

West Area Planning Committee

11th August 2020

Application number:	20/01587/FUL		
Decision due by	26th August 2020		
Extension of time	N/a		
Proposal	Demolition of existing buildings and erection of two storey building to provide office space (Use Class B1a). Provision of amenity space, car parking and bin and cycle stores with associated landscaping.		
Site address	Car Park To The Rear Of Littlemead Business Park, Ferry Hinksey Road, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Jericho And Osney Ward		
Case officer	James Paterson		
Agent:	Mr Alex Cresswell	Applicant:	Neil Warner - JPPC Chartered Planners
Reason at Committee	The application is before the committee because the size of the floorspace proposed means that this has to be determined by an Area Committee.		

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 section 12 of this report and grant planning permission; and

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

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

2. EXECUTIVE SUMMARY

2.1. This report considers an application for the redevelopment of an underutilised plot on the Osney Mead industrial estate. The proposals would involve the demolition of a single storey building and the erection of a two storey office

building, 8 car parking spaces (which is a reduction compared to the existing parking provision) and the provision of 70 bicycle spaces.

2.2. Officers consider that the proposal would accord with the policies of the development plan when considered as a whole and the range of material considerations support the grant of planning permission.

2.3. The scheme would also accord with the aims and objectives of the National Planning Policy Framework. The proposal would constitute sustainable development and given conformity with the development plan as a whole, paragraph 11 advises that the development proposal should be approved without delay. Furthermore there are not any material considerations that would outweigh the compliance with these national and local plan policies

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The site is located within the wider Osney Mead industrial estate area. It is located off Ferry Hinksey Road that is known as Littlemead Business Park. The site is located at the end of a block of low scale businesses, where the main visible street fronted business is Europcar vehicle rentals.

5.2. The application site comprises the rear section of a single storey commercial building. The surrounding hard standing and car parking is currently used as part of the car rental business to the front of the application site.

5.3. The site is bounded by the electricity substation and associated infrastructure to the north; the electricity related infrastructure dominates the context of the site to the north. Oxbridge House (which is a commercial premises) lies to the east, and Europcar to the south and west.

5.4. The wider industrial estate has a variety of building forms and styles and a mixed pallet of materials and colours. The immediately adjacent buildings are constructed from a mix of brick and metal cladding and would not be considered to be buildings of a high architectural quality.

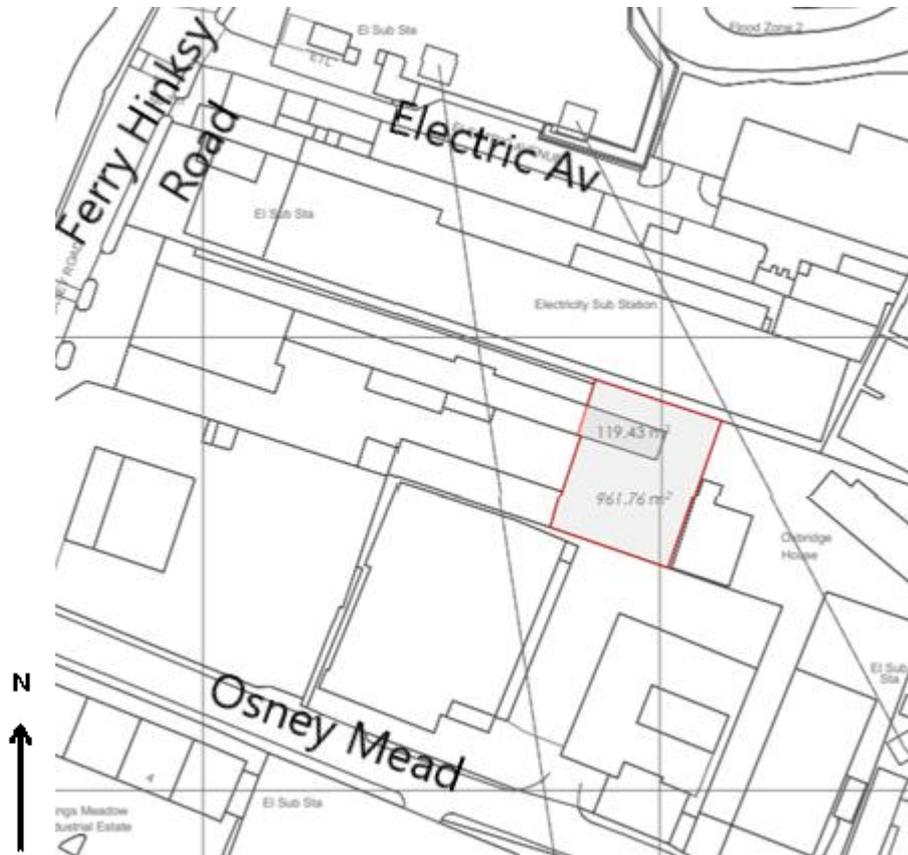
5.5. There is very little vegetation on the application site and the site is unlikely to be a habitat for protected species.

5.6. The site is a designated as a protected employment site and parts of the site are within a high risk flood area (floodzone 2 and 3a).

5.7. The application lies near to the Osney Town Conservation Area though it is unlikely (as a result of the surrounding development around the application site) that the proposals would impact on the setting of the Conservation Area.

The proposals would not impact on the setting of listed buildings. Despite this, the site is within the Raleigh Park View Cone, but is outside the defined high buildings area as set out in Policy DH2 of the Oxford Local Plan 2036.

5.8. See location plan below:



6. PROPOSAL

- 6.1. The application proposes the demolition of the single storey building on site and the erection of a two storey contemporary office building, with landscaping, 8 car parking spaces and space for storing 70 bicycles.
- 6.2. The proposal is for a two storey office (Use Class B1a) building located to the east of the site. The overall height would be 9.5 metres, which includes built in roof equipment and solar panels.
- 6.3. The building would occupy an L-shaped footprint. The two long protrusions would measure 23 metres and 21 metres while it would have a maximum depth of 11 metres. The upper level would be partly cantilevered, with that area covering the entrance as well as part of the cycle storage and car parking. The upper level would be approximately be 350m² and the ground level would be 250m².
- 6.4. The proposal is very similar to a previously approved scheme on this site, 19/01774/FUL; the previous application was decided at the West Area Planning Committee on 10th September 2019. The main differences are the location and shape of the building; although there has been an increase of 37m² (6%) to the

floor space of the building, an increase of 10 cycle parking spaces and an increase of 30m² in the footprint of the building. These changes were necessitated by conditions on site which were unknown at the time of the submission of that application.

7. RELEVANT PLANNING HISTORY

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

04/00717/HAZ - Application for hazardous substance consent for storage of liquified petroleum gas (LPG). PER 25th June 2004.
19/01774/FUL - Demolition of existing buildings and erection of two storey building to provide office space (Use Class B1a). Provision of car parking, cycle stores, bin stores and amenity space with associated landscaping (Amended Plans).. PER 24th January 2020.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:
Design	12, 127	S1, DH1,		
Conservation/Heritage	16	DH2, DH3		
Commercial	6	E1		
Natural environment	15	G2		
Transport	9	M3, M5		
Environmental	11, 14	RE1, RE2, RE3, RE4, RE7, RE9		
Miscellaneous		SP2		

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 8th July 2020.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. No objection, subject to conditions. They have requested a condition which would seek further details regarding cycle parking, including the dimensions and means of enclosure, prior to the commencement of work. They have also requested a condition which would require a construction traffic management plan.

9.3. Planning officers consider that there is sufficient detail of the cycle parking in the submitted site plan and elevation drawings so as to be able to approve the proposed cycle parking arrangements without the need for a pre-commencement condition. Regard has been paid to the fact that the Highways Authority are statutory consultees on this matter, however, planning officers consider that their view is outweighed by the consideration of Paragraph 55 of the NPPF, as the condition is unnecessary for the development to be acceptable.

9.4. Planning officers understand the need for a construction traffic management plan; this has been required by condition 6.

Environment Agency

9.5. No comment has been received by the Environment Agency within the proscribed consultation period. They were consulted on 8th July 2020. Any consultation response shall be provided as a verbal update to the committee

Public representations

9.6. 2 local people commented on this application from addresses in the Osney Mead Industrial Park.

9.7. In summary, the main points of objection were:

- Access across the site to service nearby units would need to be maintained
- Access to water meters would need to be retained and unimpeded
- Potential damage during construction

9.8. Officer response

9.9. Officers have considered carefully the objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officer's report, that the reasons for the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

9.10. Planning officers understand that the applicant is in sole ownership of the land with no other party having right of access over the site. Planning officers consider that access to the water metres on the site would still be possible as the cycle racks could readily be removed and replaced as needed; in any case this is a

building control matter and not a planning matter. Any potential damage caused to property is a civil matter and is not a planning consideration.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of development
- ii. Design & Heritage
- iii. Neighbouring amenity
- iv. Highways
- v. Flooding
- vi. Contamination

i. Principle of development

10.2. The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development (paragraph 11) and encourages the efficient use of previously developed (brownfield) land (paragraph 117), as well as the importance of high quality design (Section 12).

10.3. Policy E1 of the Oxford Local Plan 2036 states that planning permission will not be granted for development that results in the loss of employment floorspace on Category 2 sites, except where the relevant criteria are met. Policy RE1 states that making the best use of previously developed land will be encouraged throughout the lifetime of the Oxford Local Plan 2036.

10.4. Osney Mead is a category 2 protected employment site as defined in Policy E1 of the Oxford Local Plan 2036. The proposals are for a change of use that would result in the loss of light industrial land (Use Class B1(c)); in reality the land was most recently used for office functions and car parking in conjunction with a vehicle hire business and would have had a fairly small number of employees. The proposals would involve a change of use of the land resulting in it becoming used for office space (Use Class B1(a)); as well as an increase in floorspace that is facilitated in part by a larger building and through a reduction of car parking on the site. Officers consider that the proposal would not result in the loss of the protected employment site nor would it detrimentally impact on employment sites in the wider context of Osney Mead. Instead, the proposal would seek to make a more efficient and intensive use of the site and increase opportunities for office based business ventures and startups.

10.5. As such, officers are satisfied that the principle of the proposal is acceptable and is therefore compliant with Policies E1 and RE1 of the Oxford Local Plan 2036.

10.6. The application site lies within the defined 'Osney Mead' area for the purposes of Policy SP2 of the Local Plan 2036. Officers have had regard to the policy which promotes a higher density mixed use of the site (including employment, academic, student accommodation and other residential uses). The proposals would not sit within the main Osney Mead area, but immediately outside of it, and officers consider that the proposals are consistent with the adopted policy and would not prejudice the wider redevelopment of the area. Therefore the proposal would be acceptable in this regard.

ii. Design

10.7. The NPPF requires that local authorities seek high quality design and a good standard of amenity for all existing and future occupiers of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policy DH1 of the Oxford Local Plan 2036 states that a planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness. Proposals must be designed to meet the key design objectives and principles for delivering high quality development, set out in Appendix 6.1.

10.8. Policy DH3 of the Oxford Local Plan 2036 states that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset and locality. For all planning decisions, great weight will be given to the conservation of that asset and to the setting of the asset, where it contributes to that significance or appreciation of that significance. Where a development proposal will lead to less-than-substantial harm to a designated heritage asset, this harm must be weighed against the public benefits of the proposal, which should be identified by the applicant.

10.9. The design approach has sought to take inspiration from the site constraints and the unusual site surroundings to provide a building that would provide visual interest and contrast with the rather unremarkable built style of the surrounding utility type buildings found on an industrial estate.

10.10. The area's character is not primarily shaped by a certain style, vernacular or use of material, but by the uses, and those uses shape the style of building. As the area is an industrial estate there is a vast array of utilitarian structures and brick and metal clad warehouses and low scale office and innovation hubs as well as trade and manufacturing premises.

10.11. The proposed materials would include glazing and metal cladding; officers recommend that the details of all external materials should be submitted and approved by the local planning authority.

10.12. The proposed building would be a single block and be laid out in an L-shape but integrating a number of different elements with a view to breaking up the building's elements and providing visual interest. This would include the use of contrasting colour support structures and metal beams. The upper floor level

would be cantilevered over the ground floor to create an undercroft entrance area. The proposals would have the plant integrated into the roof structure. The proposals attempt to integrate aspects of the neighbouring electricity infrastructure into the design with a view to both adding visual interest and responding to the context of the site. Officers commend the imaginative and innovative design approach that has been taken which attempts to provide some visual interest.

- 10.13. The application site is located within a defined view cone as set out in Policy DH2 of the Oxford Local Plan 2036. The site lies outside of the high buildings area in the City Centre (where the greatest impact on the City skyline could result from inappropriate development). In relation to the impact on the view cones, Policy DH2 seeks to protect the City's skyline from a number of defined points both inside and outside of the City Council's administrative area; the skyline being an internationally celebrated aspect of Oxford. The site may be glimpsed from the western views and in particular from Raleigh Park. The proposal is considered to be of an adequate scale, design and size as to fit into the industrial landscape, while not being overbearing or standing out within the long distance or short distance views and would therefore be acceptable as it would comply with Policy DH2 of the Oxford Local Plan 2036.
- 10.14. The proposal includes a modest landscaping scheme. The proposal includes a main tarmac approach at the centre of the site. The parking bays would be covered with grass cretes and permeable paving for the small paths and cycle storage areas. A small seating area would be at the entrance of the site together with some planting. The proposal would provide a good quality surrounding and provide a vast improvement on the existing lack of landscaping and lack of vegetation on the site.
- 10.15. The proposal would not harm the setting of Osney Town Conservation area as the building would not be visually obtrusive and would be obscured from view when looking into and out of the Conservation Area.
- 10.16. Overall, the proposal is considered to be of an appropriate scale, form and design, and would be acceptable in visual terms. On this basis, the proposed building would comply with Policies DH1, DH2 and DH3 of the Oxford Local Plan 2036.
- 10.17. Regard has been paid to paragraph 192 of the NPPF in reaching a decision. When applying the test outlined in paragraph 196, it is considered that the proposal would cause no harm to the significance of the Conservation Area. Therefore, the proposals would be acceptable in terms of their impact on this designated heritage asset.
- 10.18. Special attention has been paid to the statutory test of preserving or enhancing the character and appearance of the conservation area under Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the development would preserve the character and appearance of the Conservation Area, and so the proposal accords with Section 72 of the Act.

iii. Impact on neighbouring amenity

- 10.19. Policy RE7 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that ensures that standards of amenity are protected. This includes the amenity of communities, occupiers and neighbours is protected in addition to not having unacceptable unaddressed transport impacts and provides mitigation measures where necessary.
- 10.20. The subject site is not located within close proximity to any residential properties or other sensitive uses. The proposed new building is not considered of a size or scale which would give rise to any significant detrimental amenity impacts or nuisances including noise.
- 10.21. It is always necessary for developments to take into account the amenity of neighbours and impact on the environment. In this case, the proposal complies with the principles of good neighbourliness and the protection of the amenity of surrounding buildings which would be in similar employment use.
- 10.22. As such, the proposal would not lead to any materially harmful impact on residential amenity by way of loss of light, nuisance loss of outlook, loss of privacy or overbearing impact. It would therefore accord with Policy RE7 of the Oxford Local Plan 2036.

iv. Highways

- 10.23. Policy M3 of the Oxford Local Plan 2036 states that the parking requirements for all non-residential development, whether expansions of floorspace on existing sites, the redevelopment of existing or cleared sites, or new non-residential development on new sites, will be determined in the light of the submitted Transport Assessment or Travel Plan, which must take into account the objectives of this Plan to promote and achieve a shift towards sustainable modes of travel. The presumption will be that vehicle parking will be kept to the minimum necessary to ensure the successful functioning of the development.
- 10.24. Policy M5 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that complies with or exceeds the minimum bicycle parking provision as set out in Appendix 7.47.3. Bicycle parking should be, well designed and well-located, convenient, secure, covered (where possible enclosed) and provide level, unobstructed external access to the street. Bicycle parking should be designed to accommodate an appropriate amount of parking for the needs of disabled people, bicycle trailers and cargo bicycles, as well as facilities for electric charging infrastructure.
- 10.25. The application site is located off Ferry Hinksey Road, a road accessed from Botley Road. The site can be reasonably accessed by any bus service along Botley Road and is within walking distance from Oxford Railway Station. There are walking trails past Osney, the nearby waterways as well as past the Outlands Rec ground. The site is in a sustainable location, and prospective users would be able to choose a number of sustainable transport methods to access the site.

- 10.26. Policy M3 of the Oxford Local Plan 2036 states that planning permission will only be granted for development of non-residential development where there would be no increase in parking provision. Officers consider that the proposals would be acceptable in the context of this policy as there would not be an increase in car parking numbers resulting from the proposals. There would be a decrease overall, especially considering the increased floorspace that would result from the development.
- 10.27. Policy M5 states that Use Class B1 should provide 1 cycle parking space per 90m² or 1 space per 5 staff. The submitted plans shows cycle parking 70 spaces which is significantly higher than recommended. It is considered that the submitted details are sufficient for planning officers to be satisfied that there would be adequate cycle parking.
- 10.28. A construction traffic management plan for small scale development can be conditioned. This is to effectively manage any potential traffic disruption the construction process could cause in a key employment site
- 10.29. Having considered the above, subject to conditions, the proposal would have acceptable transport impacts and would accord with Policies M3 and M5 of the Oxford Local Plan 2036.

v. Flooding

- 10.30. Policy RE3 of the Oxford Local Plan 2036 states that planning permission will not be granted for development in Flood zone 3b except where it is for water-compatible uses or essential infrastructure; or where it is on previously developed land and it will represent an improvement for the existing situation in terms of flood risk. Development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.
- 10.31. The application site is located partially in floodzone 2 and 3a. These are high risk flood zones for the purposes of national and local planning policies. National planning policy, specifically the NPPF (and National Planning Practice Guidance of NPPG) require that development in areas of higher flood risk needs to be considered in terms of the vulnerability of the proposed use and the defined flood zone. Offices are considered to be a less vulnerable use (for the purposes of the NPPG 'Flood risk vulnerability classification'). The development of this use in flood zone 2 and 3a would be acceptable in the context of national planning policy.
- 10.32. The footprint has been designed to mostly sit within floodzone 2, and would be cantilevered above areas of the site within floodzone 3a. This would minimise the impact of the proposed development on the highest flood risk areas within the site.
- 10.33. The Environment Agency (EA) has been re-consulted and officers are awaiting a response to the above solution. Despite this, the overall approach is considered acceptable and officers consider that there are not grounds for refusing the application on the basis of flooding impacts regardless of whether or

not the EA comment on the application. It is anticipated that officers may be able to provide a verbal update of amended comments from the EA in relation to the revised proposals at the committee meeting. However, the committee should not that an similar application with a similar built footprint was recently approved, 19/01774/FUL, and was not objected to by the EA. Condition 9 has been included to require works to be carried out in accordance with the submitted drainage information; this may be subject to re-wording should the EA choose to comment. Any changes would be conveyed via a verbal update to the committee.

10.34. The proposal is considered to be acceptable as the use is not a vulnerable use, and therefore a lower risk use in a high flood risk area. Further to this the impact of the proposals can be mitigated through the above approach, as well as a better and more sustainable surface treatment than the existing site. As a result the proposed development would meet the requirements of Policies RE3 and RE4 of the Local Plan 2036.

vi. Land Contamination

10.35. Policy RE9 states that planning applications where proposals would be affected by contamination or where contamination may present a risk to the surrounding environment, must be accompanied by a report which fulfils the relevant criteria set out in the policy. Where mitigation measures are needed, these will be required as a condition of any planning permission.

10.36. The site has had a previous commercial use and is in close proximity to a former vehicle depot and electricity substation. The presence of potential ground contamination cannot be ruled out and as such, an appropriate intrusive site investigation is required to quantify potential contamination risks at the site. Officers consider that the proposed development would be acceptable in the context of the previous uses of the site given that the proposals would be for a modern office development subject to conditions to ensure that that suitable ground condition investigations and mitigation are carried out as necessary.

10.37. On this basis the development is considered to comply with the requirements of Policy RE9 of the Oxford Local Plan 2036.

11. CONCLUSION

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

11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their

consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.

- 11.3. Therefore it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.
- 11.4. In summary, the proposed development would be an acceptable addition to the site. The design of the proposal is suitable in terms of design, heritage, principle, neighbouring amenity, flooding and land quality and complies with the relevant policies of the Oxford Local Plan 2036.
- 11.5. Therefore officers consider that the development accords with the development plan as a whole.
- 11.6. *Material consideration*
- 11.7. The principal material considerations which arise are addressed above, and follow the analysis set out in earlier sections of this report.
- 11.8. National Planning Policy: the NPPF has a presumption in favour of sustainable development.
- 11.9. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.
- 11.10. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, paragraph 11 is clear that planning permission should be granted without delay.
- 11.11. Officers would advise members that, having considered the application carefully, the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework and relevant policies of the Oxford Local Plan 2036 when considered as a whole. There are no material considerations that would outweigh these policies.
- 11.12. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 below..

12. CONDITIONS

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

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

- 2 Subject to conditions 5 and 6, the development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

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

- 3 The materials to be used in the proposed development shall be as specified in the application hereby approved. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure that the development is visually satisfactory as required by Policies S1 and DH1 of the Oxford Local Plan 2036.

- 4 Prior to the commencement of the development, other than that required to carry out site investigation work, a phased risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR11) (or equivalent British Standards and Model Procedures if replaced). Each phase shall be submitted in writing and approved by the local planning authority.

Phase 1 shall incorporate a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model and preliminary risk assessment.

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

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

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

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

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

- 6 A Construction Traffic Management Plan should be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. This should identify;
- The routing of construction vehicles,

- Access arrangements for construction vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours (to minimise the impact on the surrounding highway network)

The works shall be carried out in accordance with the approved plans and details.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

- 7 The landscaping proposals as approved by the Local Planning Authority shall be carried out upon substantial completion of the development and be completed not later than the first planting season after substantial completion.

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

- 8 The proposed car parking, bin and bicycle storage areas shall be constructed in accordance with the approved plans prior to the use or occupation of the development and shall be retained for those respective purposes in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To encourage the use of sustainable modes of transport, safe waste disposal and recycling.

- 9 The development shall be carried out in accordance with the submitted flood risk assessment Flood Risk Assessment and Appendices for Site at Ferry Hinksey Road, Oxford, OX2 0BY, Issue C, dated 3rd November 2019, Job No 8925B by Robin Swailes of Monson Engineering Ltd and the following mitigation measures it details:
- The Flood Plain Compensation Scheme detailed in Section 6.00 of the FRA, paragraphs 6.02 to 6.07 inclusive.
 - The Ground Floor Finished Floor Level of 57.05m AOD as the minimum floor level.
 - The Topographical Survey detailed in Drawing 26915, Rev -, dated March 2019.
 - The Proposed Floor plans, GF-Ground Floor, detailed in Drawing FHR, P-04 Rev C, dated 29/08/2019.
 - The External Levels Layout, 5097/02, Issue A, dated 03/11/19.

The proposal shall also be in accordance with the recommendations of the letter from Roads & Sewers for Planning & Design Ltd, dated 2nd July

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

Reasons: To reduce the risk of flooding to the proposed development and future occupants. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided as required by Policies RE3 and RE4 of the Oxford Local Plan 2036.

13. APPENDICES

- **Appendix 1 – Block plan**

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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