely redesigned & improved, fully segregated, cycle routes & footpaths. It is essential that these upgraded cycle routes & footpaths link to Wolvercote roundabout & routes to the city centre, Oxford Parkway station & Peartree Park & Ride & the north through Peartree interchange.
- 9.112. Wolvercote roundabout is key to Oxford North's connectivity. Major improvements have recently been completed on the roundabout but only minimal provision has been made for cyclists & pedestrians, who have to navigate laboriously through the junctions by means of light controlled crossings. The only way for cyclists to efficiently and safely cross the roundabout will be to separate motorised traffic from pedestrians & cyclists by means of grade level separation, ideally using the Hovenring principle or more simply, but less satisfactorily, using a cycle/footbridge as used on Sustrans 51 over the Northern Bypass.
- 9.113. Another very important link should be via Joe Whites Lane. This should be made into a Cycle Super Route linking through Upper Wolvercote to a Woodstock Road Cycle Super Route. It should have street lighting for safe winter commuting.
- 9.114. Links to the Peartree Park & Ride and Oxford Parkway Station are also crucial. The proposed link via Five Mile drive is less than ideal. A better route would be to follow the railway line. There needs to be discussions between the various landowners and OCC to facilitate this.
- 9.115. Peartree interchange is a significant obstacle to cyclists accessing to & from the north. There is currently nothing to help cyclists cross it. It is too dangerous for cyclists to use as it is. Light controlled crossings at each exit are proposed but underpasses would be better.

- **Sustrans North & West Oxfordshire group**

- 9.116. This response is on behalf of the Sustrans volunteer group that maintains the National Cycle Network north of Oxford. Sustrans is the national charity making it easier for people to walk and cycle.
- 9.117. National Cycle Network route 5 adjoins the site. This provides significant local amenity for traffic-free journeys between Woodstock, Begbroke Science Park, Oxford and other nearby destinations. It also provides an important leisure facility as a long-distance cycle route from Reading to Holyhead (marketed in this area as the Shakespeare Cycleway). NCN 5 follows the canal towpath south from the A44 at Yarnton, before branching off onto a separate traffic-free path to Wolvercote.
- 9.118. We therefore request that, as a condition of approval, the developers fund targeted upgrade works to the section of NCN 5 following the canal towpath between the A34 Western Bypass overbridge north to the A44 Woodstock Road crossing.
- 9.119. We also ask for more clarity as to the nature of the cycle link between Oxford North, NCN 5 and the towpath. The Design & Access Statement is inconsistent in promising "pedestrian and cycle connections to the canal towpath" on p205, but solely showing "pedestrian links" in the diagram on p211.

- **“Tripartite” (University of Oxford, Merton College and a local landowner)**

- 9.120. The Tripartite own and control the vast majority of land at Begbroke, which is proposed to be allocated as a “new urban neighbourhood” by Policy PR8 of the Partial Review of Cherwell Local Plan 2011-2031.
- 9.121. No objection.
- 9.122. It is important that there is good connectivity between north-south & east-west services so that people do not have to walk significant distances between stops. To allow for flexibility in terms of delivering bus services and optimising public transport improvements, options that could be considered include: public transport access being permitted by way of the link road; in the interim scheme, allow the right turn from the site to the A44 but restrict it to bus movements only; and look at bus stop provision on the A44 in the interim to support the interchange and wider public transport improvements.
- 9.123. It is clear that to achieve the target modal split that a strong emphasis on public transport will be required, which is supported by the Tripartite. It is considered that facilitating an interchange as described above will enhance options for sustainable and effective travel in the city and across Oxford by public transport.
- 9.124. Clearly it is important that the proposed transport mitigation measures are properly secured and delivered at the appropriate time. The Tripartite recognises that the full highway scheme will deliver significant public

transport, cycle and pedestrian improvements, for example, by addressing the current difficulties of cyclists negotiating the Pear Tree Roundabout, which acts as a deterrent to cycle travel between areas north of the A34, A44 and Oxford (and of course the development site). The earlier these improvements can be in place the better to promote travel by non-car modes, which will be necessary to achieve the target mode shares. Hence clarification on the timing of highway works is requested.

- **West Oxfordshire District Council**

9.125. No observations.

- **Wolvercote Neighbourhood Forum & Wolvercote Commoners' Committee**

9.126. Three representation were received which are summarised below. Objection on the following grounds:

9.127. The viability statement is unacceptable – the claim that the statement at the AAP hearing that the project was likely to be viable (4.3) was based on knowledge at the time and that true costs have only now become available is unconvincing. It is still our contention that the Benchmark Land Value could be reduced because the standard viability model is not appropriate.

9.128. The quantum of development should not exceed AAP thresholds.

9.129. Proper consideration has not been given to the residential impact of air pollution, vehicle noise and safety on quality of life for and health of existing and future residents.

9.130. The traffic proposals do nothing to mitigate the expected increase in the volume of traffic generated by the development. The link road does not fulfil the AAP requirement of accommodating HGV traffic and to be positioned to the north of the site.

9.131. Measures to prevent overspill parking from the development include a Controlled Parking Zone in Wolvercote. This will have a financial impact on Wolvercote residents having to buy permits.

9.132. Better cycle and pedestrian access is needed to neighbouring areas, in particular from the East parcel connecting into Cherwell land and Oxford Parkway. Better crossings at Peartree Interchange are needed for cycles and pedestrians. Grade separation is needed at major road crossings.

9.133. Development should show net gain in biodiversity, not net loss on site. Objection to the loss of hedgerows and trees. Objection to reduction in landscape buffer [June 2019 resubmission].

9.134. The development's scale and materials are out of sympathy with their surroundings and do not provide an appropriate entry to Oxford. Port Meadow is of extremely high value, and also highly susceptible, and yet the development will still be clearly visible from large areas of Port Meadow, especially in winter when the trees will not be able to obscure it to the same

extent. Views from the Wolvercote with Godstow Conservation Area are very intrusive and most unwelcome. The revised height reductions [June 2019 resubmission] provide some improvement but they still have an adverse effect on the views.

- 9.135. Red Hall cantilevered overhang roof is unnecessary. Aggressive industrial appearance and long-term weathering of materials make in unsuitable. Workspace building external staircases are poor design. Roof plant may be an afterthought which will not be well integrated.
- 9.136. Stated sustainability aspirations are not met. PV panels should be installed on all buildings. The proposed drainage is such that its effect will overwhelm flood storage capacity and result in additional uncontrolled flooding downstream in 1 in 100 year flooding events.

### **Public representations**

- 9.137. There were 84 representations received from 76 addresses local to the site, further afield in Oxford and beyond the city. This included comments received from Cllrs Goddard, Gotch and Pressel, from County Councillor Paul Buckley as well as from Layla Moran MP. A complete list is included in **appendix 2**.
- 9.138. In summary, the points of objection that are material planning considerations were:
- no firm commitment to build affordable homes; unacceptable in the light of the housing situation in Oxford
  - Oxford has low unemployment and doesn't require businesses, it needs more Affordable Housing
  - development will add to housing shortages, as the demand for businesses isn't needed in Oxford, therefore the development is not sustainable
  - if jobs are being created, most will commute because of insufficient new homes to accommodate them on site
  - insufficient evidence to increase the use of public transport and cycling, is not enough to encourage public transport use, car sharing and cycling
  - shared cycle and pedestrian routes are not safe. There should be a separate and dedicated lanes
  - development lacks adequate road infrastructure
  - development will impact on North Oxford in terms of traffic flow, in particularly at Wolvercote roundabout
  - concerns over pollution from increased traffic and noise to neighbouring properties

- improvements need to be made to A40 & A34 before any development commences
- no cycle/pedestrian links from Oxford North to Oxford Parkway rail station
- provision for cycling is insufficient, it should at least meet the County Council's own standards
- development does not meet local amenity needs, e.g. school places
- development is needed but this is the wrong location
- development destroys an important section of the green belt between Oxford and Kidlington to the north.
- loss of open space between Oxford and Kidlington – lead to urban sprawl
- development is too high and not in keeping with the architecture of Oxford (in particular the Red Hall)
- concerns with the height of the buildings, these should be reduced (without gables), or screened in views from the east by tree planting
- colour of roofs is out of keeping with the area and needs to fit in with the landscape
- concerns over the effect of large scale project on the local environment and biodiversity

9.139. In summary, the point of support that is a material planning consideration was:

- development will create jobs and additional housing.

## **10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- a) Principle of development
- b) Affordable Housing
- c) Transport and highways
- d) Impact on heritage assets
- e) Design
- f) Landscape and trees
- g) Air quality
- h) Ecology and biodiversity
- i) Flooding, drainage and water

- j) Energy and resources
  - k) Impact on neighbouring and residential amenity
  - l) Land quality
  - m) Phasing of development and delivery of infrastructure
  - n) Planning obligations
  - o) Other matters
- 10.2. As set out previously in this report, the hybrid application is made up of a full planning application and an outline application; a greater level of detail has been provided for those elements within the full planning application. This report discusses and assesses the outline and full elements separately under each issue heading below.
- 10.3. The reason for the submission of a hybrid application is that the detailed elements cannot be considered other than in the context of a comprehensive development of the AAP site. The applicant wishes to apply for those parts of the scheme that are sufficiently developed for them to be considered in detail. This would allow development to commence sooner.
- 10.4. Recommended planning conditions are also set out separately to relate to the full and outline parts of the application, as set out in **appendix 3**.

**a. Principle of development**

- 10.5. The NPPF in paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development, meaning that development proposals that accord with an up-to-date development plan shall be approved without delay. In paragraph 47, it states that planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 10.6. Policy CS6 allocates Northern Gateway as a strategic development site in the Core Strategy . This means that the Northern Gateway is of strategic importance to the delivery of the Core Strategy. The Core Strategy, adopted in March 2011, states that an Area Action Plan will bring the Northern Gateway land forward. The Northern Gateway AAP was developed after the Core Strategy and adopted in July 2015. The AAP adds the extra level of site-specific detail to support the Core Strategy allocation to assist developers in the submission of high quality proposals and to ensure the best outcomes for Oxford.
- 10.7. Appendix 3 of the emerging local plan lists Northern Gateway/Oxford North as a Category 1 employment site and thus affords protection of the site under emerging policy E1. It is also listed as an Area of Change in the emerging local plan at paragraph 1.23, anticipating that the site would come

forward during the plan period to 2036 within the parameters of the adopted AAP.

- 10.8. Policy CS6 and the Northern Gateway AAP together establish the principle of employment-led mixed use development on this site. It is noted that at paragraph 1.23, the emerging local plan states that Northern Gateway/Oxford North has already been allocated and is the subject of the Northern Gateway AAP which forms part of the Development Plan. It states that, whilst it is not subject to an allocation in this local plan it will nonetheless constitute an area of change in the context of the vision for the city. The Northern Gateway AAP has an end date of 2026 in line with the Core Strategy.
- 10.9. Policy NG1 of the AAP states that the parcel of land bounded by the A40, the A34 embankment, Joe White's Lane, and the rear boundaries of properties along Godstow Road is taken out of the Green Belt and is allocated for development as part of the Northern Gateway site. Therefore, there is no Green Belt land within the boundary of this planning application.
- 10.10. Policy NG2 of the AAP states that planning permission will be granted at the Northern Gateway for:
  - up to 90,000m<sup>2</sup> (gross internal area) of employment development; and
  - up to 500 new homes; and
  - a range of local scale retail uses (up to a total of 2,500m<sup>2</sup> gross internal area); and
  - a hotel with associated leisure facilities (up to 180 bedrooms).
- 10.11. The quantum of development for which outline permission is sought falls within these parameters and therefore the application complies with policy NG2.
- 10.12. As a large strategic site within Oxford's Core Strategy, comprehensive development is important to the realisation of the AAP vision for the area. However, the application's red line does not take in the whole AAP area: the Park and Ride, Red Barn Farm land to the north (owned by Merton College) and the Goose Green parcel to the south-west (owned by Oxford City Council) are notable omissions. This is disappointing for the realisation of the overall vision for Northern Gateway and, whilst it might have been expected that the land under other ownerships would come forward as a single application, the Council must assess the application as submitted.
- 10.13. Parameter Plan 01: Access and circulation includes provision for principal connection points to adjoining land to facilitate connections to these three parcels. Such provision is also recommended to be secured via the legal agreement. This would ensure the development be designed not to prejudice access to neighbouring land, and to provide access and servicing subject to a fair contribution. The access can be assessed at reserved matters stage and provisions will be included in the legal agreement to ensure that there are no material impediments to complementary

comprehensive development in the future. These measures are considered sufficient to ensure the Northern Gateway site can still be developed comprehensively.

- 10.14. As noted above, officers are satisfied that the Environmental Statement and further information provided complies with the 2011 EIA Regulations and that sufficient information has been provided to assess the environmental impact of the proposal.
- 10.15. The principle of development accords with the Development Plan and is therefore acceptable.

*Employment use*

- 10.16. As set out in the AAP, the primary focus for this site is the provision of significant levels of employment-generating uses. The Core Strategy establishes that the site should have an employment focus, building on the strengths of Oxford's economy. The Northern Gateway is the city's only remaining opportunity to develop a new strategic employment site, and in that context it is important that it is developed in such a way to address the city's needs as closely as possible. The evidence shows that the city needs employment space to be focussed on Oxford's key strengths in the knowledge economy (science and technology, research, bio-technology and spin-off companies from the universities and hospitals). If the site were to be developed as a generic business park this would be in many ways a missed opportunity; instead it will be closely tied to the innovation and knowledge economies.
- 10.17. Policy NG3 of the AAP states that planning permission will be granted for employment development of up to 90,000 square metres where the intended uses directly relate to the knowledge economy of Oxford: science and technology, research, bio-technology, spin-off companies from the universities and hospitals or other intended uses that make a measurable contribution to these sectors. The policy states that applicants will be required to demonstrate how their proposals contribute to the knowledge economy of Oxford.
- 10.18. A planning obligation or condition is therefore recommended to ensure that prospective occupants are consistent with the employment types set out in the AAP.
- 10.19. The outline application is for 87,300 square metres of B1 floorspace, of which 15,850 square metres is proposed in the full element of the application. The quantum of floorspace falls short of the 90,000 square metres allocated in the AAP. The applicant has assumed that the Merton College owned land and Oxford City Council land will provide the additional 20 homes and 2,700 square metres of employment space in the AAP. It is noted that owners of the Red Barn Farm parcel, Merton College, consider that the application underestimates the development capacity of the Red Barn Farm parcel. However, the pro-rata approach used in the application

under consideration is not unreasonable and is justified; officers therefore see no reason to object to the quantum proposed.

- 10.20. The Design and Access Statements for the masterplan and the full application, as well as the plans for the Red Hall and two Workspace Buildings, show a clear design intention to create buildings to service knowledge economy businesses; the open gable ends of the three buildings reveal large research spaces. Subject to the recommended condition, the employment use proposed is therefore acceptable in relation to policy NG3.

### *Housing*

- 10.21. In the AAP, housing is presented as one of the complementary uses to the main employment use for the site and a limit of 500 units is set. Objective 2 of the AAP states that the project provides the opportunity to deliver additional housing including Affordable Housing to help address the growing need in Oxford. Indeed, paragraph 4.2 sets out the justification for the removal of part of the site from the Green Belt which included poor housing affordability in Oxford and the imperative to meet a backlog of housing needs.
- 10.22. Natural England, through the Habitats Regulations Assessment process undertaken to support the AAP, imposed a limit on residential units of 500 homes. The Oxford Meadows Special Area of Conservation (SAC) contains a number of Sites of Special Scientific Interest (SSSIs). Part of one of the SSSIs that makes up the Oxford Meadows SAC, Port Meadow, contains a rare plant, creeping marshwort (*Apium repens*). This plant is sensitive to increases in nitrates and phosphates associated with dog-walking. The limit of 500 homes is based on an estimate of the number of people likely to be dog owners, plus a higher proportion of open space within the development as mitigation so that dog owners have convenient options for places to walk their dogs.
- 10.23. No housing is proposed in the detailed part of the hybrid application, but up to 480 units are proposed in the outline. This falls short of the 500 units because the application red line does not take in the whole AAP area. A pro-rata allowance has been made by the applicant to take account of land owned by Oxford City Council and Merton College. The applicant has assumed that this land will provide the additional 20 homes and 2,700 square metres of employment space. Officers take the same view as noted above in relation to employment floorspace. Officers see no reason to object to this quantum of housing and its justification; there is other land within the AAP area that could deliver the remaining 20 units.
- 10.24. The delivery of 480 homes would make a significant contribution towards Oxford's unmet housing need and would contribute to the housing delivery set out in policy H1 of the emerging local plan. Policy H1 states that provision will be made for at least 8620 new homes to be built in Oxford over the plan period 2016-2036. This equates to a delivery of 431 dwellings per annum. The policy states that housing delivery will be achieved

ensuring that all new housing developments contribute to the creation and/or maintenance of mixed and balanced communities.

- 10.25. The mix of dwellings specified in paragraph 5.18 of the AAP, and as set out in the Balance of Dwellings Supplementary Planning Document (SPD) is as follows:

Unit size	Percentage
<b>1 bedroom homes</b>	10-15%
<b>2 bedroom homes</b>	25-30%
<b>3 bedroom homes</b>	40-55%
<b>4+ bedroom homes</b>	10-15%

- 10.26. The emerging local plan does not have an overall strategic mix for housing specified.
- 10.27. The planning statement submitted, at paragraph 4.11, sets out an indicative mix of units which would accord with the AAP and the Balance of Dwellings SPD. The mix would be secured via the legal agreement to ensure that the development overall produces a balanced mix of residential units. This obligation would include flexibility for the mix to be altered over time by agreement with the City Council to meet housing need. For the avoidance of doubt, officers note that housing need does not necessarily equate to market demand.
- 10.28. It is noted that a number of public representations question the low level of housing in relation to employment floorspace. The reasons for the balance between the quantum of employment and residential accommodation are set out in the AAP and have been highlighted in this report.
- 10.29. Due to the complexity of this aspect of the application, Affordable Housing is discussed in the following sub-section of this report. The principle of providing this quantum of housing is acceptable.

*Community, hotel, retail and services (shops and restaurants)*

- 10.30. The AAP allows for a range of local scale retail uses (such as shops and cafes) and a hotel with associated leisure facilities to give new and existing residents and employees access to local facilities and services, making the new development more sustainable. In line with the Core Strategy allocation, it is important to limit the retail uses to a local scale rather than to create more destination shopping facilities which would attract more visits to the area. This approach is in line with the NPPF and with emerging policy V1, to which limited weight can be afforded, which seek to ensure the vitality of existing centres. Limiting the retail uses to a local scale on the Northern Gateway site ensures that the development does not compromise the vitality and viability of the Summertown District Centre.
- 10.31. As noted above, the level of retail provision proposed is in line with AAP policy NG2. In addition, the outline application proposes up to 550 square

metres of D1 floorspace, which could include a nursery or some kind of community space. Such a low quantum of floor space would not affect the viability of other community facilities in the city and is of a local scale; it is therefore an acceptable element in the wider scheme.

- 10.32. Parameter Plan 02: Land use sets out the areas where the hotel, shops, restaurants and D1 community uses could be located. Although this gives a very broad spread of possible locations, the Design and Access Statement: Masterplan indicates that many of these uses would be located within the Central parcel, along the link road, and close to the public open spaces referred to as The Square and The Green. Such uses would provide activity and animation of these focal spaces. Assessment of whether the type and location of uses is appropriate would be made at reserved matters stage.
- 10.33. The AAP sets out the existing facilities within reach of the site, particularly within neighbouring residential areas and Summertown District Centre, including GP surgeries, a library, a leisure centre and retail facilities.
- 10.34. The County Council as Local Education Authority is proposing to increase primary and early education provision through the expansion of Wolvercote Primary School from a 1.5-form entry to a 2-form entry school, subject to a full feasibility assessment, planning permission, and statutory approval processes. The County Council conducted an options appraisal which identified an appropriate accommodation solution, estimated to cost £2,738,560. It states that the school expansion is only necessary because of the pupil generation from this development and so the full cost of the expansion is sought in connection with the application. Safe routes to Wolvercote Primary are proposed with the development and these are discussed in the later section on transport and highways. A financial contribution is sought for special educational needs and disability (SEND) provision on a proportionate basis. Secondary school demand from the development can be met by the new secondary school, Swan School.
- 10.35. The Affordable Housing and Planning Obligations SPD states that, as a consequence of the Council's introduction of CIL, the use of Section 106 planning obligations for most types of infrastructure, other than Affordable Housing, will be much more limited than in the past. It goes on to state that CIL will replace planning obligations as the means of funding off-site infrastructure, such as additional school places, transport improvements and crossings or improved leisure facilities, which are associated with new development and consequent population or economic growth. It states that proposals for development that may require the provision of planning obligations should be made in accordance with the relevant policies of Oxford's local plan. No new primary or secondary school is required by the AAP. Given the scale and nature of the development, it is therefore not considered appropriate for a contribution to be secured by Section 106 legal agreement.
- 10.36. There is no CEB agreement to use CIL receipts for education infrastructure and so a request for CIL funding for education would need to go through the normal process. It is included on the unfunded supporting infrastructure

list (see **section 10m**). A decision as to whether primary and SEND education should be funded by CIL is not within the decision-making powers of this committee; it is a decision made in another forum.

- 10.37. No health services are required by the AAP as existing services are accessible with Summertown Health Centre 2.4km away and close to bus services. The Oxfordshire Clinical Commissioning Group, seeking infrastructure funding, commented that the development will cause considerable pressure on the existing GP practices in the vicinity. Any such funding would need to come from CIL funds.
- 10.38. Paragraph 5.11 of the AAP states that the City Council will work with landowners and occupiers to facilitate the refurbishment or redevelopment of existing built areas of the Northern Gateway site (at the Wolvercote roundabout and Peartree interchange) to further enhance the strategic approach to the city. It is noted that these planning units are outside the red line of the planning application and so such improvements would take place as planning applications come forward on these sites. There is a planning obligation recommended for the developer to use reasonable endeavours to assist neighbouring landowners to facilitate the refurbishment or redevelopment of existing built areas of the Northern Gateway site to further enhance the strategic approach to the city.

#### **b. Affordable Housing**

- 10.39. Paragraph 62 of the NPPF states that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:
- off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
  - the agreed approach contributes to the objective of creating mixed and balanced communities.
- 10.40. In terms of the development plan, Policy CS24 of the Core Strategy states that residential developments on sites of over 0.25 hectares or over 10 units should generally provide a minimum of 50 per cent affordable housing. It is important to bear in mind that the policy goes on to say that, if it can be demonstrated by open book evidence that the affordable housing contribution from either residential or commercial development makes a site unviable then developers and the City Council will work through a cascade approach until a site is made viable. Developers will provide affordable housing as part of the proposed development unless the City Council, or the Secretary of State where appropriate, and the developer both consider that it is preferable to make a financial or other contribution towards the delivery of affordable housing on another site.
- 10.41. In line with policy CS24, policy HP3 of the Sites and Housing Plan also requires large sites to provide a minimum 50 per cent of dwellings on the site as affordable homes, specifying that a minimum of 80 per cent of these be provided as social rented, with remaining affordable homes provided as

intermediate housing. The policy also states that exceptions will be made to this policy if it can be robustly demonstrated that this level of provision makes a site unviable, in which case developers and the City Council will work through a cascade approach in the following order until a scheme is made viable.

- 10.42. The cascade approach outlined within the policy firstly reduces the percentage of affordable housing provided (to a minimum of 40 per cent of all homes) by reducing the intermediate housing element only. Secondly, at 40 per cent affordable housing, reintroduce an element of intermediate housing incrementally up to a maximum eight per cent of all homes. Thirdly, to make a financial contribution in lieu of on-site provision.
- 10.43. Officers would note that emerging policy H2, to which limited weight can be afforded, uses the same approach as adopted policy HP3.
- 10.44. Paragraph 5.17 of the AAP states that, owing to the specific and pressing need for affordable housing in the city, a minimum of 50 per cent affordable housing will be required, with 80 per cent of those provided as social rented and the remainder intermediate homes, in accordance with the policies of the Sites and Housing Plan. It states that the city's affordable housing policy contains a cascade approach that can be used when this policy requirement can be shown through open-book evidence to make the site unviable.
- 10.45. In terms of the Development Plan, officers would therefore advise members that whilst the starting point for Affordable Housing provision on a qualifying site should generally be to seek a minimum of 50 per cent Affordable Housing, the policies set out a legitimate position whereby exceptions to this level of provision can be justified following a full and robust assessment of viability.
- 10.46. As demonstrated by the Oxfordshire Strategic Housing Market Assessment (SHMA) (2014), and more recent post-SHMA work programme (2016), Oxford's housing need is greater than its capacity. It is therefore crucial that allocated sites achieve their housing allocation. As is set out in the emerging local plan, the provision of affordable homes is a key element of creating and maintaining mixed and balanced communities. One of the biggest issues facing residents in Oxford is the unaffordability of homes, to rent or to buy. Oxford is one of the least affordable places in the country, resulting from a combination of high land values, reducing land availability, and a shortage of homes. This means that housing is so expensive in absolute terms and compared to average salaries, that many people are priced out of the market. As such, delivering housing that is affordable in Oxford is a key priority of the City Council to help ensure that Oxford is a sustainable and inclusive city.
- 10.47. A Viability Appraisal and Affordable Housing statement both dated May 2019 have been submitted with the application. This was the result of lengthy and detailed discussions over the viability of the proposed development, including evidence gathering, scrutiny and testing. The

Affordable Housing statement concluded with a proposal to provide 25 per cent of the 480 housing units as affordable, with 80 per cent of those being social rented and 20 per cent intermediate housing. It also stated that 30 per cent overall could be provided if the tenure mix were altered to provide 70 per cent social rented and 30 per cent intermediate housing.

10.48. Subsequent to the submission of these documents, the issuing of the Council's viability advisers' report (**appendix 5**) and further negotiation, the applicant made the following final proposal on the 11 September 2019 in respect of Affordable Housing:

- 35 per cent Affordable Housing, equating to 168 of the 480 units;
- Affordable Housing tenure mix of 80 per cent social rented (135 units) and 20 per cent intermediate housing (33 units); and
- agreement in principle to a review mechanism.

*Viability appraisal*

10.49. As set out above, local plan policies allow for a cascade approach to Affordable Housing provision if it can be shown that provision would make the site unviable.

10.50. Paragraph 57 of the NPPF states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.

10.51. On the basis of local and national planning policy, it is therefore acceptable for the applicant to submit a viability assessment. The applicant, working with Council officers, has taken the approach of seeking to provide as much Affordable Housing on site as is viable, rather than seeking to make a financial contribution. This is welcomed given the large number of housing units proposed overall and would align with paragraph 62 of the NPPF.

10.52. The NPPG defines viability assessment as a process of assessing whether a site is financially viable, by looking at whether the value generated by a development is more than the cost of developing it. This includes looking at the key elements of gross development value, costs, land value, landowner premium, and developer return.

10.53. The NPPF requires that viability assessments follow the approach in the NPPG. This requires the applicant to set out what has changed in viability

terms since the viability assessment that informed the local plan. In its Viability Appraisal, dated June 2019, the applicant duly sets out that further investigative works into infrastructure requirements are the change that has occurred since the adoption of the AAP.

- 10.54. By way of background to the viability process, members should be aware that Savills are the viability advisers for the applicant and Gardiner & Theobald (G&T) their cost consultants; Jones Lang Lasalle (JLL) are the Council's viability consultants with Currie & Brown (C&B) as cost consultants. Savills and JLL both assess the development as a whole, reflecting the Development Plan requirement for comprehensive development. The nature of the commercial uses, and the infrastructure requirements that they generate, affect the viable level of affordable housing. This is unlikely to be repeated on other housing sites.
- 10.55. The JLL viability assessment has been carried out in line with the NPPG and with Royal Institute of Chartered Surveyors (RICS) guidance on Financial Viability in Planning. The RICS guidance requires an objective assessment of the scheme to be undertaken, and the circumstances of the particular applicant/developer to be disregarded.
- 10.56. The final report produced by JLL advising the Council (see **appendix 5**) includes an overview of the viability appraisal process which began during pre-application discussions in late 2016 and continued through the determination period of this planning application. In summary, the scrutiny of all inputs and details of viability for this development has been extensive, thorough and lengthy. It has been a collaborative and constructive process between the Council and advisers and the applicant and their advisers.
- 10.57. The original viability assessment prepared by Savills in November 2016 reported a significant negative Residual Land Value (RLV) of -£92.13 million. This appraisal assumed 50 per cent affordable housing but concluded that on the basis of the negative RLV, no affordable housing could be afforded. Indeed such a RLV indicated that the development was unviable and would therefore not come forward.
- 10.58. To improve the viability position and work towards a deliverable development, various areas were scrutinised and addressed, principally:
- Construction and infrastructure costs: at the start of the process, there was a significant difference in respect of costs assessed by G&T and C&B and hence this was subject to detailed interrogation between the respective parties' cost consultants/quantity surveyors. 'Value engineering' by the applicant sought to reduce costs while maintaining an acceptable level of design quality. There remains divergence between the two parties on costs, but the difference (before contingency) is around five per cent.
  - Land value: benchmark land value (BLV) has been significantly reduced from the original estimate by the applicant. A BLV of £12.4 million was agreed between JLL and Savills in June 2018, prior to the

revised NPPG on viability. There is no set rule for calculating BLV but the starting point should be the existing use value of the site. Indeed, the viability assessors for the Housing Infrastructure Fund (HIF) grant used a BLV of £628,800. This lower BLV has been given due weight, as is discussed later in the report.

- Energy loop: there is a substantial cost to the infrastructure of installing this, but such systems yield revenue. There is disagreement over how much and this remains a point of difference between the two parties. The higher revenue is included in sensitivity tests carried out by JLL.
- Affordable Housing values: evidence of higher than expected values being achieved in the Oxford area for Affordable Housing improved this area of the appraisal.
- Seeking funding: a LGF grant of £5.9 million has been secured to cover the cost of the A40 works, and £10m of HIF Marginal Viability grant sought.
- Infrastructure requirements: through discussions with the County Council, as discussed elsewhere in this report, the infrastructure requirements of the development have been reduced to those which are judged to be essential.
- Use of CIL: the ability for developers to use infrastructure payments in lieu of CIL has been explored and a CEB resolution was made to use CIL receipts towards appropriate infrastructure.

10.59. The above measures and collaborative working significantly improved the overall viability of the scheme, moving it into the realms of a deliverable scheme. JLL and Savills reached a position where many areas were agreed, although key areas of difference remained, most notably costs. A viability appraisal was produced by Savills on the basis of 25 per cent Affordable Housing (of which 80 per cent is social rented and 20 per cent intermediate housing, i.e. 80:20) and this was checked by JLL. JLL then undertook a number of “sensitivity tests” or scenarios, altering certain inputs each time in the viability appraisal. Generally, viability appraisals give an output of residual land value (RLV) or return on risk (developer profit). In this case, the output is return on risk.

10.60. The results of the scenarios in the sensitivity tests were as follows.

10.61. JLL’s review of the Savills appraisal produced a return on risk of 11.76 per cent (scenario 1 in the JLL report). JLL would expect a scheme of this complexity to require a return of around 20 per cent (profit on cost) for a developer to be prepared to proceed and for it to be fundable. Therefore, based on Savills’s assumptions, the scheme is not viable with 25 per cent Affordable Housing.

10.62. In scenario 2, JLL changed the costs provided by G&T to the C&B costs and included the higher anticipated energy loop revenue. This produced an 18.56 per cent return on risk. JLL conclude that this level of return meant that the scheme was viable albeit at a profit level marginally below the 20

per cent which developer's traditionally seek. JLL's professional view is therefore that 25 per cent Affordable Housing is viable based upon their original view of the BLV, i.e. £12.4 million.

- 10.63. JLL acknowledge in their report that there is no set rule for calculating BLV, only guidance. They also note that in reaching agreement on the BLV, they had regard to what is now outdated advice, superseded by the NPPF 2019 and NPPF 2019. The guidance is to apply a premium to existing use value to reach a minimum at which a landowner would be willing to sell.
- 10.64. Homes England, in assessing the HIF bid for the site, used a dramatically lower land value of £628,800 based on existing use value plus 20 per cent. JLL's professional opinion is that this land value would not persuade a landowner to sell. Officers would consider this figure to be at the very lowest end of a reasonable interpretation of guidance on setting BLV. However, as a government body, it is reasonable and appropriate for the Council to give weight to the Homes England land value. Therefore, JLL produced a number of scenarios using this much lower BLV.
- 10.65. Scenario 7 in the JLL report demonstrates that, by using the Homes England land value, an Affordable Housing percentage of 35 per cent can be achieved. Using the higher £12.4 million BLV but altering the tenure mix from 80:20 to 70:30 also makes 35 per cent Affordable Housing marginally viable. Officers note that a lower profit level would also make a difference to the level of provision.
- 10.66. These scenarios were discussed with the applicant. Officers noted that with the Scenario 7 assumptions, 35 per cent Affordable Housing, with a 80:20 tenure split between social rented and intermediate housing appeared to be the maximum that the development could reasonably support. The applicant's offer dated 11 September 2019 of 35 per cent Affordable Housing based on a 80:20 tenure split reflects their acceptance of this position. The applicant has also accepted the need for a review mechanism that allows additional Affordable Housing or a financial payment to be made if the development proves to be more viable than expected.
- 10.67. Officers would note that JLL was requested to test a scenario whereby 50 per cent Affordable Housing is included (240 units). This produced a return on risk of nine per cent using the £12.4 million BLV and 12 per cent using the Homes England lower BLV. Both figures are significantly below the 20 per cent threshold for return on risk. In practical terms, a development would be unlikely to commence with this level of return on risk. In planning terms, having regard to the NPPF and NPPG, it would be unreasonable and unjustifiable to require a 50 per cent level of Affordable Housing for this development, or indeed a percentage above 35 per cent.

*Reasons for marginal viability*

- 10.68. JLL in its report states that there is no single factor that has impacted viability for this development, rather four principal reasons.

- 10.69. In spite of the site being greenfield, the cost of on-site and off-site infrastructure to release the site for development is significant, totalling approximately £80 million. This figure excludes the A40 works which are funded separately, CIL and Section 106 contributions. As previously noted, the scope of the works has been significantly reduced to create better value. These costs are over £1 million per gross acre. In JLL's experience, costs for strategic sites typically range from £100,000 to £500,000 per acre.
- 10.70. The nature and quality of the scheme is another factor. The majority of strategic sites provide lower density traditional housing development or offices in the format of business parks. In contrast, the proposals for Oxford North propose a higher density scheme comprising a mix of commercial and residential uses, and will seek to create a new urban quarter to the city. The scheme is bespoke, high quality, mixed use and, as a consequence, the costs of construction are higher than more typical developments.
- 10.71. The provision of large single block offices at the scheme results in a significant finance burden. The buildings cannot be phased and must be completed before a tenant can move in. There is also a risk that the buildings may stay vacant for a time post completion. This contrasts with a standard housing scheme which provides a more steady flow of cost and income.
- 10.72. Given the extent of infrastructure and the bespoke nature of the scheme, which would create a new quarter of the City of a significant scale, the project carries significant risk for the applicant in terms of its viability and delivery. This is reflected in JLL's recommended return on risk of 20 per cent, which is higher than for more typical schemes where risks are lower. This has an impact on development viability.

#### *Mix of dwellings*

- 10.73. The Affordable Housing and Planning Obligations SPD and policy H4 of the emerging local plan both specify the mix of unit sizes for the affordable element of housing provision. The Affordable Housing mix for each reserved matters applications will need to be assessed against the standards current at that time. Similarly, applications will ensure that they meet standards for the proportion of homes to be accessible and adaptable. The location of the Affordable Housing units and market housing units cannot be determined at this stage; this would be considered as part of reserved matters applications.

#### *Assessment of level of Affordable Housing*

- 10.74. It is officers' considered professional view that, mindful of the conclusions of the Council's independent viability assessors, JLL, the applicant's proposal of 35 per cent Affordable Housing at a 80:20 tenure mix is the proper upper limit of what this development can justifiably be required to

provide. The application's Affordable Housing proposal has been robustly justified through viability evidence and is compliant with the provisions of the AAP, NPPF, the NPPG, adopted policies CS24 and HP3 and emerging policy H2.

- 10.75. As noted above, a review mechanism is recommended to be set within the legal agreement that would guarantee a minimum of 35 per cent Affordable Housing across the whole site and capture further opportunities to increase the Affordable Housing offer that might exist post planning consent, such as value uplift or cost savings.

### **c. Transport and highways**

- 10.76. Paragraph 103 of the NPPF states that significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Paragraphs 108 and 109 require that safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree; development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 110 requires priority be given first to pedestrian and cycle movements; and that development creates places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles. Paragraph 111 notes that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 10.77. Policy CP1 of the Oxford Local Plan 2001-2016 requires development to be acceptable in respect of access, parking, highway safety, traffic generation, pedestrian and cycle movements, while policy CP10 requires developments to ensure that access to the site is practicable, with priority given to pedestrians and cyclists. Policies TR1 and TR2 of the Oxford Local Plan 2001-2016 require a transport assessment and travel plan to be submitted with applications likely to have significant transport implications. These policies state that the City Council must be satisfied that adequate and appropriate transport-related measures will be put in place.
- 10.78. AAP policies NG4, NG5 and NG6 cover requirements for travel and transport; more detail of these requirements is included later in this section of the report. NG4 and NG6 set out specific standards for cycle and car parking for the site, which take precedence over the local plan car and cycle parking policies.
- 10.79. Emerging policy M1, to which only limited weight can be afforded, requires development to minimise the need to travel and be laid out and designed in a way that prioritises access by walking, cycling and public transport. The

objectives of this policy are closely aligned with those of the AAP transport policies.

- 10.80. Emerging policy M2 would require a transport assessment, delivery and service management plan, and construction management plan for this development. These are either provided or required by condition or planning obligation.
- 10.81. The outline application provides detail of access, with other matters reserved. Therefore the application includes proposed highways drawings and access details for the wider site for vehicles, cycles and pedestrians and shows how these would fit into the surrounding access network. The application includes Parameter Plan 01: Access and circulation which indicates the link road between the A40 and A44; the key cycle and pedestrian connections; locations of junctions, tertiary streets; and links to third party land. Detailed highways drawings are included for the A40 and A44, the link road, plus the interim junction between the A44 and link road proposed in the detailed part of the application. The Design and Access Statements for the masterplan and the detailed planning application contain details and information relevant to transport, travel and highways.
- 10.82. As required by the AAP and any application of this size, the outline application includes a transport assessment and appendices within the Environmental Statement which considers the impact of the development at fully operational stage at 2031, and a framework travel plan. A supplementary transport assessment was submitted in March 2019 to set out the additional traffic modelling undertaken to satisfy the requirements of the County Council and Highways England. A Technical Note on traffic modelling was submitted in June 2019, as requested by Highways England, which gives updates to the 2021 and 2031 traffic modelling scenarios.
- 10.83. The transport assessment in the Environmental Statement follows the Institute of Environmental Management and Assessment guidance and parameters. The mitigation package proposed with the development has positive effects as it provides improved pedestrian facilities and more efficient junctions. Therefore, the assessment has not found any significant effects of the operational phase of the development.

*Proposed transport mitigation*

- 10.84. The application proposes a range of mitigation measures which are summarised below.
- 10.85. Improvements to the A40 are proposed that will include:
- Eastbound bus lane – required to mitigate impact of congestion resulting from development at new junction on the A40 and Wolvercote roundabout. Bus lanes allow buses to bypass traffic and improve journey times of bus services

- Bus stops – two new pairs of bus stops with waiting facilities and Real Time Information displays. The cycle lane bypasses behind the bus stop creating a floating bus stop
- Cycle lanes – 2 metre wide cycle lanes in both directions. These will take the form of stepped cycle lanes providing a segregated facility
- Shared use paths – 3 metre wide paths on either side of the A40 to provide high-quality routes for pedestrians and cyclists
- Junctions to serve the Canalside and Central parcels
- Toucan crossings – controlled pedestrian / cycling crossings provided at the signalised junction on the A40 connecting with the on-site link road. A further controlled crossing provided towards Wolvercote roundabout to connect with the walking routes provided through the site connecting to the Public Rights of Way which lie to the south of the development site and connect with Wolvercote
- Speed reductions – speeds will be reduced to 30 miles per hour from Duke's Cut to Wolvercote roundabout to create a more pedestrian and cyclist friendly environment and change the function of the road from a strategic link to a local road with active frontage due to presence of development

10.86. As noted elsewhere in this report, the A40 works are to be funded by Local Growth Fund money. These works form part of the detailed part of the planning application.

10.87. Improvements to the A44 are proposed that will include:

- Temporary junction – temporary left out, right in, left in junction required as part of phase 1a directly related to the development
- Permanent junction – signalised junction provided to link with the Central parcel and a separate signalised junction to serve the Eastern parcel
- Bus lanes – southbound bus lane as existing and a northbound bus lane with bus stops. Tiger crossings across bus lane provided at two locations to link with the controlled crossings of the main carriageway
- Bus stops – existing bus stop close to Park and Ride to be upgraded and a new set of bus stops provided further south with waiting facilities and Real Time Information displays. The cycle lane bypasses behind the bus stop creating a floating bus stop
- Cycle lanes – 2 metre wide cycle lanes in either direction. These will take the form of stepped cycle lanes providing a segregated facility
- Toucan crossings – three controlled pedestrian/cycle crossings provided at the signalised junctions serving Peartree Park and Ride, Central and East parcels
- Speed reductions – speeds will be reduced to 30 miles per hour from Peartree interchange to Wolvercote roundabout to create a more

pedestrian and cyclist friendly environment and change the function of the road from a strategic link to a local road with active frontage due to presence of development

- 10.88. The A44 works are expected to be delivered by the developer who will need to enter into an agreement under Section 278 of the Highways Act 1980 to undertake the works on the public highway. These works will be subject to Technical Approval as part of the agreement. The part of the works that would have a wider public benefit are likely to be eligible for infrastructure payments (in lieu of CIL payments) under the provisions of Regulation 73A of the CIL Regulations if the Council decides to permit such an approach.
- 10.89. The temporary junction is required prior to occupation of phase 1a while the full scheme is required to be delivered prior to occupation of the next phases. This is because the footways, cycle lanes and bus lanes are required to realise the mode shares being targeted by the development as part of the transport strategy. These works and their timely delivery are proposed to be secured by either condition or legal agreement.
- 10.90. Measures are proposed to provide safer routes to school from the development to Wolvercote Primary School via localised widenings of the footway and pedestrian refuge provision on Godstow Road; and a zebra crossing on First Turn in front of the school. The works are expected to be undertaken via a Section 278 agreement. The works are likely to be eligible for infrastructure payments (in lieu of CIL payments) under the provisions of Regulation 73A of the CIL Regulations if the Council decides to permit such an approach.
- 10.91. Enhanced bus services are to be provided from the site to Headington as part of an "Eastern Arc" service from the north of the city, via the hospitals and on to Cowley. The developer contribution is for £2.88 million over an eight-year period to be secured by legal agreement with a mechanism to recover the contributions to the development should the service gain commercial viability sooner than expected.
- 10.92. The development would make a proportionate contribution towards a County Council scheme to make improvements to the Peartree interchange. Such a scheme would improve the capacity of the roundabout by increasing the entry and circulatory lanes, signalisation of the roundabout and provision of pedestrian/cycle crossing along the eastern side. This can be funded using CIL receipts from the development.
- 10.93. Parking controls in neighbouring areas are needed to prevent overspill parking within walking or cycling distance of the site. Contributions are therefore needed for the County Council to implement a Controlled Parking Zone in Upper and Lower Wolvercote and possibly parking controls in Yarnton. This can be funded using CIL receipts from the development.

### *Sustainable travel*

- 10.94. Policy NG4 states that the City Council will work with delivery partners to facilitate pedestrian and cycle improvements including:
- Provision of three convenient cycle and footpath crossings of each of the A40 and A44 (at the new link road junctions, at the Wolvercote roundabout and at an additional location in between those two);
  - Provision of a high quality cycle link to the new Oxford Parkway Railway Station (connecting with the Banbury Road cycle path, through Five Mile Drive);
  - Provision of high quality pedestrian and cycle links from the site to nearby residential areas and facilities (including local schools) and connecting with existing Rights of Way.
- 10.95. Policy NG4 goes on to state that planning permission will not be granted for development that compromises the delivery of these pedestrian and cycle improvements, and that planning permission will only be granted for new roads within or serving the site if they are designed to prioritise pedestrian and cycle movements and access to public transport.
- 10.96. Policy CHS4 of the Wolvercote Neighbourhood Plan, to which limited weight is afforded, requires new development to ensure safe access to schools, community facilities and retail outlets where it is practicable to do so. It further states that proposed developments should consider the provision of routes connecting with adjacent streets and sites, including the commons. These routes should be made Public Rights of Way where practicable, or Permissive Rights of Way. It is considered that the proposal's safe routes to school improvements and overall movement network mean the development complies with this emerging policy.
- 10.97. Works to the Wolvercote roundabout, which have already been completed, provided cycle and pedestrian crossings on the A40 and A44. The application proposes three toucan crossing points on each road, conveniently placed for connecting cycle and pedestrian routes through the whole site and beyond. These are detailed on page 163 of the Design and Access Statement: Masterplan. This exceeds the requirements of NG4.
- 10.98. The question of grade separation for cyclists around Wolvercote roundabout was raised in a number of public comments. It should be noted that the Wolvercote roundabout is neither within the red line of development nor within the control of the application. Notwithstanding this, officers understand that a grade separation was considered by the County Council. Due to the limited amount of public highway available, a grade separated solution is not deliverable. The visual impact of such a large piece of infrastructure would need to be considered as well as whether such an arrangement creates a cycle-friendly environment for all cyclists and at all times of the day. Officers consider that the high-quality cycle infrastructure proposed on the A40 and A44 in conjunction with the change in character of the streets to urban streets will provide a cycle-friendly environment.

- 10.99. A comment from the Oxford Bus Company raises the question of whether bus lanes can run up to the Wolvercote roundabout to give greater bus priority. The County Council has informed officers that there is insufficient highway boundary space to do so. To reallocate the general traffic lanes to bus lanes would have a significant adverse impact of the operation of the roundabout and so cannot be pursued.
- 10.100. The on-site network of cycle routes connects with Five Mile Drive. A shared pedestrian/cycleway from Peartree Park and Ride is proposed to connect with the existing cul-de-sac serving 369-400 Woodstock Road and through to Five Mile Drive. Such a route would create a cycle route from all parts of the site to Oxford Parkway station via the Banbury Road segregated cycle path. Page 164 of the Design and Access Statement also sets out a potential cycle route north through the Park and Ride and alongside the railway line. This is beyond the control of the applicant, and in part outside Oxford City Council boundaries. Cherwell District Council has commented on the planning application, stating that it is “desirable to maximise the potential opportunities for connecting links with the Oxford North site” to achieve “mutual benefits, including pedestrian/cycle connection to Oxford Parkway”. Parameter Plan 01: Access and circulation shows where a cycle connection could be located to the north of the East parcel where it meets the Park and Ride. In the interests of sustainable transport – both cycling and rail – it is recommended that the legal agreement secure an obligation on the developer not to prejudice the direct cycle link to Parkway and to work with neighbouring landowners to complete such a link.
- 10.101. The improved cycle lanes on the A40 and A44 provide connections towards the city. Pedestrian and cycle routes are proposed connecting from Oxford Canal Walk and Joe White’s Lane (National Cycle Network route 5) in the west, through the site to the East parcel in the east. Upgrades to this route are not required as part of this application because high-quality cycle connections on the A40 and A44, which provide year-round cycle routes, have been prioritised. The Local Education Authority anticipates that all primary pupils will attend Wolvercote Primary School and so the County has worked with the developer on two schemes – localised widening of the footway and provision of a pedestrian refuge crossing on Godstow Road, and a zebra crossing on First Turn outside the primary school – which would ensure safe routes to school. These would be delivered directly by the developer and secured via legal agreement to ensure they are in place before residential occupation. The works are likely to be eligible for infrastructure payments in lieu of CIL should the Council decide to adopt this approach.
- 10.102. The link road has been designed to give cyclist priority within the slow moving street with wide footways for pedestrians. The masterplan sets out the cycle and pedestrian routes within the site which tie in with the location of bus stops on the A40 and A44 and the hugely upgraded cycle facilities on these trunk roads. The development’s roads, within or serving the site, have been designed to prioritise pedestrian and cycle movements and access to public transport.

- 10.103. The question of whether the cycle provision for the development complies with the County Council's standards including Cycle Super Route standards was raised by a number of parties via public consultation. The County Council as Highways Authority has been closely involved through pre-application discussions as the applicant developed the highways proposals. The County Council raises no objection to the highways proposals which include stepped, segregated two-metre cycle lanes on the A40 and A44. Shared paths for use by pedestrians and cyclist are in addition to, not instead of, the segregated cycle lane provision.
- 10.104. Improvements to Joe White's Lane and a stretch of the canal towpath have been suggested via the public consultation process. As discussed elsewhere in this report, there has been a process of prioritising infrastructure requirements for the development. The improvement of these two routes is therefore included on the unfunded supporting infrastructure list (see **section 10m**) so that it can be delivered should sufficient funding become available.
- 10.105. Policy NG4 also sets out the cycle parking standards for the AAP site with which the proposed development would comply. This is discussed in further detail later in this report. Overall, therefore, the development would comply with policy NG4.

#### *Highways and access*

- 10.106. Policy NG5 of the AAP sets out that the City Council will work with delivery partners to facilitate transport improvement measures including:
- Provision of a new on-site link road between the A40 and A44 towards the northern edge of the development site, accessed by a new four-way junction on the A40 and a new four-way junction on the A44;
  - Improvements to the Peartree interchange;
  - Improvements to the Wolvercote and Cutteslowe roundabouts;
  - Provision of enhanced bus services along the A40 and A44 corridors including bus priority, new bus stops, improved waiting facilities and opportunities for interchange;
  - Provision of an enhanced Peartree Park and Ride facility with additional spaces, improved waiting facilities, and a decked car park.
- 10.107. The highway and access proposals with this application include a link road between the A40 and A44, with the full highways proposals including junctions on the A40 and A44. An interim 'left-in left-out' junction on the A44 is proposed as part of the full application, with the complete A44 junction onto the link road proposed to be carried out by the developer in a later phase of development.
- 10.108. The A40 works including the four-way junction are included in the full application as well as a give-way junction onto the A40 closer to the Wolvercote roundabout that would provide a second access to the

Canalside parcel. These works are to be carried out by the County Council as Highways Authority using Local Growth Fund money.

- 10.109. The complete A44 junction is a three-way junction since the proposed access to the East parcel, which is signalised, does not line up with the junction onto the link road. This is considered to be acceptable by officers and the Highways Authority.
- 10.110. The link road is proposed to be 6.5 metres wide with a speed limit of 20 miles per hour and a weight restriction to discourage HGVs routing through the site. The road width will widen at the junctions to allow for dedicated left and right turn lanes at either end.
- 10.111. The internal link road has been designed with cyclists in mind, allowing the use of the full width of the carriageway in the middle section to give cyclist priority within the slow moving street with wide footways that vary between 3 metres (to allow for parking bays) and 6.5 metres. Dedicated cycle lanes of 2 metres are provided from the exit lane leading to Advanced Stop Lines (ASLs) to allow cyclists to join the cycle lanes on the A40 and A44.
- 10.112. Several 2.5 metre-wide laybys are provided along the link road to provide short-stay on-street parking as well as dedicated loading bays. These are located away from the junctions to the A40 and A44 as well as away from the internal junctions and therefore do not obstruct visibility at the junctions.
- 10.113. The on-site link road will need to be constructed to an adoptable standard. In this instance it is the intention of the developer to construct the link road to a high specification with materials which are suitable for public highway that also allow the developer to create an exemplar place. The road would be dedicated as highway but not adopted (to allow for developer maintenance of the road) via an agreement pursuant to Section 38 of the Highways Act 1980. The agreement would also include waiting and parking restrictions, and weight restrictions to prevent through-HGV traffic on the link road. The Highways Authority requires the road to be operational and dedicated at occupation of 5,000 square metres of employment floorspace so that it can accommodate bus services.
- 10.114. The improvements needed to Peartree interchange are required to support wider growth and existing capacity issues. Therefore it has been calculated that this development should not be required to pay for the whole scheme. The development will provide a 12 per cent contribution towards a scheme that will be implemented by the County Council which seeks to increase capacity at Peartree interchange and provide safe crossings on the western side of the roundabout for pedestrians and cyclists. CIL receipts from this development can be used to make this contribution to the County Council.
- 10.115. Highways England has been closely consulted throughout the pre-application process and during the determination of the application. It is responsible for the strategic road network and ensuring that it operates and is managed in the public interest. The A34 is part of the strategic road network and therefore Highways England has focussed on the impact the

development may have on issues such as queuing on the A34. The most recent formal comment from Highways England is a request not to determine the application pending further information that has been sought. Officers understand that Highways England now have this information and that a final formal comment is due to be issued in the days following publication of this report; officers will provide a verbal update to committee.

- 10.116. Improvements to Wolvercote and Cutteslowe roundabouts have been delivered by the County Council through the City Deal funding secured in 2015/16.
- 10.117. The proposed A40 scheme provides two pairs of bus stops with waiting facilities and Real Time Information, while the A44 scheme provides a new pair of stops and upgrades the two existing bus stops with waiting facilities and Real Time Information. Bus priority is also provided on the A40 with an eastbound bus lane and on the A44 with north and southbound bus lanes. A financial contribution secured via legal agreement is recommended to ensure a bus route servicing the Eastern Arc from the site through to Headington is subsidised until such time as they become commercially viable. The County has estimated that payments shall be over an eight-year period totalling £2.88 million. However, officers recommend that regular reviews are included in the terms of the legal agreement so that payments would be tailored to reflect the degree to which services are becoming self-sustaining during the eight-year period. Any residual from the £2.88 million may be used towards unfunded supporting infrastructure for the scheme.
- 10.118. The red line site boundary does not include the Peartree Park and Ride and no improvements to the facility are proposed. Officers do not recommend that the development makes a financial contribution towards improvements. This is in part because there is no direct impact on the Park and Ride caused by the development, albeit that improvements to sustainable transport options would underpin and mitigate additional development in the wider AAP area. In addition, the marginal financial viability of the development means that officers have had to prioritise infrastructure requirements for the site and do not consider Park and Ride improvements to be a priority. Improvements to the Park and Ride facilities will be included on the unfunded supporting infrastructure list so that they can be delivered should sufficient funding become available.
- 10.119. The outline part of the hybrid application provides details of access (with all other matters reserved) which would be secured if planning permission is granted through the approval of Parameter Plan 01: Access and circulation and the various highway infrastructure drawings submitted with the application. Approved drawings for the detailed part of the application would be those setting out the A40 improvements and junctions into the site, the central street/link road and the interim left-in, left-out junction from the Central parcel onto the A44.

### *Highways impact and mitigation*

- 10.120. Policy NG5 goes on to state that planning permission will not be granted for development that adversely impacts the safe and efficient operation of the local and strategic highway networks or that compromises the delivery of these highways improvements. Planning applications for built development must be accompanied by details of how proposed development will help facilitate the delivery of transport improvements and mitigation measures.
- 10.121. It is therefore necessary to consider trip generation foreseen as a result of the development, the traffic modelling work included in the application and the conclusions it draws in relation to predicted traffic impact, and finally the proposed mitigation measures.
- 10.122. The application follows an extensive period of pre-application consultation with the County Council as Highways Authority and with Highways England. Highways England is responsible for the A34 as part of the strategic road network while the County Council is responsible for the local highway network.

### *Trip generation*

- 10.123. Trip generation estimates are based on the development fully built out and take into account the reduced level of car parking proposed on site and the proposed mitigation measures, such as high-quality bus and cycle lanes, new bus stops and enhanced bus services.
- 10.124. By 2031, it is predicted that the development will generate 2,686 trips in the AM peak period (0700-1000) and 2,624 trips in the PM peak period (1600-1900) by non-car modes. A majority of these trips would be made by bus and cycle.
- 10.125. In comparison, 2,923 trips in the AM peak period and 2,819 trips in the PM peak are expected to be made by car drivers and those travelling as car passengers. This equates to approximately 974 trips in one hour in the AM peak and 939 trips in one hour in the PM peak by car.
- 10.126. The development site is located on a constrained road network. Therefore, it is critical that this development does not generate significant levels of traffic that would adversely impact the strategic road network. The mitigation package which focusses on sustainable travel enhancement is therefore crucially important in bringing this development forward.
- 10.127. Phase 1a is predicted to generate 411 trips in the AM peak period and 339 trips in the PM peak period by sustainable modes. In comparison, 442 trips in the AM peak period and 399 trips in the PM peak period are expected to be made by car drivers and those travelling as car passengers. This equates to 147 trips by car in one hour in the AM peak and 133 trips by car in one hour in the PM peak.

### *Traffic modelling*

- 10.128. The application includes three traffic model scenarios:
- 2016 as a base year
  - 2031 reference (without development)
  - 2031 test (with development and proposed mitigation)
- 10.129. It should also be noted that the highway modelling undertaken to assess the impacts of the development have not included transport strategy proposals or schemes which would be expected to support further mode shift away from private car travel. The results of the modelling should therefore be seen as a worst-case scenario. Schemes not modelled include the proposed A40 Eynsham Park and Ride and inbound bus lane scheme, as well as wider bus priority and cycle and pedestrian improvements proposed along Woodstock Road and Banbury Road corridors (beyond the development) with some elements already receiving Growth Deal Funding to deliver improvements by 2023. The County Council's Local Transport Plan proposals for further demand management in Oxford along with the City Council's emerging local plan proposals to restrict and, over time, reduce the amount of residential and workplace parking across the city, have not been taken into account.
- 10.130. The modelling shows a level of displacement of existing traffic using the local area as a result of the new development. This means that existing trips may use a different route or time their trips to avoid peak hours.
- 10.131. The modelling shows that there would be negligible impact on Loop Farm roundabout (the small roundabout immediately to the north of the Peartree interchange) in the AM peak period while an improvement in performance is expected in the PM peak period which can be attributed to the mitigation package being implemented with the development.
- 10.132. Peartree interchange is modelled as a signalised roundabout as proposed with the development. The scheme includes queue flushing loops on the off-slips from the A34 as required by Highways England. The results show that queues on the off-slips would be contained within the slip roads and not affect the operation of the mainline of the A34. It also shows that queues on the A44 North would increase in the AM peak but remain comparable to queueing without the development in 2031 in the PM peak period.
- 10.133. The modelling results for Peartree Park and Ride access junction shows an improvement in the operation with the development and the proposed mitigation package which includes signal optimisation at this junction. There would be an increase in queueing on the Park and Ride arm but not to a detrimental extent.
- 10.134. The modelling results for Wolvercote roundabout show that the operation of A44 North will improve in both the AM and PM peak periods. It shows a moderate impact upon the operation of Five Mile Drive, Godstow Road and

Woodstock Road, while the operation of the A40 East and West are shown to improve.

- 10.135. The results for the A40 at Wolvercote roundabout need to be considered together with the modelling results for the A40 / Site Access junction as one impacts upon the operation of the other. The modelling results for this junction show the build-up of a 3km queue in the AM peak period. It is recognised that this level of queueing in the AM peak period is broadly comparable to the extent of queueing experienced before the improvements to Wolvercote and Cutteslowe roundabouts were completed in October/November 2016 based on the comparison provided with queue length surveys undertaken in 2008 (recorded queue length of 2.75km in the AM peak). In the context of the proposed improvements that would be provided through the development including the high quality foot and cycle ways along both sides of the A40 and the eastbound bus lane, the County Council as Highways Authority has found this level of impact acceptable.
- 10.136. The results at Cutteslowe roundabout vary from arm to arm. The A40 East shows a worsened impact in the AM peak period while A40 West shows a worsened impact in the PM peak period. However, these impacts are not expected to adversely impact the surrounding network.
- 10.137. Finally, the two site access junctions on the A44 are expected to operate with minimal queues building up and therefore would not impact upon the operation of Peartree interchange or Wolvercote roundabout.
- 10.138. Modelling for 2021 to assess the impact of the detailed phase of development for which planning permission is sought was requested by the County Council and Highways England. This work confirms that the delivery of the A40 works is beneficial and mitigation is required at Peartree interchange prior to development beyond the detailed part of the application is occupied.
- 10.139. Two mitigation options have been considered for Peartree interchange: the signalisation of A34 off-slip roads only or the full signalisation of the junction.
- 10.140. The network statistics do not vary greatly for the two options tested in the AM peak period but show less delay and higher speeds in the PM peak period with full signalisation. Full signalisation results shows less queueing on the A44 at Loop Farm and Wolvercote roundabout. On this basis, it is recognised that the scheme being promoted by Oxfordshire County Council for Peartree interchange (which includes full signalisation of the roundabout with increase in circulatory capacity) should be brought forward before phase 1a is fully occupied. The County Council and developer will need to discuss and agree timescales at the appropriate time. The Growth Deal money that will forward fund the scheme must be spent by March 2023 but the County Council anticipates that the scheme will come forward before this.

- 10.141. Officers understand that Highways England will be lifting its holding objection to this application because it has been sufficiently demonstrated that there will be no severe impact or queueing on the strategic road network, i.e. the A34 in this location, due to the provision of signalisation of Peartree interchange. In the absence of formal confirmation, the officer recommendation to approve the application as set out in section 1 of this report is contingent upon no objection being raised by Highways England. Officers anticipate a comment being submitted before committee and, if this is the case, a verbal update will be made.
- 10.142. Finally, policy NG5 states that mitigation measures must be implemented in accordance with the agreed phasing of development, with full implementation prior to the occupation of the final development phase. Planning permission will only be granted for new roads within the site if they are based on low vehicle speeds giving priority to provision for walking, cycling and easy access to public transport. Roads other than the link road, which is to be dedicated highway, are not to be adopted or designated and so the legal agreement is recommended to secure unfettered public access on all on-site roads including pedestrian and cycle routes.
- 10.143. The phasing of the highway works proposed is for all A40 works, the link road and an interim junction onto the A44 to be implemented in phase 1a. The A40 works are being carried out by the County Council with Local Growth Fund (LGF) funding, which needs to be spent by March 2021. A memorandum of understanding (MOU) is being agreed between the LGF and County Council. This provides certainty on the delivery of these works. Notwithstanding that the A40 works included in the planning application are to be undertaken by the County Council, they will be secured via the legal agreement, ensuring that the works will take place to enable the development regardless of who delivers them.
- 10.144. The revised Design and Access Statement: Masterplan includes a more detailed appraisal of how a more direct cycle link from the site could be made with Oxford Parkway station (see page 165). While much of the link would be off-site, this shows a clear intent for a future connection. Officers recommend that the legal agreement secure a requirement that the development be designed so as not to prejudice a direct cycle link to Parkway.

#### *Cycle parking*

- 10.145. Policy NG4 sets ambitious minimum cycle parking standards, above those of the adopted Oxford Local Plan 2001-2016 and the emerging local plan. Each reserved matters application will be assessed as it comes forward against the AAP standard.
- 10.146. The detailed part of the application seeks permission for 15,850 square metres of employment use and therefore, at 1 space per 50 square metres, 317 cycle parking spaces are required. The detailed part of the application proposes an area of temporary car and cycle parking on the north side of the link road on a plot of land identified for phase 1f of the wider

development. The cycle store will be secure, with access provided through a key card system, and contain two-tier cycle racks providing spaces for 248 cycles. Manufacturer's details have been checked to ensure there is sufficient space between racks for the two-tier system to operate correctly. Ninety uncovered cycle parking spaces are proposed throughout the public realm of phase 1a and on the link road. The total number of cycle spaces is therefore satisfactory.

- 10.147. The permanent cycle store for phase 1a is likely to be located between the Red Hall and adjacent development to the west. Details of this would come forward at reserved matters stage. Officers note public comments regarding provision of accessible cycle parking spaces; this would be expected as part of the reserved matters detail submitted. Emerging policy M5, to which limited weight can be afforded, would require an appropriate amount of parking for the needs of disabled people and facilities for electric charging infrastructure.
- 10.148. Showers and changing facilities are provided beneath the Red Hall for use by both the Red Hall and Workspace building users.
- 10.149. The cycle parking proposal would comply with AAP requirements and is considered acceptable.

#### *Car parking*

- 10.150. The AAP encourages sustainable travel choices and, accordingly, it seeks to strike a balance between providing sufficient car parking spaces to allow the uses to function effectively whilst reducing the number of cars on the local road network and the land take for car parking. Policy NG6 of the AAP sets maximum car parking standards below the Local Plan 2001-2016 parking standards as follows:
- residential car parking as set out in the Sites and Housing Plan
  - employment car parking 1 space per 50 square metres
  - hotel car parking 1 space per 2 bedrooms and 1 space per 2 resident staff
  - retail car parking 1 space per 50 square metres
- 10.151. It states that residential car parking must include unallocated spaces, and non-residential car parking should be designed to maximise the use of shared communal facilities. Car parking should be integrated into the street design as far as possible. Applications for employment development must be accompanied by a full car parking management plan to be agreed with the City and County Councils. NG6 further states that the City Council will support the extension of Controlled Parking Zones to cover the site and neighbouring areas.
- 10.152. Emerging policy M3, to which only limited weight is afforded, sets no specific car parking standard for non-residential uses; the level should be determined through the transport assessment and travel plan. The site-

specific AAP standard is therefore considered appropriate for this development.

- 10.153. The temporary car park, for which planning permission is sought as part of the detailed application, to be sited to the north of the link road would provide 253 car parking spaces, of which 13 are disabled bays, plus 19 motorised two-wheeler spaces. Ten per cent would have electric vehicle charging points. These spaces would serve the Red Hall and Workspace Buildings proposed in the detailed application and the quantum would fall below the maximum parking standards. The level of disabled parking spaces is compliant with the five per cent requirement and the electric charging points also comply with current standards.
- 10.154. Temporary parking is proposed because the permanent location would be within a decked system that is proposed to be constructed in a later phase of development. Eight permanent car parking spaces including three disabled bays are proposed on the link road, integrated into the street design as required by the AAP. These are unallocated visitor spaces.
- 10.155. The transport assessment recognises the value of limiting parking provision within the development to encourage the employees, residents and visitors of the site to travel to and from the site using sustainable transport. The applicant has therefore expressed an ambition to provide reduced levels of car parking over time as the development is built and occupied. The proposed mitigation package offers a number of alternatives to car travel.
- 10.156. The application sets out an ambition to reduce car use over time for trips to and from the site. This will need continual assessment as the development is built out and beyond, and sustainable travel options increase; a reduction in the number of car parking spaces is therefore proposed to be secured via legal agreement.
- 10.157. The wider car parking strategy for the whole development includes a mixture of parking typologies. Officers are concerned that some of the locations proposed in the car park phasing plan will not provide the required activity onto the A40 and A44. For example, a decked car park is proposed on the A44 occupying a significant stretch of road frontage, not contributing to street activity. However, the locations and format of car parking can be considered at reserved matters stages. The principle of a variety of car parking typologies including on-street parking is acceptable in compliance with the AAP.
- 10.158. Controls are needed to ensure those people using car parks on site are authorised to do so; this is likely to be done through a number plate recognition system. Details will be provided through the car parking management plans that are recommended to be secured by condition or legal obligation for each reserved matters application, as well as a plan for the detailed application. Similarly, controls to prevent site users from parking at the Park and Ride are needed to ensure the facility retains capacity for its primary function of keeping vehicles at the edge of the city. This is recommended to be secured by condition.

- 10.159. Controlled Parking Zones (CPZs) and parking controls are considered appropriate to be introduced in Upper and Lower Wolvercote as well as in Yarnton to prevent those coming to the site from parking in these nearby areas and walking or travelling by bus to the site. Preventing such overspill parking will control the number of vehicles movements to the site, restricting this to the number of car parking spaces on site. This is a matter for the County Council to implement, as noted above. These measures align with the AAP; the cost of buying permits for residents is not a new material consideration that would counter the policy position regarding CPZs.
- 10.160. A car parking phasing and management plan is recommended to be secured either by condition or legal agreement. It is not necessary to secure car parking numbers for future phases because any reserved matters application will need to comply with the AAP and travel plan requirements in respect of car parking.

#### *Travel Plan*

- 10.161. A travel plan is a strategy and action plan, specific to a site or development, which leads to fewer journeys by private car to and from the site, and more travel by sustainable means.
- 10.162. The application's framework travel plan includes the following measures and targets:
- Target mode share which would see a reduction of approximately 12 per cent in trips made as a car driver / motorcycle rider and increases of 9 per cent and 2.4 per cent in trips made by active modes and public transport respectively.
  - Appointment of travel plan coordinators
  - Workplace travel plans
  - Residential travel plans
  - Implementation, monitoring and review process
- 10.163. Further developments to the framework plan are required by the Highways Authority and so a revised version is recommended to be required by condition or planning obligation which would secure individual workplace and individual travel plans. More ambitious mode share targets will be sought.
- 10.164. The provision of a framework travel plan will ensure the development complies with the Wolvercote Neighbourhood Plan policy CHS6, to which limited weight should be given, in relation to travel plans.
- 10.165. It is proposed that a transport fund will be made available to fund measures designed to ensure that the appropriate modal share is achieved.

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

- 10.166. The impact of the construction phase can be managed through a CTMP, and conditions on the detail and outline applications are recommenced. The CTMP will be used to agree, in consultation with the County Council, the routing of heavy vehicles, timing of deliveries, type of deliveries, and construction worker travel so that any adverse impacts are mitigated.

*Other transport matters*

- 10.167. Merton College raised a holding objection pending clarification that access to their Red Barn Farm site from the A44 would be unaffected by the proposals. The access to Red Barn Farm is retained in the same location in the full A44 proposals.

*Summary*

- 10.168. The Highways Authority and Highways England have been closely involved with the applicant's work on traffic modelling and mitigation measures. The NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe; this is not the case. The mitigation measures and design of the proposed development support sustainable transport options and are in line with AAP transport policies. The application complies with local and national policy in respect of sustainable travel, transport and highways.

**d. Impact on heritage assets**

- 10.169. The NPPF in section 16 requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. It states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, and the positive contribution that conservation of heritage assets can make.
- 10.170. Paragraph 189 of the NPPF states that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. This is supported by policy HE2 of the Oxford Local Plan 2001-2016. Emerging policy DH3, to which limited weight can be afforded, 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. Emerging policy DH4, to which limited weight can be afforded, seeks to protect Oxford's archaeological remains.
- 10.171. Policy HE10 of the Oxford Local Plan 2001-2016 seeks to retain significant views both within Oxford and from outside. It states that planning

permission will not be granted for buildings or structures proposed within or close to the areas that are of special importance for the preservation of views of Oxford (the view cones) or buildings that are of a height which would detract from these views. Emerging policy DH2, to which limited weight can be afforded, seeks to retain significant views both within Oxford and from outside, in particular to and from the historic skyline. It states that planning permission will not be granted for any building or structure that would harm the special significance of Oxford's historic skyline but that it will be granted for developments of appropriate height or massing, supported by evidence.

10.172. Policy NG7 of the AAP requires the application to demonstrate that the development has been designed with an understanding of the area's heritage, setting and views. In particular, applications will be required to demonstrate how the Wolvercote with Godstow Conservation Area and how views of, into and out of the site have influenced proposals.

10.173. The archaeology and heritage section of the submitted Environmental Statement identifies the various heritage assets potentially affected by the development and their significance.

10.174. These are summarised below:

- Goose Green: helps to maintain the open, undeveloped nature of the settlements and from which there are important views to the hills that provide the backdrop to the city
- Manor Farmhouse, 26 Godstow Road: Grade II listed 16th century or earlier stone walled farmhouse with linear plan; as with Church Farmhouse this building helps to define the character of the historic rural settlement of Wolvercote
- Church Farmhouse, Upper Wolvercote – Grade II listed farmhouse – historically linked to surrounding agricultural land which includes the land which forms the site. The surviving building defines the historic rural settlement
- Port Meadow and Wolvercote Common: the site of continuous grazing for over 1000 years, openness of the common; Port Meadow being a Scheduled Ancient Monument (SAM); significance derived from its connection to and relationship with the city – providing continuous (over 1,000 years) grazing on the immediate edge of the city
- Canal bridges 234-Wolvercote Green and 235-Godstow Road: 19th century industrial structures which tell of the relationship with the canal and are integral elements of this 19th century transport method and are symbolic of the innovation of that time
- St Peter's Church: its 14th century tower is symbolic of the significance of the church and its importance to post-medieval rural settlement. It identifies the heart of the historic settlement from a distance, across Port Meadow and from the original bounds of the city (before the suburban development of Woodstock Road)

- 10.175. Part of the site in the south-west of the Canalside parcel lies within Wolvercote with Godstow Conservation Area.
- 10.176. Officers requested further work on the appraisal of Port Meadow and Wolvercote Common, the two listed farmhouses, and Wolvercote with Godstow Conservation Area. Consequently, a revised heritage statement was submitted in March 2019 with a further view study of the views north-eastwards from Port Meadow. Broadly speaking, officers consider the assessment of significance sufficiently detailed and robust so as to comply with the NPPF in this regard.
- 10.177. Much of the heritage impact of the proposed development relates to the introduction of urban form of a significant scale within the setting of Port Meadow and the Wolvercote with Godstow Conservation Area. The character of Port Meadow is shaped by a view of the city when looking south, and otherwise preserves an important rural character. This has changed with the arrival of the railway, the building of the ring road and the expansion of Lower Wolvercote. However, views north from Port Meadow preserve a semi-rural feel thanks to the tree cover and the village scale of the visible buildings.
- 10.178. The additional view study of sequential views taken across the northern part of Port Meadow is helpful in showing that, whilst the development will clearly be evident in these views, it will sit beyond the intervening open spaces of the Canalside, protected open space and the open space that sits along the south western edge of the site. These images show how important the choice of materials, in particular their tone, will be in reducing the impact of the visual intrusion that the proposed buildings will have on the currently rural character of land beyond the northern edge of Wolvercote and indeed the city, a character that is reinforced by the nature of the site in its current form. Recognising that the proposed development will be evident, it is proposed to mitigate the impact that it will have in such views through the application of a materials palette that errs to the dark end of the colour and tone spectra. This considered design approach is intended to have the impact of muting the appearance of both individual buildings and the development when seen in views looking both into and out of the city. This design approach will be particularly helpful in mitigating the distracting quality of relatively large buildings when glimpsed in views from significant places such as Port Meadow, Wolvercote Common and other parts of Wolvercote and Godstow Conservation Area as well as seen as more distant objects in longer views from recognised, publicly accessible high points in the city such as the tower of the University Church, St Mary's.
- 10.179. It is proposed that each cluster of buildings should have a focal building performing a similar function to that which The Red Hall is intended to do in phase 1a. The Red Hall is designed to have a prominence that signifies its importance within the first cluster of development but also the site as a whole. This importance relates not only to its role associated with the surrounding buildings but also its relationship to the largest element of open space which sits at the heart of the development. Therefore the fact that this building will be visible in glimpsed views from beyond the site, and quite

prominently in views within the site, is entirely appropriate. It is also envisaged that this building should have a public function, beyond the use of the residents and workers on the site. Because it is to be located within the Central parcel and at a height of 92.85 metres, it will be screened in views from the south-west by development along the A40, including by the two Workspace Buildings which are to be 91.75 metres in height. Similarly, as the development is built out, the new buildings will screen the Red Hall in long views of the site.

- 10.180. The development proposes to create a new place that is connected to Oxford, redefining the built-up edge of the city, as per the AAP. The retention of open space at the south-western edge of the development, fixed via the parameter plans, is critical in preserving the significance of the conservation area. It is this separation that preserves Wolvercote's historic origins as a rural settlement outside the city. In addition, the scale and form of the primarily residential buildings proposed for the south-western edge of the development enables a more gentle transition than had there been an immediate leap into four-to-five storey buildings. There will be glimpsed views of the development from both Wolvercote and Port Meadow but the harm is to be mitigated through the siting of new development away from the heritage assets and the careful transition from mid-height residential to the taller commercial and residential buildings to be sited along the main roads and in the central sector of the site. Officers do not consider there to be harm to the significance of the Conservation Area and to Port Meadow; they would retain their inherent character as rural settlement and historic grazing meadows respectively.
- 10.181. The harm to these heritage assets that would arise is in the changes to views from and to those assets, therefore impacting on their settings and thereby their significance. This is to be mitigated by the considered design of the development including the proposed building heights, which are generally lower than the AAP parameters, and the form of the buildings (broken massing and traditional roof profiles taking reference from the 19th and early 20th century architectural forms of North Oxford). Any harm must therefore be considered to be less than substantial at a moderate level within this classification.
- 10.182. With regard to the canal bridges, there is sufficient separation proposed on the parameter plans between the canal and canal bridges for their significance as industrial infrastructure in a semi-rural setting not to be harmed.
- 10.183. The development will result in the loss of agricultural land which provides the setting and historic functional connection to the Manor Farmhouse. This connection has already been substantially eroded by residential development around the farmhouse and non-residential development such as the hotel on Godstow Road. In part, the further harm to the setting of the listed building that would occur through the visual presence of the development in place of what is currently the residual agricultural land would be mitigated through the inclusion of high-quality open green space, particularly that proposed for the south-western edge of the development,

and the design of road corridors. There would be substantial elements of green of a sufficient scale to register and inform the character and appearance of these spaces, as well as significant tree planting. Whilst this replacement is clearly not agricultural land and therefore cannot be seen as preservation of the setting of the listed building, the design of the spaces within the proposed development is such that the harm to setting and thereby significance of the heritage asset would be less than substantial and on the low end of this classification.

- 10.184. Paragraph 196 of the NPPF states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Paragraph 193 states that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
- 10.185. In conducting this balancing exercise, considerable importance and weight must be given to the statutory test of preserving the setting of listed buildings or their setting or any features of special architectural or historic interest which they possess, and special attention has be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area in accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which it is accepted is a higher duty.
- 10.186. The following harm is identified to the significance of designated heritage assets as a result of the proposed development:
- Harm to the setting of Wolvercote with Godstow Conservation Area including Port Meadow and the contribution that this makes to the significance of these heritage assets: the harm would result from an overtly urban development replacing surviving, historically agricultural land which currently provides a green gap and permits uninterrupted views from these assets to the rural hillside backdrop beyond the city to the north west and north-east. The introduction of buildings to the south-west of the A40 resulting in built development encroaching closer to the settlement of Wolvercote than at present which would harm the surviving character and appearance of a rural settlement. This harm, given the mitigating impact of separating open space purposefully designed into the proposed development, must be considered to be less than substantial and to be a moderate level of this category.
  - Harm to the setting and by consequence significance of both Manor and Church Farmhouses: the harm would result from the loss of the surviving agricultural land which covers much of the proposed development site. The setting of both listed buildings has already been harmed through the 19th and particularly 20th century development that has occurred around them, subsuming them into the settlement of Wolvercote and effectively separating them from their agricultural land.

The loss of the remaining agricultural land would remove that last vestige of function from the buildings. This harm, given that it would be to heritage assets that have already been harmed in respect of their settings, must be regarded as less than substantial harm and on the lower end of this category of harm.

10.187. Officers consider the principal public benefits of the proposal to be:

- Housing including Affordable Housing: the provision of up to 480 units, of which 168 would be affordable, makes a significant contribution to the acute housing need in Oxford. The proposal would deliver much of this strategic site allocation as set out in the Council's Core Strategy. This aligns with the Government's objective, set out in NPPF paragraph 59, of significantly boosting the supply of homes. Government HIF grant funding has been secured to facilitate the delivery of these homes. Significant weight is attributed to this benefit.
- Public realm and transport improvements: the transformation of the A40 and A44 in slowing traffic, greening, and improving bus and cycle infrastructure would deliver significant public benefits, humanising this hostile environment. Local Growth Fund money has been secured to facilitate the A40 works.
- Economic: the proposal provides 87,300 square metres of B1 employment floorspace relevant to the knowledge economy of Oxford as a key driver in the UK's knowledge sector. The delivery of this use will help to contribute towards Oxford's continued excellence in research, development and economic growth deriving from proximity to educational institutions. As noted above, the proposal would deliver much of this strategic site allocation as set out in the Council's Core Strategy. In accordance with paragraph 80 of the NPPF, significant weight must be given to this benefit.

10.188. It is considered that these three significant, broad-ranging and strategic public benefits would clearly and demonstrably outweigh the less than substantial harm that would be caused to the significance of heritage assets by the development. The harm has been justified and mitigated through considered and careful design. As such, the proposal would meet the test of paragraph 196 of the NPPF and would accord with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10.189. A condition is recommended to require details of lighting for the detailed application including along the A40, as well as for reserved matters applications to include lighting details. This is to minimise light spill which would impact long views during the hours of darkness. In addition, a condition is recommended to approve samples of external materials for the detailed part of the application to ensure they are not visually prominent, but rather recessive.

*Archaeology*

- 10.190. A desk based assessment was produced for part of this site in 2009 followed by a heritage assessment for the whole site in 2014. The subsequent geophysical survey did not identify any clear archaeological anomalies and the field evaluation did not record any significant archaeological features, seemingly confirming the geophysical survey results. The evaluation clarified that there is very low potential for the nearby Wolvercote palaeo-channel to cross into the site and failed to identify any significant archaeology in the phase 1a area. Officers would therefore not require any further archaeological work in the phase 1a plot.
- 10.191. With respect to the wider outline site area, bearing in mind the results of the geophysical surveys, targeted archaeological evaluations and the details supplied in the submitted heritage statement, officers would recommend a condition to require a written scheme of investigation for future phases of development.
- 10.192. The heritage and archaeology section of the Environmental Statement considers the likely impact of the development on the Port Meadow Scheduled Monument (SAM), which is designated on account of a series of prehistoric features preserved within the meadow as shallow earthworks and buried archaeology. Officers agree with the assessment that the development, whilst resulting in change to the peripheral setting of the SAM, is unlikely to affect one's appreciation of the SAM's significance in relation to the reasons for its scheduling. No harm is therefore identified.
- 10.193. The remaining site is largely clay and alluvium surface geology and therefore a less attractive option for prehistoric settlement. However the size of the development and proximity of the site to known activity areas leaves open the potential for archaeological remains. Officers therefore recommend that further targeted trenching be undertaken by condition followed by appropriate mitigation if required.
- 10.194. The presence of medieval ridge and furrow on the East parcel is identified. This is considered a locally significant heritage asset and its retention desirable. A condition is therefore recommended to require reserved matters applications for development on this parcel, within the public open space proposed within the parcel, to provide justification for any loss or removal of these earthworks.

**e. Design**

- 10.195. Paragraph 127 of the NPPF requires local planning authorities to ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

10.196. Policy CS18 of the Core Strategy requires development to demonstrate high-quality urban design that responds appropriately to the site and surroundings; creates a strong sense of place; attractive public realm; and high quality architecture. The Oxford Local Plan 2001-2016 requires development to enhance the quality of the environment, with policy CP1 central to this purpose. Policy CP6 emphasises the need to make an efficient use of land, in a manner where the built form and site layout suits the site's capacity and surrounding area. Policy CP8 states that the siting, massing, and design of new development should create an appropriate visual relationship with the built form of the surrounding area. Emerging policy DH1, to which limited weight can be afforded, requires developments to be of high quality design that creates or enhances local distinctiveness.

10.197. Policy NG7 of the AAP states that planning permission will only be granted for developments that demonstrate compliance with the AAP Design Code. Paragraph 7.2 of the AAP sets out a number of urban design principles up on which the Design Code is based; it states that the Northern Gateway should:

- be accessible and permeable, to ensure easy access to and through the area for all users, but particularly for pedestrians and cyclists
- be legible, a pattern of routes should be established that is easy for people to understand and to find their way around
- respect the character of natural features of the site
- have its own identity, create a distinctive and contemporary setting for future investment, uses and activity
- have high quality streets and open spaces that provide the setting for a lively, attractive, distinctive and safe public realm
- have continuous and connected streets, with well-defined building frontages

- have a clear distinction between the public and private realms, to create comfortable and well defined streets and secure, private spaces at the rear of properties
  - have buildings which face onto the street, with doors and windows allowing people to come and go or look out onto the street
- 10.198. The AAP stresses the importance of high-quality architecture in paragraph 7.4, stating that, “Buildings and spaces should demonstrate architectural excellence, in keeping with Oxford’s profile and the function of the development as a key part of Oxford’s dynamic economy.”
- 10.199. The principal application documents that deal with the scheme’s design are:
- Design and Access Statement: Masterplan
  - Design and Access Statement: Phase 1A
  - Public Realm Strategy: Masterplan
  - Public Realm Strategy: Phase 1A
  - Parameter plans
  - Illustrative masterplan
  - Detailed drawings for the full application

*Masterplan: site layout and urban design*

- 10.200. The Design and Access Statement: Masterplan sets out the overarching principles for the masterplan (section 8), the spatial principles (section 9) and access principles (section 10). These feed into the illustrative masterplan and other illustrative material (section 11).
- 10.201. The site forms part of the rural northern edge to the city providing a setting for the 20th century suburban ribbons of housing that presently define the built-up edge of the city. The design of the masterplan seeks to take references from the city, to enable the new place to have some sense of “Oxfordness”. The illustrative masterplan does so by setting out a series of urban blocks whose outside edges create robust streets but whose central spaces make reference to the Oxford quads and the city’s distinctive, historic grain.
- 10.202. This layout gives the potential for beautiful open spaces offering alternative, interesting routes through and across the development. The masterplan presents a hierarchical network of routes through and across the site, offering intriguing back-lanes routes as well as the more open formality of avenues via the calming of the A40 and A44 trunk routes that run through the site. These calmed roads reflect the more formal streets in the city, such as High Street, Parks Road and St Giles. Importantly, there is an intention to allow for both direct routes to destinations as well as more indirect routes (shown on page 129 of the Design and Access Statement: Masterplan). The smaller streets compare with Turl Street, Holywell Street, Merton Street and the smaller more hidden lanes such as Blue Boar Lane,

Bulwarks Lane and Queens Lane. This hierarchy of routes is fundamental to creating a complex urban place with multiple layers, as well as to the new place having an Oxford character. It is therefore vital that access is retained through each of the blocks via the back lanes and that these connect to provide interesting routes, just as happens in the rest of the city. Access is proposed to be secured via legal agreement.

- 10.203. The masterplan layout is made up, largely, of peripheral, linear blocks on the Canalside and East parcels where open spaces are fewer but larger and the buildings run in long stretches around them. The central area is comprised of urban clusters, the form based loosely on college quad examples. These principles are clearly set out in section 9.9 of the Design and Access Statement: Masterplan where a series of diagrams show how the principles would be intended to be applied. The design addresses the principle of connections between and through clusters with permeability being an important consideration, reinforced by the use of views, incidental and designed, stop-end views and glimpsed views of attractive spaces beyond buildings and streets. Importantly, the Design and Access Statement also looks at the different types of frontage expected. Active, urban frontages are proposed principal streets and open spaces. There are proposed to be distinctive visible frontages that provide important markers within the development, and looking in from principal routes. Finally there are frontages that are responsive to landscape edges; these would relate to and be seen across the important open spaces on the edges of the development such as from Joe White's Lane and the proposed Canalside park.

*Masterplan: heights and massing*

- 10.204. A heights parameter plan is included in the outline application (Parameter Plan 03). This shows maximum height parameters within which future phases of the development would be built. These heights are driven by the AAP Design Code, the Landscape Visual Impact Assessment (LVIA) within the Environmental Statement and the illustrative masterplan. The LVIA has studied views of the site from important viewpoints such as Port Meadow and Wolvercote as well as applying a zone of theoretical visibility to the surroundings of the site, i.e. from where would the site be visible. These viewpoints and massing studies have informed the height parameters adopted in the masterplan. In order to mitigate the visible impact of development on its surroundings, the heights parameter plan proposes lower overall heights on the south-western edge and higher possible heights to the northern edge of the development, adjacent to the raised A34. The LVIA has also informed how the careful design of buildings using articulated profiles can reduce the impact of taller elements even in sensitive views.
- 10.205. The proposed parameter plan heights to achieve the proposed quantum of development as shown in the illustrative masterplan would be slightly lower than the maximum heights in the originally submitted Parameter Plan 03. This plan was amended during the course of the application to lower the maximum heights because the height of the modelled buildings on the

illustrative masterplan was falling significantly below the maximum heights. Because the illustrative masterplan has been worked up based on the floor space for which planning permission is sought, it was not considered necessary to have such a margin between the illustrative masterplan and parameter plan heights. The reduction in maximum heights from the originally submitted parameter plan would also reduce the potential impact in long views from Port Meadow.

- 10.206. Parameter Plan 03 places the taller buildings as a cluster in the northern part of the central area with a spike towards the north-east corner which would allow the character or sense of place to be immediately evident on approaching the site from the north. As the A34 is raised on an embankment, and given the relationship of the northern portion of the site to the A34 there is certainly an argument to say that buildings of 5 or 6 commercial storeys in this location would not seem incongruous with the immediate surroundings. The transition from the rural, southern edge of Kidlington and Yarnton which lie on the north side of the A34 will be sharp, however the intervention of the A34 and the existing conglomerate of commercial activity around Peartree Services provides an intermediary character that is already distinctively different from the rural character to the north. The development will alter the perception of arrival in Oxford from the north and west with an immediate sense of the urban rather than the current more gentle suburban transition.
- 10.207. The transition coming in to the city along the A40 would arguably be more acute with the distinctly rural character presently continuing east of the embanked A34 to the Wolvercote roundabout at Jurys Inn. Here the presence of an urban place would be more marked, and the masterplan indicates taller buildings at 4 and 5 storeys on the Central parcel, with lower, more domestic scale buildings on the A40 frontage to the Canalside parcel. The development's taller buildings are placed along the trunk road corridors where the width of the space created by the roads and their relatively generous margins will permit a greater height without creating chasms.
- 10.208. Parameter Plan 03 accords with the principles in the AAP Design Code building heights guidance, in that a variety of heights are proposed across the site with taller buildings focussed in the Central parcel. Officers consider that the height parameters for the outline application have been reasonably justified and provide a sound basis for reserved matters applications.

*Masterplan: access and movement*

- 10.209. Parameter Plan 01: Access and circulation and the illustrative masterplan set out the proposed movement network and how it connects the various open spaces. The sense of connecting green spaces is clear and offers a robust and clear hierarchy of routes for cyclists, pedestrians and vehicles. For cyclists and pedestrians there are clearly choices depending upon need for directness or the possibility of meandering, drawn by the views created through the site. The areas safeguarded on the parameter plan for access to third party land (to Red Barn Farm, Goose Green and the Park and Ride

for a cycle link) are considered to be suitably located and flexible. In addition to the parameter plan, third-party access would be secured by legal agreement.

- 10.210. The proposed design for the A44 and A40 is such that it should reinforce the sense of a new place with avenues of trees, generous footpaths and separately defined space for cyclists.
- 10.211. There is a danger that the central street could feel very much a vehicular route first and foremost, when the design aspiration suggests the street is analogous to Broad Street. The design should minimise the sense that this is simply a through route and that it is actually somewhere to stop and experience activities, retail, recreation. Officers feel there is inconsistency between the illustrative material in which the street seems to favour sustainable transport, and the plans in which the street reads as engineered for the car. The balance needs to clearly step in favour of alternative means of movement. This can be achieved through a kerb-free, single level surface with distinction between vehicle carriageway and footpath/cycleway being made in colour of surfacing material. Conditions are therefore recommended to require detailed drawings of hard landscaping for the central street, and samples of materials to be used.
- 10.212. Subject to a condition to require the surfacing detail of the central street, the proposals for access and circulation, including Parameter Plan 01 are considered an appropriate structure for the development of the overall site that achieve the design objectives set out in paragraph 7.2 of the AAP.

*Masterplan: mix of uses*

- 10.213. Parameter Plan 02: Land use accurately captures the parameters discussed above, including the landscape area in the south-west of the site which creates separation from Wolvercote. It identifies the four key areas of public open space and fixes the location of the central street. The plan locates commercial development (with no residential) close to the A34, and residential development only in the south-western part of Canalside closest to Wolvercote. This reflects the neighbouring uses and is considered entirely appropriate. The remaining areas of each of the three parcels are designated for mixed use. A revised iteration of the Parameter Plan 02 was submitted. This reduced the size of the small landscape buffers between proposed and existing development on the A40 and A44. This was to ensure the proposed development knits with the existing urban areas. The parameter plan provides a high level of flexibility for reserved matters applications but the parameters that the plan fixes are considered appropriate for this stage of such a large application site. Car parking is included within the developable areas of the parameter plan, and therefore the detailed locations are a matter for reserved matters applications.

*Masterplan: architecture and materiality*

- 10.214. The Design and Access Statement: Masterplan discusses the architectural approach to the masterplan. The roofscape is a key feature of the

architectural character, with reference taken in places from the distinctive gable fronted buildings that define the present North Oxford Victorian Suburb. This reference makes a connection with the existing architectural language of North Oxford allowing it to feel like a logical extension of the city's northern edge. This architectural form also offers a strong visual reference on approaching the city from the north. An articulated, rather than flat, roof form across the site provides visual interest, particularly in long views of the site from Port Meadow and the A34.

- 10.215. The application's architectural character draws on the city's industrial heritage. This aspect of Oxford is frequently overlooked in favour of the city's more obvious cultural and educational distinctions and recognition of it is considered to be a welcome aspect of the proposal, and appropriate for the edge-of-city location.
- 10.216. The masterplan aspires to achieve a particular place that would be identifiable through the use of a specific material palette. The suggestion is that materials would draw on an "Oxfordness" but with particular stress on the industrial and making history of the city. All of this is laudable and offers a logical reference for the intended architecture of this new part of Oxford. In addition, there is a high-quality detail in the proposed use of materials that is found both in the 17th and 18th century college and university buildings in the centre of the city but also in the high Victorian Gothic, Arts and Crafts and Domestic Revival buildings of North Oxford. This is encouraging as a set standard for materials and architectural detailing.
- 10.217. The materials palette tone errs to the dark end of the spectrum in order to both reinforce the industrial reference as well as to mute the appearance of the buildings and the development when seen in views both into and out of the city. This will be particularly helpful in mitigating the distractive quality of large buildings in glimpsed views from important places such as Port Meadow, Wolvercote Common and other parts of Wolvercote and Godstow Conservation Area.
- 10.218. In terms of street edges, the suggested colonnades detailed in the Design and Access Statement: Masterplan offer a thoughtful transition between public and private or indoor and outdoor which would work very well and make an important reference to the cloisters of Oxford's medieval colleges. Walls as boundaries which are then pierced to varying degrees ultimately resulting in a colonnade is an exciting principle that will help to tie this new place to Oxford. It will also offer the important glimpsed view into more private spaces (as with views into college quads and gardens), and offer a degree of interest and intrigue that will help to define the character of the public routes and streets.
- 10.219. The masterplan proposes façade design that offers a strong visual connection between inside and outside for commercial buildings; there would be a clear expression of the activities that are taking place within the buildings through the use of large areas of glazing. This also reinforces the importance of a high level of people-permeability through the whole site and particularly through the commercial and mixed use spaces at ground and

upper levels. It is important that this principle is carried through all development phases because it will really help to make this a really interesting, engaging and exciting place.

*Masterplan: Oxford Design Review Panel (ODRP) comments*

- 10.220. The ODRP's comments are summarised in **section 7** of this report. Paragraph 129 of the NPPF states that local planning authorities should have regard to the recommendations made by design review panels.
- 10.221. The applicant followed the advice of the panel in submitting a hybrid application including illustrative masterplan and parameter plans. It advised against omitting residential from the detailed part of the application but officers understand that there is additional design work needed on the residential element which should not be hurried.
- 10.222. The work on the Design and Access Statement: Masterplan to develop it into a design code for future phases was a recommendation of the panel. Developments in the illustrative masterplan in layout and height variety, in addition to these design principles have ensure that the framework is in place for a clearly urban district, rather than campus, suburban or business park character. The diagrams setting out the principles of frontages, blocks and connections on pages 165 and 167 of the Design and Access Statement: Masterplan form the basis for this.
- 10.223. The panel welcomed the energy loop solution and pushed the design to have higher standards of sustainability. Officers take the view that the design could go further to meet high sustainability ambitions, but this must be balanced against policy requirements and other objectives of the scheme, including providing Affordable Housing. **Section 10j** of this report concludes that the scheme's energy proposal complies with local and national policy. The final design review acknowledged the progress of the urban design and landscape proposals.
- 10.224. The panel's support for 'humanising' the A40 and A44, and the need to work towards a connection northwards to Oxford Parkway station have been integrated into the application and are to be included in the legal agreement. The phasing and reduction of car parking over time is set out on pages 244 and 245 of the Design and Access Statement: Masterplan.
- 10.225. Overall, officers consider that the applicant has responded constructively and had due regard to the comments of the ODRP.

*Masterplan: summary*

- 10.226. The application seeks to mitigate any harm that would result through change by creating a distinctive, identifiable place that takes references from particular aspects of the city in order to try to make it feel as if it is a part of Oxford. The architectural and historical references to the city are evident in the illustrative masterplan.

- 10.227. The various elements of the Design and Access Statement: Masterplan discussed in this section provide a more detailed and developed structure for the site than the AAP Design Code. Officers and the applicant envisage that this document will provide the basis for all phases of development to ensure coherence and design quality across the site. It will be expected, for example, that a future reserved matters application would set out how that parcel of development complies with the overarching masterplan principles (pages 104 to 106), with the site-wide approach to materiality (pages 133 to 137), and to the plot and parcels principles (pages 162 to 167). Consistency of key principles across the large outline application site and over time can be achieved in this way. A condition is therefore recommended on the outline application to require the design and access statements for reserved matters applications to demonstrate compliance with part B, C and D of the Design and Access Statement: Masterplan. This should include a materials palette and plan for each reserved matters application.
- 10.228. Robust overall site management is critical to the success of the development and therefore a management and maintenance plan for the operation of the development is recommended to be secured by condition or legal agreement to deal with such matters as parking controls, landscaping, rubbish collection and public open space.

*Detailed application: site layout, urban design, architecture, materiality*

- 10.229. The detailed part of the planning application proposes two Workspace Buildings with adjacent courtyard gardens and a central building, the Red Hall, which combines a café, reception and amenities with flexible incubator space. In addition, phase 1a includes the new link road between the A40 and A44, a temporary car and cycle park and “The Green” central public open space. The transformation of the A40 into a tree lined street and a temporary junction between the central street and the A44 are included as well as temporary footpaths connecting the parcel with Joe White’s Lane and the A44.
- 10.230. It should be noted that the application is for *part of* phase 1a. The full phase 1a that is set out in the indicative phasing plan would exclude the temporary car and cycle park and include residential space with retail units and a nursery at their base. This element is expected to come forward as reserved matters at an early stage, should planning permission be granted.
- 10.231. The site naturally falls away to the north and east with the highest point being on the corner of the central street and the A40. The design of the cluster for which detailed planning permission is sought has been developed to provide active frontages – open, fully glazed façades – to the A40. There are important views out of this part of the site, and in particular from the two Workspace Buildings south toward the city and the open space of Port Meadow and Oxford canal. Primary office and research buildings in this phase of development have been sited to address these views.

- 10.232. The Red Hall is designed to have a clear relationship with the open space in the heart of the cluster, i.e. the Green, as well as to front the secondary/tertiary route that runs alongside the Workspace Buildings. It is noted that the building design means that the Red Hall does not provide much surveillance on the north-east elevation. However, the masterplan indicates that other buildings will come forward to provide natural surveillance and this factor can be considered at reserved matters stage.
- 10.233. It is evident that the Red Hall references a large, single-volume industrial shed. The roof is a strong element. It follows the traditional, pitched, gabled pattern that is a key feature of the site and clearly evident in the design of the Workspace Buildings. The use of a single distinctive colour to define a shared hub building across the development has a clear logic and will provide a strong identity in key views from within the development. The ODRP supports the concept of the Red Hall as a hub of activity with a distinctive form and appearance. The panel considered the colour to be enlivening.
- 10.234. The relatively narrow, horizontal window strips clearly express the building's storeys whereas the large, fully glazed gable ends express a single-volume. The metal cladding of the building appears as an enveloping skin, enclosing and protecting the open internal functional spaces, whether the public ground floor or the incubator spaces at upper floors.
- 10.235. The Workspace Buildings use a family of architectural language with linear strips of continuous windows in side façades; a relatively modest break in the solid, wrapping façade; strongly vertical, gabled ends which create a rhythm and reflect the North Oxford Victorian villa vernacular. Glazed and lightweight gabled ends which emphasise the sense of a single overall volume, albeit broken internally with floors, reference the scale of the industrial buildings of 19th century Oxford.
- 10.236. The simple design of the cycle store using cedar cladding and transparent roofing is considered acceptable.
- 10.237. Architectural details and sample materials, including information about how materials will be maintained and how they will weather over time are recommended to be required by condition.

*Detailed application: Oxford Design Review Panel (ODRP) comments*

- 10.238. The ODRP supported the architectural approach to the Workspace buildings and Red Hall, stating that they will create memorable forms, drawing on Oxford's industrial heritage to create a district with its own distinct character.
- 10.239. The panel's concerns about the phasing – with development on the north side of the link road not yet coming forward – are difficult to overcome on a phased development. Initially, activity is likely to be focussed around the rear of the Red Hall which would give out onto the Green and the Workspace building courtyard gardens. The applicant has worked to

improve activity along the A40 by adjusting internal floor levels in the Workspace buildings.

- 10.240. As noted above with regard to ODRP comments on the masterplan, officers consider that the applicant has responded constructively and had due regard to the comments of the ODRP about phase 1a.

#### *Secured by Design*

- 10.241. Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 10.242. Officers and the applicant have engaged with the Secured by Design officers at Thames Valley Police over a number of areas of concern raised by the police. Some of these relate to secure access points to the buildings or cycle store due to the concept of the buildings being shared by multiple tenants. Concerns were also raised about protection of the buildings from 'hostile vehicles'. Street furniture is proposed to be used as protection. Some comments relate to the illustrative masterplan and outline part of the application, where the detailed design is not yet under consideration. Officers consider that all matters can be adequately dealt with by condition or will be considered in detail at reserved matters stage.
- 10.243. Various conditions are therefore recommended including a requirement for Secured by Design accreditation prior to occupation of each phase; lighting plan for the detailed part of the application and for each reserved matters application; and details of CCTV and other security measures to ensure they are of appropriate design.

#### *Summary*

- 10.244. As set out above in this section of the report, the considered design proposals for this site have adopted and further developed the AAP Design Code principles summarised in paragraph 7.2 of the AAP. The height, access and land use parameters that the application would set for the development of the full site are appropriate and justified, while the illustrative masterplan and Design and Access Statement give confidence that the development would have a high-quality urban character. The detailed part of the application puts these principles into action with innovative building design and use of materials referencing Oxford's industrial heritage, as well as the large area of landscape at the centre of the development. The proposals comply with local and national policy in relation to design and placemaking, subject to the conditions and obligations discussed in this section and set out in **appendices 3 and 4**.

#### **f. Landscape and trees**

- 10.245. References to landscape and public realm design are included within local and national policy on design, outlined at the start of **section e** above. In

addition, Oxford Local Plan 2001-2016 policy NE15 prevents the removal of trees, hedgerows and other valuable landscape features that have a significant adverse impact upon public amenity or ecological interest. It also requires soft landscaping, including tree planting, to be undertaken whenever appropriate. Landscaping schemes should take account of local landscape character and should include the planting of indigenous species where appropriate. Where necessary, the City Council will seek long-term management plans, which will be secured through planning conditions or a planning obligation. Oxford Local Plan 2001-2016 policy CP11 sets out the Council's requirements for landscape design and maintenance and requires protection of existing trees.

### *Landscape*

- 10.246. Emerging policy G9, to which limited weight can be afforded, requires proposals to demonstrate how green infrastructure features have been incorporated within the design of the new development where appropriate. This applies to protected and unprotected green infrastructure features, such as hedgerows, trees and small public green spaces.
- 10.247. Policy NG7 of the AAP requires the development to provide usable, well designed and good-quality publicly-accessible green open space. At least 15 per cent of the total site area must be provided as green public open space; this must be distributed so that at least 15 per cent of any parcel proposed for residential development is green public open space. The quantum of open space is higher than that generally expected on other sites due to the need to provide dog walking areas for residents to discourage dog walking on Port Meadow due to its environmental impact.
- 10.248. The masterplan public realm strategy sets out five key open spaces, and this complies with the AAP objective of providing a variety of open space:
- Canalside Park
  - Residential Square
  - The Green
  - The Market Square
  - Eastside Park

10.249. The diagram below indicates the location of each:



- 10.250. Each of the three sectors of the site has a principal open space at its heart whose character and quality is set out in the public realm strategy. The parks in the East and Canalside parcels are primarily for use by residents in the immediate area, as well as forming part of legible green routes through and beyond the site. The Green would provide a broader function as a key public space in this part of the city.
- 10.251. The Green, Eastside Park and Residential Square would meet the requirement in the AAP for medium parks and small parks. The cycle and footpaths connect the open spaces and there are connections from the site through to Cutteslowe Park and Five Mile Drive Recreation Ground via the quiet road connection on the A44 to Five Mile Drive and beyond.
- 10.252. The Green is included in the detailed application while the other key public open spaces are shown on the parameter plans with an area of deviation to allow for some movement in location at reserved matters stages.
- 10.253. Adjacent to the Green, the Market Square would be a hard landscaped urban square, rather than a green space. This contained space, connecting at its south-eastern edge to the larger, open green space, is intended to replicate a town square. It is proposed to be surrounded on three sides by active retail, commercial and cultural uses and to include a pavilion for ad hoc events. It is suggested that the square might provide space for a market or similar temporary uses. The question arises as to conflict between the use of this space and the use of spaces in and outside the Red Hall, however it is understood that the Red Hall offers space that would be for uses directly linked to the business and research activities taking

place on the site and that the Market Square would be used for recreation for both users, occupiers, inhabitants and visitors. This differentiation is clear and it would seem reasonable to have space for both types of use. The Square is a hard space which makes a complimentary contrast to the open space of the Green.

- 10.254. Officers note that the aspiration through the design evolution of the Square and Green is of a destination for the city and surrounding places. While the spatial design would support such an aspiration, officers consider that a high-level strategy for the curation of events and activities is needed to ensure the space is lively and vibrant. Accordingly, a condition is recommended.
- 10.255. Informal, natural areas are provided within the green spaces. Most notably, Canalside Park provides a naturalistic buffer between the development and the wilder green space beyond; a semi-wild transition through to Joe White's Lane.
- 10.256. Three areas for children's play are proposed in the Public Realm Strategy: Masterplan; within Eastside Park, The Green and Residential Square. These would meet the standards of Locally Equipped Areas for Play (LEAPs).
- 10.257. The masterplan's Overarching Principles 6 and 7 refer to the hierarchy "between the public open spaces (park and square) and publicly accessible open space (courtyards within clusters)" and creating "incidental open spaces... to enrich the experience for visitors". This is carried through in the public realm strategy for the masterplan, with various on plot open spaces proposed to be dispersed throughout the site. These could be providing amenity for the immediate occupiers of the cluster or residential area, and they could be at ground floor level or terraces at an upper level. Such incidental outdoor spaces occur across the city and so their inclusion in the masterplan principles reinforces "Oxfordness" in the character of this proposed new part of the city. The two courtyard spaces adjacent to the Workspace Buildings proposed in the detailed application are examples of these on plot spaces.
- 10.258. Thus there is a sense that the design offers a space or series of spaces within each cluster or block that would be publicly accessible which is good but it is important that these spaces link or combine to form the secondary or tertiary routes through and across the site. This can be reviewed with each reserved matters application. While the public realm strategy is not clear about the level of public access to the on plot open spaces, given Overarching Principles 6 and 7, it is assumed that the aspiration would be for full public access to such spaces. It is recognised, however, that there may be instances in a particular cluster where full public access and permeability would create unacceptable intrusion to the occupiers and so a condition is recommended to ensure full public access to outdoor spaces that come forward via reserved matters applications, unless an acceptable justification is provided to the satisfaction of the local planning authority.

- 10.259. It is noted that policy GBS3 of the Wolvercote Neighbourhood Plan, to which limited weight is afforded, states that new developments of more than 10 dwellings must include provision for children's play areas that are safe, and nearby (within 100 metres). The residential element of the development is not yet submitted in detail but, from Parameter Plan 02: Land use, it would appear to be achievable for all residential units to be within 100 metres of one of the three key green public open spaces proposed. This can be assessed through reserved matters applications.
- 10.260. The key parcels of public open space and their provision of children's play areas and recreation are considered an essential part of the overall development proposal for the reasons provided by the AAP. Their delivery, management and retention will be secured via legal agreement, as well as ensuring public access at all times. The public consultation responses included a suggestion to designate the land as Local Green Space. This is only possible via the Local Plan process and the obligations in the legal agreement will provide the necessary protections.
- 10.261. Details of lighting and street/public space furniture are recommended to be required by condition to ensure there is consistency and appropriate quality and quantity as well as acceptable visual impact.

#### *Trees*

- 10.262. The application's baseline arboricultural site information and the Arboricultural Implications Assessments (AIA) of the proposed development, both outline and full elements, are contained in the Environmental Statement Appendices
- 10.263. The purpose of an AIA is to assess the impacts on the site's tree stock from the proposed development and to indicate which trees are intended to be retained and which will require removal. Across the entire outline site there are a total of 49 individual trees, 26 tree groups and 20 hedgerows, totalling 95 items. Forty-five items have been identified as being of the category B quality (Moderate) items; 42 as category C quality (Low) items. The remaining 8 were category U quality (remove irrespective of development) items. There are no veteran trees on the site. There are no trees or groups of category A quality (High).
- 10.264. This is a relatively low number of arboricultural features for the land area involved, which reflects the site's land use as field pasture; vegetation is confined to the hedgerows of the field boundaries. More than 50 per cent of the site's tree stock is composed of common ash; it should be noted that this native species is now potentially vulnerable to the emerging ash die-back disease.
- 10.265. The arboricultural implications of the proposed development are relatively low in scale. These impacts can be adequately mitigated by appropriate protection measures for retained boundary trees and hedgerows, and replacement planting as components of the landscape masterplan details; these will result in a net gain in tree numbers.

- 10.266. The tree proposals for the outline application are found within the public realm strategy. The proposed areas of tree planting have been categorised into character groups reflecting their locations and function. These comprise:
- urban street trees
  - secondary urban street trees
  - public realm trees
  - riparian trees
  - predominantly native boundary trees
  - courtyards trees
  - individual or small groups of trees which form a focal point
  - broad leaved trees to be retained
- 10.267. Detailed landscape proposals would come forward at reserved matters stage. It is expected that trees would be planted as heavy standards, i.e. in excess of 3.5m in height at planting. The eventual heights at maturity will vary, depending on their locations, between 12 and 20 metres. To ensure landscape and tree proposals accord with the overall public realm proposals, a condition is recommended for reserved matters applications to adhere to the principles in the submitted Public Realm Strategy document. Timing of planting of trees site-wide needs to be considered in order that the trees reach maturity as soon as possible. This will need to be balanced against phasing and construction requirements and will be dealt with by condition and via reserved matters applications. This is the same condition as is recommended to ensure future design proposals adhere to the principles of the Design and Access Statement: Masterplan.
- 10.268. The detailed application has a species palette for street and open spaces trees. This contains a relatively small number of tree species; these are predominantly native species augmented by a scattering of ornamental exotic species intended to provide additional visual interest, e.g. introducing strong red autumn colours. Of the 12 species there are eight native species (excluding proposed containerised trees around the temporary car park). The Ash trees originally included in the species palette have been omitted. The detailed application is for a very small part of the overall site, and future reserved matters will provide an overall greater variety of tree species within the tree character groups set out in the master public realm strategy. Notwithstanding this, it is officers' view that an evergreen conifer component should be included in The Green, such as black or Scots pine, which would provide some visual interest during the winter months and give the space an urban park character. Accordingly, a condition is recommended.
- 10.269. A Technical Note has been submitted which sets out the proposed design principles and parameters for the specimen tree planting elements to the A40 and A44 highway corridor in relation to street lighting. The trees will be

adopted by the County Council as Highways Authority and therefore the design has to accord with Highways requirements.

- 10.270. The species list for this part of the tree planting strategy is composed of large growing trees (Hornbeam, Field Maple, Swamp Spanish Oak, Small Leaf Lime) of 10-12 metres in height with a crown diameter of 8-14 metres. These will provide a strong structural element to the main transport thoroughfares in the public realm.
- 10.271. Tree planting trenches and structural rootcell materials under hard surfaces (excluding the highway carriageway) will be used to maximise space and conditions for root development. A separate utilities zone, defended by root barrier, is set out in the designs, which will allow maintenance and installations to be carried out without major disturbance to tree roots. An irrigation system is to be installed within the central reservation for safe and convenient watering, necessary for establishing the trees.
- 10.272. Because the Technical Note sets out parameters rather than specific details for areas that are within the detailed application red line, officers recommend a condition to secure a final plan based on the principle of the Technical Note to be approved prior to the works commencing.
- 10.273. Subject to the various conditions referred to, both the detailed and outline proposals are acceptable in landscape and arboricultural terms and would accord with the NPPF and adopted and emerging local plan policies.

#### *Public art*

- 10.274. The Design and Access Statement: Masterplan sets out the proposed approach to public art for the site. The applicant has been encouraged to take a broad interpretation of public art to include temporary installations, events and bespoke play areas. This is envisaged to overlap well with the curation of public events proposed. It should ensure the site has its own identity as an innovative district linked with the research and activities taking place within the commercial buildings. This would align with the Design Code objective. An overarching strategy for public art including public events is recommended to be secured by condition or legal agreement. Each reserved matters application would need to set out how it would contribute to and interpret the public art strategy. Individual physical artworks may be subject to individual planning applications, and events would be subject to the usual licensing requirements, separate from planning.

#### **g. Air quality**

- 10.275. Paragraph 181 of the NPPF states that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and

travel management, and green infrastructure provision and enhancement. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

- 10.276. The NPPF in paragraphs 105 and 110 supports incorporating facilities for charging plug-in and other ultra-low emissions vehicles into developments.
- 10.277. The Oxford Local Plan and the AAP took account of air quality implications when allocating the site and setting out a range of supporting policies on infrastructure and other issues. Policy CP23 of the Oxford Local Plan 2001-2016 guards against development which would have a net adverse impact upon the air quality in the Air Quality Management Area. Emerging policy RE6, to which limited weight can be afforded, similarly states that planning permission will only be granted where the impact of new development on air quality is mitigated and where exposure to poor air quality is minimised or reduced.
- 10.278. Policy NG7 of the AAP states that planning permission will only be granted for residential development where it has been demonstrated that it is acceptable in terms of noise and air quality.
- 10.279. The whole of Oxford is an Air Quality Management Area with the main source of air pollution in the city, and at Northern Gateway, being road traffic. As well as the issues related to poor air quality on human health it is also important to consider its impact on the Oxford Meadows Special Area of Conservation.

#### *Construction phase*

- 10.280. The number of daily heavy goods vehicle (HGV) movements during the ten-year construction phase falls within indicative limits with regards to air quality impacts. There are uncertainties with making such a long-term assessment as it is possible that there are individual days when the daily limit could be exceeded and air quality impacted. Officers are recommending conditions for a construction traffic management plan (CTMP) for the detailed application and any reserved matters application. To deal with air quality issues, the conditions shall require the developer to pursue best practice working methods and processes, such as using at least Euro VI emission standard HGVs and ensuring regular fleet maintenance.
- 10.281. To deal with dust impacts of the construction phase, a Construction Environment Management Plan (CEMP) containing a dust assessment and resulting dust mitigation measures is recommended to be secured by condition.

#### *Operational phase*

- 10.282. It is proposed that all buildings will be connected to a site-wide energy sharing loop network, linked to ground source energy systems (GSES) in

the form of boreholes in the ground. This technology is emission free and will hence not impact air quality.

- 10.283. Officers consider the submitted traffic model, which predicts traffic flows and emissions when the development is predicted to be complete in 2031, to be robust; its predictions in relation to traffic emissions are the result of a series of conservative approaches. The air quality model demonstrates that the development would not lead to any exceedances of the current UK legal limit values for the concentration of major air pollutants.
- 10.284. Along the A40 and A44 some exceedances of the nitrogen dioxide annual mean limit value were identified at ground floor level on the façades of the buildings in the modelled scenario, which would be unsuitable for residential accommodation. However, there are no predicted exceedances at first floor level. Parameter Plan 02: Land use allows for residential development within the mixed use category to the east of the A44 and west of the A40 which would include the areas of nitrogen dioxide exceedance. A condition is therefore recommended to ensure no residential development shall take place in those areas of exceedance of the nitrogen dioxide annual mean limit values, unless an updated air quality assessment demonstrates that acceptable levels of air quality have been achieved in those areas.
- 10.285. Due to the existing nitrogen dioxide concentrations being below the threshold and the distance of the site from the railway being over 15 metres, Local Air Quality Management Technical Guidance is not triggered in relation to emissions from the railway. There are therefore no air quality concerns in relation to the site's proximity to the railway.
- 10.286. The Environmental Statement predicts oxides of nitrogen concentrations and nitrogen and acid deposition changes on sensitive ecological receptors, i.e. Wytham Woods SSSI and Oxford Meadows SAC. The results of the modelling work, which officers consider to be conservative, point to a slight improvement of the nitrogen load within 40 meters of the A34 at Wytham Woods SSSI in 2021, with the development in place. For Oxford Meadows SAC, nitrogen and acid deposition changes are considered to be insignificant, with changes not causing significant effects in a way that would affect the vegetation.
- 10.287. Policy BES2 of the Wolvercote Neighbourhood Plan, to which limited weight is afforded, requires proposals for residential development to identify the present state of air quality in the immediate vicinity of the site and the ways in which the potential impact of new development on the health and well-being of existing residents in the immediate locality can be mitigated through both design, layout and construction. It is considered, as discussed above, that the proposal has complied with this emerging policy.
- 10.288. The Institute of Air Quality Management (IAQM) guidance recommends at least one electric vehicle (EV) charging point per 10 residential dwellings and/or 1,000 square metres of commercial floorspace. Where on-site parking is provided for residential dwellings, EV charging points for each

parking space should be made. Policy M4 of the emerging local plan, to which limited weight can be afforded, would require EV charging points for each residential unit with an allocated parking space, and 25 per cent of non-residential and non-allocated residential spaces shall have EV charging points. Policy CHS3 of the Wolvercote Neighbourhood Plan, to which limited weight can be afforded, requires new homes and commercial premises to include charging points for electric vehicles. The outline proposal is for at least 10 per cent of non-residential parking spaces to have EV charging points, and for each residential unit to have the potential for at least one EV charging point. In the detailed application, 26 of the 253 spaces in the temporary car park would have EV charging points. The proposal therefore complies with the IAQM guidance, emerging policy CHS3, but not emerging policy M4. Given that this is a temporary car park, likely to be in place for less than 4 years, it is considered acceptable that the EV charging points meet current standards. When future reserved matters applications come forward, they will need to respond to the policies in force at that time.

- 10.289. A condition is recommended to ensure that provision of EV charging points and appropriate cable provision (ducting) is made to all the site's future commercial and residential uses to prepare for increased demand in future years. The quantum of charging points required for each reserved matters application shall accord with the relevant policies and guidance in place at the time.
- 10.290. Air quality was raised a number of times through public comments on the application. It is of note that the comment made by the Campaign to Protect Rural England (CPRE) focusses in some detail on the air quality assessment submitted with the application. Officers have examined each of the points made in the CPRE comment and, where necessary, sought additional information from the applicant, such as a plan of air quality receptors and road links referred to in the air quality assessment (Figure 12.4 in the resubmitted Environmental Statement). The comment does not raise any issues of concern that would alter the above assessment of the application in respect of air quality.
- 10.291. The hybrid application demonstrates that there will be no negative air quality impacts over current and future receptors as a result of the proposed development. The proposal, subject to the recommended conditions, would therefore comply with policy CP23, emerging policy RE6 and the NPPF in respect of air quality.

#### **h. Ecology and biodiversity**

- 10.292. Paragraph 170 of the NPPF requires planning decisions to contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity value, and to minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

- 10.293. Policy CS12 of the Core Strategy states that development will not be permitted if it results in a net loss of sites and species of ecological value. Where there is opportunity, development will be expected to enhance Oxford's biodiversity.
- 10.294. The AAP states that the City Council will seek active habitat creation on the site, linked to the provision of green infrastructure. Given the proximity of the Oxford Meadows Special Area of Conservation (SAC), a Habitat Regulations Assessment (HRA) was carried out for the Core Strategy, and that work was supplemented by a more detailed assessment to support the AAP. The HRA concludes that the policies of the AAP can be implemented without having an adverse effect on the integrity of the SAC.
- 10.295. Policy NG8 which seeks to protect the Oxford Meadows SAC states that, unless the applicant for planning permission can demonstrate that the development is not likely to have a significant effect on the Oxford Meadows Special Area of Conservation, the application will be subjected to appropriate assessment under the Habitats Regulations and permission will be granted only if it is ascertained that the development will not adversely affect the integrity of that Special Area of Conservation, in terms of recreational pressure, the hydrological regime and air quality.
- 10.296. The Environmental Statement submitted with the application includes a section on ecology and biodiversity plus appendices, and the development's ecological proposals are summarised within the Design and Access Statement: Masterplan. The parameter plans include landscape areas of higher biodiversity value, including the alluvial ribbon within Canalside, which are not part of the developable area.
- 10.297. A suite of protected species and habitat surveys have been undertaken across the site between 2015 and 2018, providing a thorough picture of the ecological value of the site during this period. Ongoing ecological walkover surveys of the site have confirmed that site characteristics have not significantly changed in this time. Officers visited the site on 29 August 2018 and agree with this overall assessment of ecological value provided.
- 10.298. Ecological assessments have confirmed the site supports a relatively common assemblage of species, including bats, birds, badger, small mammals and low numbers of reptiles and common amphibians. Notably however, brown hairstreak butterfly has been identified as breeding within the full application site area and a single bat roost has been identified in Tree T22 within the Central parcel close to the A40, for which a Natural England Mitigation Licence will need to be obtained to facilitate its removal. Up to date assessment will be required to inform licence applications to Natural England in respect of bats following receipt of full planning permission.
- 10.299. The Local Planning Authority in exercising any of their functions, have a legal duty to have regard to the requirements of the Conservation of Species and Habitats Regulations 2017 which identifies four main offences for development affecting European Protected Species (EPS):

- Deliberate capture or killing or injuring of an EPS
  - Deliberate taking or destroying of EPS eggs
  - Deliberate disturbance of a EPS including in particular any disturbance which is likely to impair their ability to survive, to breed or reproduce, or to rear or nurture their young; or, in the case of animals of a hibernating or migratory species, to hibernate or migrate; or to affect significantly the local distribution or abundance of the species to which they belong.
  - Damage or destruction of an EPS breeding site or resting place.
- 10.300. As noted above, a single bat roost has been identified in the Central parcel and therefore an EPS is likely to be present. The proposed development is likely to result in an offence under the Conservation of Species and Habitats Regulations 2017. Officers therefore have a duty to consider whether the proposal would be likely to secure a licence. To do so the proposals must meet with the three derogation tests which are:
- There are imperative reasons of overriding public interest (e.g. health and safety, economic or social);
  - There is no satisfactory alternative; and
  - The action will have no detrimental impact upon population of the species concerned e.g. because adequate compensation is being provided.
- 10.301. The allocation of the site within the Core Strategy, with an adopted AAP, as a strategic development site for housing and employment space provides the overriding public interest. No other site of this scale or capacity is available to meet such a requirement. The AAP in paragraph 2.9 states that the Northern Gateway is the only undeveloped strategic employment-led allocation in the city and it is the last opportunity to deliver employment development on this scale as part of the 'knowledge spine'. The site is critical to the delivery of the wider Oxfordshire Strategic Economic Plan 2014.
- 10.302. The identified bat roost is a transitional roost for two Soprano Pipistrelle bats. Although fully protected, the species is of relatively low conservation concern. Officers are satisfied that the three tests can be met and a licence obtained from Natural England for its closure. An updated survey will be required, which will inform the licence application and full mitigation measures will be agreed with Natural England.
- 10.303. Within the outline application boundary, an active badger sett has been identified. Updated assessment of this sett will be required and a licence obtained from Natural England for its closure for development purposes and the creation of a replacement sett. Badgers and their setts are protected under the Protection of Badgers Act 1992, therefore in order to proceed, a licence must be obtained from Natural England. A new sett will be created prior to closure of the existing sett. An updated survey of the site will be required prior to commencement of any works; therefore full

mitigation measures will be established following the results of this survey and agreed with Natural England. Additional measures will be agreed to protect badgers commuting through the site during both construction and operational phases via the Construction Environmental Management Plan recommended to be required by condition.

- 10.304. In advance of each phase of the development, updated protected species surveys will be required by condition to provide an up-to-date assessment of the presence or likely absence of protected species within the site.
- 10.305. The south-western hedgerow within Canalside is to be retained; following discussions with the applicant, it has been agreed that additional bolstering of this boundary will be provided with a view to also provide an enhanced buffer from the adjacent local wildlife sites (Canalside Meadow/Oxford Canal Marsh and Meadow north of Goose Green). As noted later in this report in discussions about surface water drainage, an overall reduction in geocellular attenuation tanks in favour of natural sustainable drainage features has also been achieved during the course of the application, increasing available aquatic habitat on site.
- 10.306. Biodiversity net gain is where development leaves biodiversity in a better state than it was before. To demonstrate that there has been no net loss in biodiversity as a result of a development and that a measurable net gain will be achieved it is useful to use a biodiversity impact metric or 'calculator'. Such a tool works to quantify the change in biodiversity by using habitats as a proxy for biodiversity value, measured in biodiversity 'units'.
- 10.307. The field of calculating biodiversity units is still developing, with ongoing updates to available metrics. Overall the use of a metric is a valuable tool in guiding decisions on how much and what kind of compensatory habitat may be required, but must be used in conjunction with ecological expertise. The metric doesn't take into account the needs of species, therefore an understanding of how biodiversity is affected, based on sound ecological data, is also required.
- 10.308. It is acknowledged that there will be an overall net loss of biodiversity of 6.99 biodiversity units within the site as a result of the proposals. This was apparent during pre-application discussions and so officers looked with the applicants for options of where off-site biodiversity enhancements could be delivered. A large area of Cutteslowe Park can be improved to create new habitats and thereby deliver suitable mitigation. An area of 3 hectares will be enhanced to provide species-rich neutral wildflower meadow. The existing grassland has the same geology and soil type as the site, and is anticipated to reach good condition within 10 years. The compensation site is local to the development and within the ownership of the City Council, therefore there is certainty over its delivery and maintenance. This is in line with emerging policy G2 which states that offsetting measures are likely to include identification of appropriate off-site locations/projects for improvement, which should be within the relevant Conservation Target Area if appropriate, or within the locality of the site. When assessing whether a site is suitable for compensation, consideration will be given to the access,

enjoyment and connection to nature that the biodiversity site to be lost has brought to a locality. While the exact quantum of enhancements is yet to be calculated, overall it is anticipated that a net gain of 10 per cent will be achieved. Should further compensation be required if the enhancements fall short, the developer can buy into a scheme such as Environment Bank to reach the appropriate level. The quantum of enhancements required would be secured via the legal agreement, along with the creation and maintenance in perpetuity of the Cutteslowe Park scheme and on-site habitats.

- 10.309. The off-site habitat creation as mitigation for the net loss would comply with policy GBS5 of the Wolvercote Neighbourhood Plan, to which limited weight is afforded, in that it would be on a like-for-like basis elsewhere within the Wolvercote Neighbourhood Plan Area. The scheme would also be compliant with policy GBS6 of the Wolvercote Neighbourhood Plan, to which limited weight is afforded, in that it would increase public access to green space and, overall, enhance biodiversity.
- 10.310. Overall, it is anticipated that the development would result in a minor net gain in linear habitats on site (+5.02 biodiversity units), with enhancement of species and structural diversity of new hedgerows. Hedgerow planting will include Blackthorn, providing enhanced opportunities for Brown Hairstreak Butterfly.
- 10.311. In line with the requirements of the Conservation of Habitats and Species Regulations 2017, it is noted that a likely significant effect on the Oxford Meadows Special Area of Conservation can be ruled out. This conclusion is supported by Natural England and is based on the following evidence:
- Chapter 10 of the Environmental Statement, in particular the section on Hydrogeology and Environmentally Sensitive Habitats, which indicates that the only area of the site with potential ground water connectivity with the SAC is the 'Alluvial Ribbon' in the south west, which the illustrative masterplan indicates will not contain built development, as it forms part of the greenspace.
  - Chapter 12 of the Environmental Statement, in particular paragraphs 12.5.14 to 12.5.20 and Table 12.8.4 of the Air Quality Appendices to the Environmental Statement which demonstrate the extent to which the scheme will contribute to critical levels of Nitrogen Oxide, critical loads of Nitrogen deposition and acid deposition at Oxford Meadows SAC.
  - Chapter 15 of the Environmental Statement, in particular paragraphs 15.6.14 to 15.6.15 which set out measures to help meet the recreational needs of new residents on site.
- 10.312. Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust were consulted on the application but no comments were received.
- 10.313. The habitat creation on site, and off site in Cutteslowe Park, complies with local plan policies, the AAP and the NPPF, as well as with emerging policy

G2. The scheme will have no likely significant impact upon the Oxford Meadows SAC or other statutory sites of nature conservation importance and therefore would comply with policy NG8; the on-site open space would minimise the potential for additional recreation pressure on the SAC. The potential presence of protected species and habitats has been given due regard and officers have no objection to the proposals, subject to inclusion of a number of recommended ecological conditions. Conditions are recommended for landscape and ecology management plans during construction and for long-term management, lighting to protect light-sensitive wildlife, and for on-site biodiversity enhancements. A planning obligation secured by legal agreement in relation to off-site habitat creation to offset the overall net loss of biodiversity is recommended.

**i. Flooding, drainage and water**

10.314. The NPPF in paragraph 163 states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere, supported where appropriate by a site-specific flood-risk assessment. Paragraph 165 states that major developments, as this application is, should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority;
- b) have appropriate proposed minimum operational standards;
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) where possible, provide multifunctional benefits.

10.315. The NPPF and Core Strategy policy CS11 state that developments over 1 hectare, as this application is, must be accompanied by a full Flood Risk Assessment (FRA), which includes information to show how the proposed development will not increase flood risk. Necessary mitigation measures must be implemented. Unless it is shown not to be feasible, all developments will be expected to incorporate sustainable drainage systems or techniques to limit runoff from new development, and preferably reduce the existing rate of run-off. The policy states that development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.

10.316. The AAP states that development must be designed to manage surface water through the use of sustainable drainage systems (SuDS), a system that stores the water and then releases it slowly into a watercourse or sewer at a later date. It states that Flood Risk Assessments will be required to accompany the outline planning application and qualifying detailed planning applications. The City Council will continue to work with the

County Council as the Lead Local Flood Authority (LLFA) to find a workable and appropriate SuDS solution for the development.

- 10.317. The site lies within Flood Zone 1 so is not at risk of fluvial flooding, but the northern part of the site of both the Central and East parcels is prone to surface water flooding. There is a watercourse that runs east to west along the southern part of the Park and Ride before being culverted under the A34. This watercourse will not only receive flows from the proposed development via the proposed drainage ponds, but also receives existing offsite flows.
- 10.318. Concerns have been raised by the County Council as LLFA with regards to this surface water flooding, and that it may pose a risk to development within the affected areas or to the attenuation features located there. The applicant's consultants, PBA, submitted a supplementary note suggesting that the flow in the unnamed watercourse would be throttled by culverts upstream of the site, therefore the flow would be unlikely to be such that it would affect the site. The LLFA has however requested that further investigation is undertaken in order to ascertain the true characteristics of the watercourse and subsequent flooding, the effect on the development, and for mitigation to be proposed where necessary. This can be provided by condition, prior to the commencement of any fixed development within the areas shown at risk of flooding.
- 10.319. The drainage strategy initially submitted was considered by officers to be too dominated by underground tanks and pipes which are less sustainable because they do not provide the multiple benefits of sustainable drainage systems (SuDS) – i.e. biodiversity, amenity, and water quality, and increased potential for flooding by greater scope for blockages and subsequent increased maintenance demands. Pre-application advice was given requiring surface conveyance and storage to be utilised, in order to create a truly sustainable drainage system. Best practice, along with the local and national planning policies highlighted above, also encourages sustainable drainage and so an amended drainage strategy for the site was submitted.
- 10.320. The resubmitted drainage strategy reduced the amount of tanked storage, while not eliminating it entirely. The size of the attenuation ponds has been increased and larger areas of permeable paving introduced. The proposed drainage strategy can be summarised as follows:
- Canalside parcel: the southern section slopes steeply towards the south and therefore naturally flows southwards where it either ponds or infiltrates into the alluvium and contributes to groundwater recharge, which feeds environmentally sensitive off-site receptors. The proposed strategy mimics this by providing a development platform including lined permeable paving and underground attenuation, which drains into an attenuation basin in the lower part of the site at a controlled rate, where it may infiltrate or overtop into the adjacent ditch to mimic natural conditions for groundwater recharge.

- Central parcel: this parcel incorporates a combination of lined permeable pavements, underground and open attenuation features, with a controlled discharge to the ordinary watercourse along the northern boundary.
  - East parcel: surface water drains from south to north via a combination of lined permeable pavements for the access road and external hardstanding areas which drain to open attenuation features within the centre and north-western corner of the site. The open central area incorporates an open depression which fills in higher order rainfall events and an underlying gravel layer. The attenuation basin in the north-western corner of the site has a controlled outfall to the ordinary watercourse to the north.
  - Detailed part of the application: the proposed surface water drainage strategy utilises lined permeable pavements and underground cellular attenuation with a piped network to further attenuation storage within the phase 1a parcel. The network then discharges at a controlled rate to the watercourse along the northern boundary of the wider site.
- 10.321. The drainage strategy for phase 1a may require the use of a small attenuation pond to the north of the site, dependent on detailed design. If this is to be the case, the pond should be located outside the area shown at risk of surface water flooding, or otherwise no work should be undertaken until the investigation and mitigation (if required) work has been undertaken and approved by the LLFA. This can be secured by condition.
- 10.322. A detailed drainage design, pursuant to the drainage strategy submitted with the full planning application, should be submitted prior to commencement of development. For each later phase, a detailed drainage design should be submitted and approved prior to commencement of subsequent phases. These requirements are recommended to be secured by condition.
- 10.323. The drainage strategy for the whole site demonstrates that the proposed run-off rates for the impermeable areas do not exceed the pre-development (greenfield) run-off rates in rainfall scenarios up to the 1 in 100 year +40% climate change event. This is acceptable.
- 10.324. The drainage strategy as initially submitted was somewhat disappointing in terms of sustainable design, and also not in accordance with SuDS principles, local guidance, and the pre-application advice given. The revised strategy addresses the concerns to some extent, removing a number of underground tanks. However it is regrettable that a more sustainable strategy was not proposed utilising more above ground storage and conveyance, given the greenfield nature of the site. However, having regard to the constraints of the site and overarching requirements of the illustrative masterplan, the approach is considered to be justified. It is recommended that the condition that requires submission of detailed drainage systems for future phases should also explore opportunities to incorporate more sustainable features.

- 10.325. Policy BES7 of the Wolvercote Neighbourhood Plan, to which limited weight is afforded, requires developments to demonstrate that they do not decrease rain water infiltration and requires all run off water to be infiltrated into the ground using permeable surfaces (SuDS), or attenuation storage, so that the speed and quantity of run off is decreased. Proposals for new development should ensure that there is no increased risk of flooding to existing property as a result of the development. The proposal, for the reasons discussed above, is considered compliant with this emerging policy.
- 10.326. The Environment Agency responded to the application and did not raise an objection nor recommend conditions.
- 10.327. In summary, according to Environment Agency modelling, the site is not at risk of flooding from fluvial sources, however there are areas shown at risk of surface water flooding which can be addressed via condition. The submitted drainage strategy limits discharge from the site to pre-development (greenfield) rates, therefore flood risk will not be increased as a result of discharge from the development. Further exploration of concerns over surface water flooding to the north of the site and any mitigation required can be secured by condition to ensure flood risk is not increased. Further detail of the surface water drainage scheme for the detailed part of the application, and for each subsequent phase of development are recommended to be required by condition. The application is therefore considered acceptable in relation to drainage and flood risk, in compliance with the NPPF and policy CS11. It would also comply with emerging policy RE3 in relation to flood risk management and policy RE4 in relation to sustainable drainage, surface and groundwater flow.

*Water and sewerage infrastructure*

- 10.328. Policy NE14 of the Oxford Local Plan 2001-2016 states that planning permission will only be granted for developments that would increase the demand for on and off-site service infrastructure where sufficient capacity already exists or extra capacity can be provided in time to serve the development that will ensure that the environment and the amenities of local residents are not adversely affected.
- 10.329. Thames Water has commented on the application requesting that standard conditions be imposed on any planning permission to ensure that the water and waste networks will have sufficient capacity prior to occupation of the development. With regard to foul water sewage network infrastructure capacity, Thames Water has stated that it would not have any objection to the above planning application. Subject to these conditions, therefore, the development would comply with policy NE14.
- 10.330. Policy V8 of the emerging local plan, to which limited weight can be afforded, requires developers to have explored existing capacity (and opportunities for extending it) with the appropriate utilities providers. The policy also requires provision for high quality digital facilities for B1 employment. Section 5.5 of the Design and Access Statement: Masterplan

sets out the utilities investigations carried out by the applicant and concludes that all major services are available within the vicinity of the site and no issues have been highlighted regarding connection. This section also notes that BT has shown an interest in providing the site with superfast broadband. The application would therefore comply with emerging policy V8 and with NPPF paragraph 112 which states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being.

## **j. Energy and resources**

### *Energy*

- 10.331. Paragraph 148 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions and support renewable and low carbon energy and associated infrastructure.
- 10.332. Core Strategy policy CS9 states that all developments should seek to minimise their carbon emissions and should demonstrate sustainable design and construction methods and energy efficiency through design, layout, orientation, landscaping and materials. The proposal exceeds the policy's threshold for qualifying developments and so it must achieve the target of 20 per cent renewable or low-carbon energy and incorporate recycled or reclaimed materials.
- 10.333. Policy NG9 of the AAP requires a district/shared energy scheme to be delivered at the Northern Gateway, the proposal for which must demonstrate that this would not have a significant air quality impact on the integrity of the Oxford Meadows SAC. Paragraph 7.21 of the AAP states that at the Northern Gateway buildings will be required to be constructed to the standards in place at the time of the subsequent reserved matters applications and thereby factoring in any tightening of requirements over time.
- 10.334. The application is accompanied by an energy statement covering details and calculations for the full part of the application and the energy strategy for the wider site. A Natural Resource Impact Assessment is also included.
- 10.335. A fundamental part of the energy strategy for the proposed scheme is a site-wide energy sharing loop network. High efficiency water to water heat pumps would provide space heating and cooling for all buildings, as well as domestic hot water (hot tap water for residential and commercial). These heat pumps will be linked to the site-wide energy sharing loop connected to ground source energy boreholes.
- 10.336. The proposed energy loop network is innovative and offers a low carbon solution, being based on ground source heat pumps. The system is easier to modularise than, for instance, a Combined Heat and Power (CHP) system; the energy strategy states that infrastructure will be put in place to

allow for future phases of the Oxford North development to connect into the energy sharing loop. This will improve the efficiency of the system by increasing the options for energy sharing between buildings with different energy profiles, such as residential and commercial buildings that need heating at different times of day. The solution proposed is also desirable for this site as it avoids the combustion of gas, and consequent air quality impacts, that would be required in a CHP plant. Photovoltaic (PV) panels are part of the wider energy strategy for the whole site and these would be wired into the local power network to reduce the consumption of grid electricity by the energy loop pumps and other electrical loads.

- 10.337. The Design and Access Statement: Masterplan states that the applicant is committed to designing buildings which meet ongoing improvements in energy efficiency standards, following a hierarchy of passive design measures, followed by active design measures, and then low and zero carbon technology. In drawing up the illustrative masterplan, the applicant has considered solar aspect, shade and shelter in positioning buildings. Such a commitment is recommended to be secured by legal agreement and is included in the Heads of Terms (**appendix 4**).
- 10.338. The detailed part of the application includes the energy loop infrastructure for this phase. In addition, heating and hot water in the Red Hall basement changing rooms will be provided by air source heat pumps. No PV arrays are proposed on the workspace or Red Hall buildings although PV panels are anticipated on the phase 1a residential buildings, which are not included in the detailed application.
- 10.339. The outline scheme complies with the AAP with respect to its requirement for a district/shared energy scheme.
- 10.340. The detailed part of the scheme is compliant with the 20 per cent target set out in policy CS9 by achieving a 25.7 per cent reduction in energy consumption compared with the level that would be achieved by meeting the minimum compliance threshold for Building Regulations. Emerging local plan policy RE1, to which limited weight can be afforded, has higher targets for carbon reduction than current local policy. However, future phases of the development will need to comply with the planning policy current at the time of the reserved matters applications.
- 10.341. It is welcome that BREEAM Excellent is being targeted for the buildings in the detailed part of the application, which would be in excess of the minimum Building Regulations requirements. This is sufficient to comply with the NPPF and policy CS9, and aligns with emerging local plan policy RE1.
- 10.342. Both the energy loop itself and a requirement to continue to meet evolving best practice in relation to sustainability credentials and energy efficient building techniques are to be secured via legal agreement. A condition is recommended to ensure both the detailed part and outline part of the development is carried out in accordance with the submitted energy

statement. Drawings of the energy loop infrastructure should also be required by condition.

#### *Waste management*

- 10.343. Paragraph 8 of the NPPF states that minimising waste forms part of the environmental objectives for sustainable development. Policy CS10 of the Core Strategy states that all new developments will be expected to have regard to the waste management hierarchy during design, construction and final occupation.
- 10.344. The application is accompanied by a waste strategy which identifies the overarching hierarchical approach to waste for construction and operational phases. A construction site waste management plan and an operational waste management and servicing plan will be required at reserved matters stages and for the detailed part of the application. The County Council has raised no objection to the approach to waste management and welcomes the waste management strategy. This matter is considered to have been given due regard in compliance with policy CS10.

#### **k. Impact on neighbouring and residential amenity**

- 10.345. Policy HP14 of the Sites and Housing Plan states that development should provide reasonable privacy and daylight for the occupants of both existing and new dwellings and guards against overbearing development. Policy CP10 of the Oxford Local Plan 2001-2016 requires development proposals to be sited in a manner which meets functional need, but also in a manner that safeguards the amenities of other properties. Policies CP19 and CP21 protect against unacceptable nuisance and noise. Emerging policy H14 protects residential amenity in a similar way to adopted policy HP14, while emerging policies RE7 and RE8 also protect neighbours against environmental impacts of development. Limited weight can be afforded to these emerging policies.

#### *Amenity for nearby residents*

- 10.346. Numbers 396-400 Woodstock Road lie north of the Wolvercote roundabout between the railway line and the A44. These houses are accessed via a cul-de-sac from Five Mile Drive, which is adopted highway. The planning application includes proposals for this cul-de-sac to be opened up to form a pedestrian and cycle connection between Five Mile Drive and Peartree Park and Ride. There would be no through vehicle access, with the road wide enough to carry occasional vehicle movements to service 396-400 Woodstock Road as well as cycles and pedestrians. A greater level of detail of this part of the A44 proposals would be required by condition prior to commencement of the works.
- 10.347. The parameter plans propose development in the land between 396-400 Woodstock Road and Peartree Park and Ride. A neighbourly ten-metre landscape buffer is included on Parameter Plan 02: Land use where the site abuts these properties. The illustrative masterplan suggests houses

with gardens would back onto this landscape buffer, although this would be a matter for determination at reserved matters stage. The parameters of the outline application are sufficient to safeguard residential amenity for these properties with detailed design to be considered at reserved matters stage.

- 10.348. The site's red line runs along the rear boundary of 30 Godstow Road, but the small segment of land at this point is proposed as a landscape buffer area on Parameter Plan 02: Land use. This does not present any neighbouring amenity concerns for residents along Godstow Road and the cul-de-sacs to the north of Godstow Road.
- 10.349. Other residential properties such as those in Lakeside, Linkside Avenue, Carey Close and Five Mile Drive are not considered to be harmfully impacted. They are separated from the development by the railway line and, although their views will change, a change in view is not a material planning consideration in terms of residential amenity. The change in views has been discussed in the overall assessment of the visual impact of the development earlier in this report. Public representations have been made by residents in this area requesting tree screening be planted along the site's boundary with the railway line. The detail of landscape planting would not come forward until the reserved matters application for that part of the development (phase 4), however the overall tree planting strategy plan contained within the submitted Public Realm Strategy: Masterplan indicates that, the perimeter of the site will comprise predominantly native tree and shrub species with understorey planting to form a green buffer to the site. These would be a mixture of single and multi-stem trees, closely arranged. It is not considered necessary or reasonable to impose a condition to require tree screening planting along this boundary, although it would appear to be the developer's intention to propose such planting in due course.
- 10.350. It is noted that Red Barn Farm, which lies in the parcel of land to the north of the Central parcel and south of the A34, contains no residential uses.

#### *Noise and vibration*

- 10.351. Policy NG7 of the AAP states that planning permission will only be granted for residential development where it has been demonstrated that it is acceptable in terms of noise and air quality. Policy NG10 of the AAP requires Construction Environmental Management Plans covering matters including noise, traffic and dust during the construction phase to support any reserved matters planning applications.
- 10.352. The primary source of noise at the Northern Gateway site is road traffic from the A40, A44 and A34, and the Oxford to Bicester railway line that runs through the site is a secondary source of noise. The railway is also a source of vibration. Employment land uses are less sensitive than residential uses to noise, so for this reason the AAP expects employment uses to be located in the areas more affected by noise and for the design and layout of the employment elements to act as a buffer to help protect the more sensitive residential uses.

- 10.353. Officers consider that the Environmental Statement has correctly identified the most significant sources of and receptors for noise and vibration impact and has applied appropriate standards and methodologies to predict and quantify them.
- 10.354. The Environmental Statement sets out how noise constraints guided the design development, such as via offset distances from the A-roads and the proposed central street, and the potential effects from trains on the adjacent railway. The arrangement of building facades integrates an element of acoustic screening within the scheme, such as the larger Workspace Buildings proposed in phase 1a positioned along the A40. The constraints plan in section 5.5 of the Design and Access Statement: Masterplan shows the areas that have been identified as noise buffers to residential uses.
- 10.355. The assessment of the potential noise and vibration effects associated with construction and operation of the site within chapter 13 of the Environmental Statement are considered to be acceptable and in line with current good practice. It is essential, however, that subsequent reserved matters applications adhere to these assumptions and recommendations and so conditions are recommended for both the full and outline applications. In conclusion, the Environmental Statement is comprehensive and appropriate with regard to noise and vibration.
- 10.356. Policy BES3 of the emerging Wolvercote Neighbourhood Plan, to which limited weight is afforded, requires new developments to demonstrate the ways in which they have responded to the most up-to-date technical guidance on noise pollution relevant to the proposed development. It is considered, as set out above, that the proposal is compliant with this emerging policy.
- 10.357. A number of conditions are recommended to deal with noise and vibration issues and to protect residential amenity. A Construction Environmental Management Plan would be required with each reserved matters application to deal with noise and vibration, as well as a scheme to manage construction noise. Details of mechanical plant and extraction equipment for the full application and subsequent reserved matters applications, where relevant, are recommended to be required by condition to safeguard amenity.

#### **I. Land quality**

- 10.358. Oxford Local Plan 2001-2016 policy CP22 states that, where necessary, the City Council will require prospective developers to submit details of an investigation of the site and any remedial measures that need to be carried out. The City Council will, where necessary, require the developer to carry out remedial measures and to verify that the approved measures have been carried out. There are no specific policies relating to land quality in the AAP. Emerging policy RE9, to which limited weight can be afforded, requires investigations to assess the nature and extent of contamination of land and appropriate mitigation.

10.359. The application includes a Geo-Environmental Assessment of Ground Conditions and appendices within the Environmental Statement which demonstrates that there do not appear to be any significant contamination risks associated with the site. The Environment Agency raised no objection and did not recommend conditions. Officers and the Environment Agency are satisfied that, subject to conditions on both the full and outline applications, the application is satisfactory in relation to land quality.

**m. Phasing of development and delivery of infrastructure**

10.360. Policy CS17 of the Core Strategy states that planning permission for new development will only be granted if it is supported by appropriate infrastructure at a timely stage. Developer contributions will be sought where needs arise as a result of new development. The City Council will work in partnership with infrastructure providers and other delivery agencies in preparing Area Action Plans (and any supporting Supplementary Planning Documents).

10.361. Accordingly, and subsequent to the Core Strategy adoption, the Affordable Housing and Planning Obligations Supplementary Planning Document (SPD) was adopted in September 2013 and the Community Infrastructure Levy (CIL) came into effect in Oxford on 21 October 2013. The Affordable Housing and Planning Obligations SPD states that, as a consequence of the introduction of CIL, the use of Section 106 planning obligations for most types of infrastructure, other than Affordable Housing, will be much more limited than in the past. It goes on to state that CIL will replace planning obligations as the means of funding off-site infrastructure, such as additional school places, transport improvements or improved leisure facilities, which are required in connection with new development and consequent population or economic growth. It states that proposals for development that may require the provision of planning obligations should be made in accordance with the relevant policies of Oxford's local plan. For this application, which lies within the Northern Gateway AAP boundary, policy on infrastructure contributions is found in the AAP, which was adopted in July 2015.

10.362. Policy NG10 of the AAP requires that the phasing of the site has regard to the aim of creating a sustainable employment-led development from the outset and as the development progresses. A phasing strategy must be submitted with the outline planning application for approval by the local planning authority.

10.363. A phasing strategy is included in the Design and Access Statement: Masterplan. This sets out the development in four phases including sub-phases over a ten-year period following a grant of planning permission. Officers consider that it makes for a logical programme with infrastructure coming forward at appropriate phases to support a balanced mix of housing and commercial floor space. The County Council is seeking the delivery of A44 works at an earlier stage than the applicant had proposed. Initial phases focus development on the highways infrastructure and development along the link road which is to form the heart of the new area. The phasing

of infrastructure is recommended to be secured by condition or via legal agreement, as appropriate, with capacity to agree amendments.

10.364. Paragraph 8.11 of the AAP sets out a number of funding sources for the infrastructure requirements of Northern Gateway. These are listed below, with notes on funding that has been secured:

Funding source	Notes
Developer funding secured through the Community Infrastructure Levy (CIL)	There is a CEB resolution to apply the CIL receipts generated in order to fund investment in highways/transport infrastructure to support the delivery of the Northern Gateway strategic site allocation.
Developer funding secured through a Section 106 agreement	The Heads of Terms (see <b>appendix 4</b> ) set out the obligations to provide elements of the infrastructure that are required to serve the development and financial contributions towards bus service subsidies on the Eastern Arc (up to £2.88 million), travel plan monitoring fee (£6,000), and variation of Traffic Regulation Order (£5,000) to create safe routes to school.
City Deal funding already secured for the Northern Gateway area	This funding delivered the Cutteslowe and Wolvercote roundabout improvements which are now complete.
Local Growth Fund monies bid via the Oxfordshire Local Enterprise Partnership	£5.9 million has been secured to fund the A40 highway works, to be delivered by the County Council
City and County Council funding (for example via capital programmes and funds secured from other sources)	£10 million of HIF Marginal Viability Fund has been secured from Homes England; the Peartree interchange improvements are a wider County Council project to which this development would make a contribution; future funding opportunities will continue to be targeted by the City Council

10.365. The items of infrastructure that are to be funded by the CIL generated from the development are:

- commuted sums for the maintenance of the A44 and A40 by the Highways Authority;
- a financial contribution towards the cost of a scheme to improve Peartree interchange; and
- funding for the creation of Controlled Parking Zones in Upper and Lower Wolvercote and Yarnton.

10.366. The following infrastructure is to be delivered directly by the developer. These items are likely to be eligible for infrastructure payments (in lieu of CIL payments) under the provisions of Regulation 73A of the CIL Regulations if the Council decides to permit such an approach.

- the parts of the A44 works that provide a wider public benefit, such as the northbound bus lane, landscaping and tree planting, street furniture, drainage; and
- two road crossings to provide safe routes to Wolvercote Primary School.

10.367. Policy NG11 states that there must be suitable arrangements to provide and phase the infrastructure, services and facilities that will make the scheme acceptable in planning terms. The Heads of Terms of the legal agreement (**appendix 4**) and relevant conditions (**appendix 3**) set out how each element of infrastructure is to be secured. The proposed means of securing each item of infrastructure specifically listed in policy NG11 is summarised below:

Infrastructure	Means of securing
Affordable Housing	Obligation in legal agreement
Restricting the occupation of the employment uses through a 'Gateway Policy Agreement'	Condition or obligation in legal agreement for occupiers to be consistent with the employment types set out in the AAP
Provision and maintenance of public open space and children's play facilities	Obligation in legal agreement
Highways and transport infrastructure to serve the development, including new junctions on the A40 and the A44, the construction of an on-site link road between the A40 and the A44, and public transport interchange/waiting facilities	Obligation in legal agreement
Pedestrian and cycle links to serve the development	Obligation in legal agreement
Travel Plan	Condition and obligation in legal agreement, including monitoring
A district/shared energy scheme	Obligation in legal agreement
Sustainable drainage systems, water and wastewater and any other utilities measures required to serve the development	Obligation in legal agreement and conditions
Any specific measures required to prevent or mitigate potential impacts on the Oxford Meadows SAC or on other areas designated for their nature conservation value.	No specific measures were found to be required because no likely significant effect was identified on the SAC or other designated area. On-site public open space provides the mitigation to deal with recreational impact on the SAC. Note that biodiversity off-setting beyond the red line is to be secured by legal agreement.

10.368. The AAP in paragraph 8.5 points out that large-scale development of this kind will offer a range of training and job opportunities particularly in the

construction phase. Where there are chances to link local people and businesses to the economic opportunities arising from the development or associated supply-chains, the City Council will be encourage their uptake. This ties in with emerging policy E4 (Securing opportunities for local employment, training and businesses), to which limited weight is afforded. A Community Employment Plan is proposed to be secured via legal agreement both for the construction and operational phases of the development.

- 10.369. Requests were made by the Clinical Commissioning Group and Thames Valley Police for funding as a result of this development. As discussed above, CIL is the normally used to secure off-site infrastructure which is required in connection with new development and consequent population or economic growth. This would cover medical facilities and policing infrastructure, neither of which are specified as an infrastructure requirement in the AAP. Careful prioritisation of infrastructure means that these two requests cannot be put ahead of the infrastructure required by the AAP, such as Affordable Housing and sustainable transport measures for this development.
- 10.370. Thames Valley Police have suggested the inclusion of a police “touchdown” facility on site. Officers consider that the nature of the development proposal, being mainly commercial and with on-site management proposed, means that such a facility is unlikely to be appropriate.
- 10.371. Through pre-application discussions, officers at the City and County Councils have sought to identify the infrastructure needed to support the development into that which must be guaranteed and that which, subject to review, should be provided. This exercise has been carried out in order to optimise viability and maximise the quantum of Affordable Housing. This has led to the deferred provision of some items of infrastructure. These items of unfunded infrastructure are recorded below so that, should additional funding become available from this development, from other developments within the AAP boundary, surplus CIL monies, or the recirculation of grant, these items can be considered for funding:
- cost of expanding Wolvercote Primary School
  - Special Educational Needs financial contribution
  - contributions to off-site footpath and cycle links including, cycle routes on Woodstock Road, canal towpath improvements, enhancement of Joe White’s Lane, cycle route improvements to Oxford Parkway via Five Mile Drive and Banbury Road
  - contribution towards the provision of an enhanced Peartree Park and Ride facility with additional spaces, improved waiting facilities and the installation of a decked car park

## **n. Planning obligations**

- 10.372. It is considered that the planning obligations listed in **appendix 4** need to be secured in order for the development to be acceptable. The provisions of CIL Regulation 122 have been considered and it is believed that all of the obligations meet the relevant tests and can therefore be taken into account in determining the application.
- 10.373. It is noted that in order for the planning obligations to be delivered there will need to be an agreement with the applicant, the County Council and the City Council about the use of CIL and other monies. The grant of permission should be conditional on appropriate arrangements having been documented.

## **o. Other matters**

- 10.374. As the application site is located in close proximity to the railway line, Network Rail was consulted as part of the application. In their response they raised no objection but requested a number of conditions be applied to the planning permission. The conditions suggested fail to meet the statutory requirements detailed in paragraph 55 of the NPPF for conditions and therefore an informative has been included requiring the applicant to liaise directly with Network Rail to ensure the development complies with the requirements as set out by Network Rail. It is noted that the applicant responded substantively to the points raised by Network Rail in the resubmission covering letter dated 21 March 2019.
- 10.375. Emerging policy RE5, to which limited weight can be afforded, states that proposals will be supported which help to deliver strong, vibrant and healthy communities and reduce health inequalities. This is not a specific objective of any adopted policies but it is a theme of the NPPF in section 8. Planning obligations are therefore recommended to be secured via legal agreement to ensure that the principles of good design for health and wellbeing are embedded into the design of the development and to explore new and innovative strategies for working in partnership across sectors to deliver the best possible wellbeing outcomes for current and future tenants and residents.

## **11. OTHER MATERIAL CONSIDERATIONS**

### *Equalities Act*

- 11.1. The application has been assessed against the relevant sections of the Equalities Act 2010, and it is not considered that the application discriminates against people with protected characteristics specified in the Act. The protected characteristics are:
- age
  - gender reassignment
  - being married or in a civil partnership

- being pregnant or on maternity leave
- disability
- race including colour, nationality, ethnic or national origin
- religion or belief
- sex
- sexual orientation.

*Human Rights Act 1998*

- 11.2. 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*

- 11.3. 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.

**12. CONCLUSION**

- 12.1. Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application. This includes the presumption in favour of sustainable development found at paragraph 11 of the Framework, which requires approving development proposals that accord with an up-to-date development plan without delay.
- 12.2. Section 2 of the NPPF lists the three dimensions to sustainable development: economic, social and environmental. These roles are interdependent and need to be pursued in mutually supportive ways to achieve sustainable development. These roles will now be considered in weighing up the benefits and dis-benefits of the proposed development relative to all material considerations discussed in this report.

*Economic impacts*

- 12.3. The Northern Gateway is a key strategic site which has been allocated in the Core Strategy for employment space focussed on Oxford's key

strengths in the knowledge economy – science and technology, research, bio-technology and spin-off companies from the universities and hospitals. One of the objectives of the OxLEP Strategic Economic Plan for Oxfordshire 2016 is to deliver flagship gateway developments and projects that stimulate growth. Northern Gateway is identified as such a project.

- 12.4. This application would bring significant economic benefits through provision of employment space tailored to the needs of the city, supporting economic growth, underpinned by the necessary infrastructure to deliver the site. Paragraph 80 of the NPPF states that significant weight should be placed on the need to support economic growth and productivity and therefore this economic benefit of the proposal is afforded significant weight.

#### *Social impacts*

- 12.5. The application would provide up to 480 new homes including 168 affordable homes of which 135 units would be social rented and targeted to those in greatest housing need. The urgent need for more homes and the constrained supply in Oxford is well documented and understood; therefore this contribution on an employment-led development would be significant in addressing the shortfall in housing and of clear social benefit. It would support the Government's objective of significantly boosting the supply of homes as set out in paragraph 59 of the NPPF.
- 12.6. The illustrative masterplan and details within the Design and Access Statement: Masterplan demonstrate the proposal's high-quality urban design. The overall landscape proposals and public spaces further assure that the development would be well-designed, thereby providing high-quality public realm and supporting social well-being. As required by the NPPF, officers have had due regard to the supportive comments of the ODRP in assessing the design quality of the proposed scheme.
- 12.7. The overall sustainable transport benefits that the development would bring include hugely improved cycle and bus infrastructure on transformed stretches of the A40 and A44 within the application site. Improved bus services via the Eastern Arc would be delivered, and an obligation to work collaboratively to create a cycle link northwards to Oxford Parkway would be secured. These improvements to sustainable transport bring social benefits by offering healthier travel options and increasing connectivity and accessibility of facilities.
- 12.8. The dis-benefit of the development in social terms is the impact on heritage assets (the setting of both Wolvercote with Godstow Conservation Area and the Manor and Church Farmhouses) set out in **section 10d**. The balancing exercise required by the NPPF for less than substantial harm to heritage assets concluded that the public benefits of the development significantly outweigh the harm. As such, the proposal would meet the test of paragraph 196 of the NPPF and would accord with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### *Environmental impacts*

- 12.9. The social benefit of the transformation of the A40 and A44 in slowing traffic, greening, and improving bus and cycle infrastructure would also deliver significant environmental benefits, transforming what is currently a hostile environment and providing much improved sustainable travel options.
- 12.10. Similarly the high-quality urban design and landscape proposed would bring environmental as well as social benefits.
- 12.11. As set out in the report, air quality, vehicular traffic, noise and drainage can all be appropriately managed to prevent any harmful impact and the proposals comply with the relevant local and national planning policies.
- 12.12. The proposed energy loop provides a significant environmental benefit in bringing power to the development without the need for gas or to produce emissions. The system would be modular allowing each phase to connect to the loop, and has the potential to grow beyond the site.
- 12.13. In ecology terms, there would be a gain in linear habitats on site but a net loss of biodiversity within the site. The latter is a dis-benefit which is to be mitigated through the creation of off-site habitats in nearby Cutteslowe Park. This is anticipated to result in an overall net gain in habitats, as required by the NPPF. Any shortfall would be dealt with through financial contributions to an appropriate scheme, secured by legal agreement.
- 12.14. Overall, the proposed development would bring significant public benefits that accord with the three strands of sustainable development set out in the NPPF. Having taken into account the provisions of the Development Plan, the policies in the NPPF, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval subject to the planning conditions set out in **appendix 3** and a Section 106 legal agreement whose Heads of Terms are set out in **appendix 4**.
- 12.15. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Acting Head of Planning Services) of a legal agreement under Section 106 of the Town and Country Planning Act 1990.

### **13. APPENDICES**

- **Appendix 1** – Site location plan
- **Appendix 2** – List of addresses of public commenters
- **Appendix 3** – Recommended conditions
- **Appendix 4** – Heads of terms of Section 106 legal agreement
- **Appendix 5** – JLL viability report
- **Appendix 6** – Oxford Design Review letters

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