

WEST AREA PLANNING COMMITTEE

Application number:	20/00259/FUL
Decision due by	1st May 2020
Extension of time	21st August 2020
Proposal	Demolition of plumber's merchants on Stockmore Street (Mixed Use Classes B8/B1a). Redevelopment of site between Stockmore Street and Temple Street to provide new office development (Use Class B1a). Provision of bin and cycle storage (amended description and plans).
Site address	33-37 Offices , Stockmore Street, Oxford, OX4 1JT – see Appendix 1 for site plan
Ward	St Marys Ward
Case officer	Jennifer Coppock
Agent:	Mr Alex Cresswell Applicant: Robin Swailes Design and Development
Reason at Committee	The application is before the committee because it is a major planning 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 section 12 of this report and the completion of a unilateral undertaking referred to in paragraph 3.1. and grant planning permission.

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

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

2. EXECUTIVE SUMMARY

2.1. This report considers the proposal to demolish the existing plumbers merchants (use class B8/B1a) and erect a part single, part two and part three storey office development with basement (use class B1a) fronting both Temple Street and Stockmore Street. The proposal includes the provision of bin and cycle storage.

- 2.2. The application site is currently in commercial use as set out above and is considered to fall within a Category 3 site for the purposes of Policy E1 of the Oxford Local Plan 2036. It is considered that the proposed development for the intensification of employment use would make the most efficient use of the site and would not cause unacceptable environmental impacts and effects, as detailed below, and therefore the principle of intensifying the site for employment use is considered acceptable in accordance with Policy E1 of the Oxford Local Plan 2036.
- 2.3. The proposed scale, mass and contemporary design is considered acceptable taking into account the mix of uses and vernacular along Stockmore Street and Temple Street and the existing built form, use and history of the application site. The impact of the building's scale, beyond the street frontages, has been mitigated due to its undulating roof form and low height adjacent to neighbouring properties. The proposed proportions of the façades respond to the rhythm of adjacent terraces and acknowledge the scale of historical built form on site, albeit in a contemporary manner. It is considered that the proposed development complies with Policies RE7 and DH1 of the Oxford Local Plan 2036.
- 2.4. The site lies within the Crescent Road view cone; this being one of the identified key views of the historic skyline of Oxford as defined in Policy DH2 of the Oxford Local Plan 2036. Taking into account the existing surrounding dense urban form with varied height and mature tree cover, the proposed enhanced green infrastructure on the roof and the proposed varied roof form, it is considered that the proposed development would not have a detrimental impact on the views into the City centre. Furthermore, views have been assessed from St Mary's Tower which has confirmed that the application site is imperceptible from this vantage point. Therefore, it is considered that views looking out of the City would not be impacted by the proposed development and therefore the proposal would comply with Policy DH2 of the Oxford Local Plan 2036.
- 2.5. The site lies approximately 45m from the boundary of the St Clement's and Iffley Road Conservation Area. It is considered that the site's position, in relation to the Conservation Area, the layout and proposed lightweight, contemporary materials would mitigate the potential impact on the glimpsed views of the site from the Conservation Area and therefore, the impacts on the heritage asset would be acceptable in the context local plan Policies DH3 and paragraphs 192-196 of the NPPF.
- 2.6. Taking into account, the potential impact on privacy, access to daylight/sunlight, overshadowing, sense of overbearing and light spill, it is considered that the proposed development would not have an unacceptable impact on neighbouring amenity in accordance with Policy H14 of the Oxford Local Plan 2036.
- 2.7. The site is in a highly sustainable location with good access to public transport and within walking/ cycling distance from large residential areas and local amenities. The proposed site would likely generate less traffic than the existing uses. The site is proposed to be car free, which would be acceptable

in this location. 34 cycle parking spaces, including 7 with electrical sockets, are proposed, exceeding the 14 spaces required for an office development of this size. It is considered that the proposed development is acceptable in highways terms.

3. Legal Agreement

- 3.1. Prior to the commencement of development, a Unilateral Undertaking must be given by the applicant to amend the Traffic Regulation Order for the Double Yellow Lines and Controlled Parking Bays on Temple Street and Stockmore Street at a cost of £3,120.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposed development is liable for a CIL payment of £104,599.45

5. SITE AND SURROUNDINGS

- 5.1. The site fronts Temple and Stockmore Streets, off Cowley and Iffley Roads, and comprises an existing plumber's merchants, offices and informal parking area. The built up element of the site fronts Stockmore Street in the form of a two storey flat roof office building, measuring 6m in height and a single storey ancillary storage area measuring 3m in height. The two storey element protrudes beyond the principal building line of adjacent residential properties by approximately 2.4m. The total width of the Stockmore Street frontage is 15.4m. This built form extends 23m in depth and, at its widest point, measures 19.5m in width encompassing a large extent of the former garden of no. 31 Stockmore Street. The Temple Street frontage measures 9.1m in width and forms the entrance to the informal hard surfaced parking area, a wooden fence and gate bounds the site.
- 5.2. Due to the site's position on the curve of Temple Street, the gap in built up frontages is visible from Cowley Road, it is less so from Iffley Road. With regards to the Stockmore Street frontage, the existing flat roof part single, part two storey building is visible from Iffley Road, largely due to the principal elevation protruding beyond the adjoining building line as set out above. The site is not visible from Cowley Road.
- 5.3. Adjoining properties on Temple Street are in residential use in the form of 2/2.5 storey Victorian terrace dwelling houses with private gardens to the rear. Temple Street comprises a mix of uses and built forms, including a Dr's surgery, Kingdom Hall of Jehovah's Witnesses, a dentist surgery in the backland of no. 26, restaurants and a furniture upholsterers. Stockmore Street is a residential street with a mix of Victorian, Edwardian two storey dwelling houses and modern three storey flats.
- 5.4. The application site falls within the East Oxford Controlled Parking Zone (CPZ), on-street parking is available for resident permit holders.
- 5.5. The site lies within flood zone 1 (lowest probability of flooding) and falls within the Crescent Road view cone. There are no other specific planning policy

constraints relating specifically to the site, however the site does lie approximately 40m east of the St Clement's and Iffley Road Conservation Area boundary.

5.6. See block plan below:



6. PROPOSAL

6.1. The application proposes to demolish the existing plumber's merchants and offices and replace with a part single, part 2 and part 3 storey 1207sq. m. office development with basement fronting both Temple Street and Stockmore Street. The Stockmore Street frontage would measure a maximum of 9.5m in height at the mid-point of the ridgeline, with its ridgeline lowering to 9m, 1.4m above that of adjoining 31 Stockmore Street. The height falls away further to 7.4m, approximately 0.8m lower than the ridgeline of adjoining 39 Stockmore Street. The principal elevation is in line with that of adjoining properties. A frameless glass balustrade, surrounding the basement lightwell, measuring 6.1m in width and 0.9m in height would extend beyond the principal elevation by approximately 2.1m but would still be within the envelope of the existing building on site. The elevations would be predominantly glazed but broken up into three elements; the shorter, 4m wide section with metal shutter reflecting the existing single storey storage area, the middle 4.2m wide section with

metal fins (details of which are to be secured by condition); and the glazed elevation surrounding the entrance with dark metal clad roof and 3no. dormer windows.

- 6.2. The narrower Temple Street frontage would measure 8m in height, in line with adjoining residential properties. The elevations would be predominantly glazed but with a section of metal louvres, measuring 3.7m in width at second floor level. Boundary fences, measuring 1m in height and 2m in width, would be positioned at either side of the Temple Street frontage. An element of the cycle parking would be provided behind these fences. Details of this boundary treatment would be secured by condition.
- 6.3. Turning to the land in between the street frontages, the proposal would comprise single and two storey built form, characterised by an undulating roofscape with sedum roof and roof mounted solar panels. The maximum width of the building would be 19.5m, in line with the existing building, however the depth would clearly be increased to extend between the Temple Street and Stockmore Street frontages. The maximum height would be 7.5m, 1.7m higher than the existing offices. However, this increased height would extend for 1m only and then fall away. The existing single storey office and storage area, to the rear of 31 Stockmore Street, would be replaced by a single storey, mono pitched metal clad office space with 5no. rooflights. The dimensions of this element replicate the existing built form. The side elevations would be a mix of glazing with metal louvres and render, details of render would be secured by condition. A metal louvered fence would bound the site, again details of this boundary would be secured by condition.
- 6.4. In terms of proposed floor areas, the new basement would accommodate an office space with open plan kitchen area and separate W.C, a shower room with 4 cubicles, a bin and cycle store, plant and service rooms and a service lift. Externally, a small patio area would be provided to the Stockmore Street frontage below the lightwell.
- 6.5. The ground floor would accommodate a large open plan 'collaborative working space' with kitchen area. Off this space would be smaller meeting and 'quiet' rooms and W.Cs. Reception areas would be located at both entrances. External patio areas would be provided to the north east and south western boundaries, accessed via bi-folding doors.
- 6.6. The first and second floor areas would extend no further than existing built form and/ or would largely be in line with adjoining two storey properties. These floors would provide further open plan and private office space with kitchens and W.Cs.
- 6.7. Prior to the submission of the application, several pre-application meetings took place with the agent, applicant and planning and design officers. During the determination of the application, amended plans and additional supporting information were requested and submitted in order to ensure the proposed development better responds to the characteristics of the immediately surrounding area. Amendments have included; re-designing the roof fronting Stockmore Street, setting the building line back to respond to adjoining

residential properties fronting Stockmore Street, reducing and re-designing the metal fins and reducing the extent of the basement. It was also requested that the terrace at second floor level fronting Stockmore Street is restricted in terms of its use so that it can only be used by maintenance staff when accessing the roof in order to avoid any unacceptable overlooking onto neighbours. The use of the terrace would be restricted by condition.

7. RELEVANT PLANNING HISTORY

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

19/01178/FUL Erection of a two storey infill building to provide 1 x 2-bed and 2 x 1-bed maisonettes (Use Class C3). Provision of amenity space, bin and cycle stores. Approved 2nd July 2019

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Oxford Local Plan 2036
Design	11, 12	RE2, DH1
Conservation/ Heritage	16	DH2
Housing		H14
Commercial	6	E1
Natural environment	15	G2
Social and community		RE5
Transport	9	M1, M2, M3, M4, M5
Environmental	14	RE1, RE4, RE5, RE6, RE9
Miscellaneous		S1, RE7

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 19th February 2020 and an advertisement was published in The Oxford Times newspaper on 20th February. Following receipt of amended plans, pink site notices were posted on 12th June 2020 with a further advertisement published in The Oxford Times on 11th June 2020. Following public consultation on the amended plans, some minor elements of the scheme have been amended or removed but Officers did not consider that these needed to be subject of further consultation as they would represent improvements, for example the removal of the second floor terrace.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

- 9.2. Oxfordshire County Council do not object to the planning application on highways grounds providing that conditions are included relating to the provision of cycle parking, a construction traffic management plan and changes are made (at the applicant's expense) to the Local Traffic Order relating to double yellow lines and dropped kerbs

Thames Water Utilities Limited

- 9.3. No objection, subject to the following condition:

The development shall not be occupied until confirmation has been provided in relation to foul water drainage to the local planning authority that either:-

1. Capacity exists off site to serve the development or 2. A housing and infrastructure phasing plan has been agreed with Thames Water. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. Or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Reason - Network reinforcement works may be required to accommodate the proposed development.

Oxford Civic Society

First comment, March 2020

- 9.4. This space, which will become available when the current building is demolished and the car park erased, has great potential. However, this application is for a building totally out of character and scale for the site: the surrounding buildings are small-scale, residential Edwardian and Victorian terraced houses - even the Kingdom Hall in one of the streets involved is comparatively homely when compared to the proposed building.

The street elevations have absolutely no relevance to the context in design and materials and it is hard to see any design logic in either of the street elevations, which are completely out of scale with the adjoining houses. The Planning Statement refers to the building being predominantly 2-storey but,

perversely, the 3-storey elements are on the street frontages, up against 2-storey terraced housing. The prominence of the Stockmore Street elevation is increased by placing it forward of the building line of the houses. Most of the curvy roof would be invisible except from the backs of the adjacent houses, which will be completely overshadowed, so its presumed point is lost. In addition, it is an inefficient in provision of useful space.

We do, however, support the good points of the application. The large provision of cycle parking, and including some charging points for electric bikes. However, most of the cycle parking involves using the goods lift or the convoluted staircase. There is an important number of PVs for electricity generation interspersed with the green roof.

The Oxford Civic Society feels that this proposal is an inappropriate design which needs to be drastically re-thought.

Second comment, June 2020

- 9.5. Oxford Preservation Trust (OPT) has looked carefully at the revised and additional plans put forward by the applicant for the redevelopment of the above site. As set out in our previous letter to you dated 23rd March 2020, we felt this development needed to be redesigned in a manner that better reflected the scale and nature of the surrounding built environment. We also raised concern about the appearance of the building, particularly its unusual roof form and potentially reflective finish when seen from across the western hills.

It is unfortunate that no summary statement has been provided by the Applicant to explain what changes have now been made to the planning application. Nor is there any rationale provided by the Applicant to explain why elements of the previous design proposals have been retained in the revised plans, particularly those elements with which OPT and members of the community have raised concern. The most notable example being the large, curved metallic roof which in no way sits comfortably with its surroundings or respects the surrounding vernacular. It is noted that building has been stepped back slightly on the Stockmore Street frontage, which has been accompanied by minor elevational design changes. We are disappointed that these minor alterations do not address the fundamental concerns previously cited in our letter dated 23rd March 2020.

We would like to reiterate that the remit of OPT is not to stifle new and innovative development, and we recognise the unique opportunity that this site creates to create an attractive new development linking Stockmore Street with Temple Street. However, OPT simply cannot support this proposal in its current form due to fundamental concerns relating to its design.

We therefore again ask for this planning application to be refused and that Oxford City Council encourages the Applicant to rethink the overall approach to this site's redevelopment.

Natural England

9.6. No comments

Thames Valley Police

9.7. I do not wish to object to the proposals. However, I consider some aspects of the design and layout to be problematic in crime prevention design terms and therefore feel that the development may not meet the requirements of;

- The National Planning Policy Framework 2018, Section 12 'Achieving well-designed places', point 127 (part f), which 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'. And;
- HMCLG's Planning Practice Guidance on 'Design', which states that; 'Although design is only part of the planning process it can affect a range of objectives... Planning policies and decisions should seek to ensure the physical environment supports these objectives. The following issues should be considered: safe, connected and efficient streets... crime prevention... security measures... cohesive & vibrant neighbourhoods.'

In addition, it appears that the Design and Access Statement (DAS) does not adequately address crime and disorder as required by CABE's 'Design & Access Statements- How to write, read and use them'. This states that DAS' should; 'Demonstrate how development can create accessible and safe environments, including addressing crime and disorder and fear of crime'.

I recommend that this omission is addressed and that the opportunity to design out crime is not missed by attaching the following (or a similarly worded) condition to any approval for this application;

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

With this in mind, I offer the following advice in the hope that it will also help the authority and applicants in creating a safer and more sustainable development;

- I recommend that the physical security features of the proposed buildings and their ancillary features meet the standards of Secured by Design's Commercial guide. Details can be found at; <http://www.securedbydesign.com/industry-advice-and-guides/>
- Given the intended use of the premises, the applicant's security strategy should set out how access control will be provided and managed for the

entire development. It should also cover post and other deliveries and personnel security management to ensure the safety of everyone that will work at or visit the premises.

- Consideration should be given to the provision of CCTV that compliments the access control system and security management strategy.

Stockmore Street Residents Association

First comment, March 2020

- 9.8. The Stockmore Street Residents Association strongly object to application 20/00259.

We would be supportive of the redevelopment of this brownfield site with an appropriate design and use. We believe the significant changes required to the current application to make it acceptable are beyond the scope of planning conditions. Previous regard in 19-01178 for the character of the street scene, 'tailored to respect the forms and scales of other properties within the immediate vicinity' has gone; instead claims of architectural distinction and environmental empathy appear.

Opinions are unanimous against the overbearing bulk of the proposal for the Stockmore Street frontage, which will dwarf the residential nature of the street. We concur with the comments made by the Civic Society. A number of relevant considerations have been omitted in the planning statement, and some dubious assertions made.

The major issues relate to CP1 & CP8 in the context of the NPPF. CP1 requires that proposals 'respects the character and appearance of the area' which is very subjective. We agree with the summary of one architect familiar with the street who was consulted.

'The architectural language is out of context and out of scale. It is not on a business park. It is in a Victorian brick built residential street. It does not try to fit in with the materiality or street scene and is very visible at the turn of the street. Design quality is a material consideration in planning law'. CP8 also states at (d) 'proposed development on sites with a high public visibility enhances the style and perception of the area, particularly by retaining features which are important to, and REMOVE FEATURES WHICH DETRACT FROM, THE CHARACTER OF THE LOCAL AREA. In addition, in and adjacent to conservation areas, new development needs to have special regard for the character and appearance of the area'.

The NPPF at para 30 further emphasises 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area'.

The existing building footprint pre dates planning regulations. Plots that were 3 houses wide were sold in the 1860's and built on not long after. In the SSRA's opinion planning permission would not be granted today for a building 2.5

metres in front of the building line of every other property in a residential street.

There have been three planning applications for new developments approved in recent years in either Stockmore St [11/00935/FUL & 06/00181/FUL] or a very similar adjacent residential street, Jeune St [08/02721/FUL] which is an extension down to St Clements, and in all cases they adhered to the existing building line [and character of their surroundings], as did this developer's previous proposal for the Temple St end of the site. Note too the new redevelopment by St Hilda's of Rosalind Hill House at 44a is also set back. Consequently, the SSRA believes this protuberance from the building line everywhere else in the street is a strong candidate to 'remove features which detract from, the character of the local area'.

The developer is well aware of this, saying 'The building has been pulled back from the frontage by approximately 1 metre from the existing street frontage arrangement, providing a greater sense of space and assisting in bringing the building back into 'line' with existing buildings on the street.' In SSRA's opinion the facade should be brought back into line. This version states 'it is 'outside of any designated Conservation Area' which is odd given that the previous version more correctly stated 'The site sits outside the Conservation Area but will be visible as you start to experience the Conservation Area as you walk down the street. The development is not considered to have an adverse impact on the setting of the Conservation Area due to the design and its position within the street scene. The development would not harm the designated heritage assets and the proposals therefore meet the requirements of Paragraphs 192- 196 of the NPPF and Policy HE7 of the Oxford Local plan 2001-2016'. The facts are that the St. Clement's And Iffley Road Conservation Area actually includes St Hilda's Rosalind Hill House at 44a, Stockmore House at 46 and Merton's Jocelyn Morris Quad at 75, a mere 100 yards or so away from 33-37 on the Iffley Road end of the Stockmore St side. The same applies to Temple St. With the proposed projection from the curving street line in Stockmore St, and height above the ridge level of surrounding residential houses, it will dominate the view up Stockmore Street from the nearby conservation area. The development does indeed have 'special regard for the character and appearance from the adjacent conservation area' but not in a good way. This changed planning statement is positively misleading. Turning to bulk, the developer states 'It is relevant to consider the site opportunities and constraints in relation to this historical context, which establishes the presence of a higher (three storey) building on the site' but elsewhere states 'proposals has been PREDICATED on the basis that in former years the building stood at three storey height (as shown in the photograph) but was more recently reduced to two storey height'. They do not date this photograph or provide any evidence for when the building became two stories. One long standing inhabitant of Stockmore Street recalls that on 19 December 1966 it was the Organ brothers timber yard and already only two floors [see comment by No 5 Stockmore Street], a memory also backed by another resident from that time [No 20]. We do not believe much weight, still less 'predicating' the entire design, should be placed on a precedent more than half a century old. The application prays the NPPF in aid when stating 'In

determining applications, great weight should be accorded to outstanding or innovative designs which promote high levels of sustainability, or which help to raise the standard of design more generally in an area, SO LONG AS they fit with the overall form and layout of their surroundings (Paragraph 131)'. Note 'so long as'. This proposal clearly does not fit the 'overall form and layout of their surroundings'.

We deal with three similar planning objectives, CP7, CP8 & CS18 essentially covering appropriate for, & visual relationship with, the surrounding area, & an appropriate response to the site and its surroundings, contributing to an attractive public realm, together. The proposal seeks to justify the increased height and continuing positioning in front of the prevailing building line in several ways. One is stressing the innovative design, which 'includes an interesting 'wave-like' form roof which will provide visual interest both outside and within the site'. Except it won't. We have no objection to the roof per se, but, as the application form concedes at question 22, 'Can the site be seen from a public road, public footpath, bridleway or other public land?' the answer is No. There will be some limited private benefit from the back windows of the northern side of Stockmore St and some on the southern side of Temple St [where many are blocked by the large building at 25-26 in the middle of the gardens, currently a dental surgery]. But by far the most overwhelming impact will be felt by the public in Stockmore St. The proposal claims 'the roof forms and heights have been tailored to run the boundary with equivalent heights to neighbouring buildings and to also reflect the scale of existing buildings on the site. On this basis the development would not have a greater impact on adjoining buildings than the present on-site arrangement'. That is not true. The justification of the roof line Appendix 4 seeks to show the proposed roof is no higher than adjacent chimneys. But chimney's have metres of space between them, whereas 33- 37 is predominately solid. The real comparison for impact on the public should be with the ridge line. Note too that from a human perspective, the housing ridge lines are set back by 7.5 metres compared to 33-37, whose height will rise only one metre from the pavement. It will appear to loom far higher than the house ridges. Only as both Temple and Stockmore Streets reach the ends of the road, joining Iffley and Cowley Roads, do properties rise to more than two stories. We do not believe comparison with St Hilda's set back Rosalind Hill House - cited in Appendix 3 - is comparing like with like. In short, the SSRA does not agree that the developer has proved 'the increased scale would not be at odds with the predominant character of the area'. The proposal seeks two and a half times the existing square metres. According to the application form, that also involves a change of use from B8 Storage or distribution gross internal floorspace of 503.5 to B1(a) Office (other than A2) which exceeds the limits requiring express approval, quite apart from the extra 752.7 of B1 space. The proposal justifies this as being needed to support incubators or co working office space, increasingly in demand. That may well be, but the proposal does not note that very close by at the Old Music Hall exactly the same kind of space is already offered. This facility is next to the nearest bus stop, helpfully plotted top right at paragraph 2.13 The proposal could equally serve as a conventional office. Some residents have expressed a preference for residential development instead, as both are needed and neither street is really an office area. 1,270 sq m of office space

is already available at Tyndale House one block further up Cowley Road, above Saisbury's and Superdrug.

We note that nowhere did the daylight/sunlight assessment report tabled evaluate the Oxford 45° rule.

We urge Swailes to consult residents before the next plan for this site. With constructive engagement it should be possible to identify a solution acceptable to all parties.

Second comment, July 2020

- 9.9. The Stockmore Street Residents Association remains strongly opposed to application 20/00259.

We still believe the significant changes required to the current application to make it acceptable are beyond the scope of planning conditions. The points raised in our comments in March remain valid, particularly concerning the Stockmore Street roofline and overbearing nature of the proposal. We focus here on new submissions by the developer in June. In response to comments the developer has moved half the Stockmore St end back in line with the building line of the adjoining terrace, which is appreciated. However, as can most easily be seen from Night_Visuals-2355243 that still leaves what appears to be a cascading waterfall of perforated corrugated iron jutting forward of the building line to a considerable extent, falling to the edge of the pavement. The developer also claims the proposal 'is not seen in any long views as part of the two storey terrace and semis development' [in the Historic_Analysis_Report-2355270] which is simply not true. The two Stockmore St views in Visuals-2355255 carefully do not show a wider perspective and the curve of the terraced houses into which the new building would protrude very prominently. It is claimed 'the site does not lie within an designated conservation area' but it *is* directly adjacent to one, and standing in that conservation area at the south west end of Stockmore St, the building is right at the apex of the curve and will most definitely dominate the street scene viewed from the conservation area. The developer themselves explicitly acknowledged this in their original 2019 application for the Temple Street plans. Unfortunately the online planning system does not permit uploading images to illustrate the point here, and will have to await the committee hearing. Historic_Analysis_Report-2355270 claims 'the original building's height, appearance and relationship to the street' encourages the current proposal because 'its differences helps to articulate the history of the site'. It further says 'The selection of materials intends to express the building as a 20th century addition to the street, utilising materials and a form that help to identify it as that, not in a way that jars with its surroundings'. Except it does jar, vehemently, with the surroundings. Indeed it is hard to think of a proposal that would jar more.

Alternatives exist. Note how Wadham's recent 265 - 279 Iffley Road development 'maintains a difference in appearance' but by using brick and timber, is distinct and clearly 'a 20th century addition to the street' yet is far

more sympathetic to its context. Indeed some timber use would be a very appropriate tribute both to the Stockmore/Temple St site's long history as a timber yard, and to current eco credentials. In our opinion a more relevant takeaway from the Historic_Analysis_Report-2355270 would be that from the analogous cases of *Hartley v Minister of Housing and Local Government* [1970] 2 WLR 1 and *SSETR v Hughes* (2000) 80 P & CR 397 which although concerning use rather than appearances, set out helpful principles when evaluating 'abandonment'. Two important considerations are the length of time and the owner's intentions. Some time before Building Regs records started in 1965, ie well over half a century ago, the third floor was removed. Organ Bros never took any steps to reinstate it, from which a reasonable person would infer as Lord Denning MR stated 'when a man ceases to use a site for a particular purpose and lets it remain unused for a considerable time then the proper inference may be that he has abandoned the former use'. Widgey LJ helpfully added that a use had been abandoned rather than merely suspended when it had 'ceased with no intention to resume it at any particular time'. Accordingly we believe the validity of claiming a planning precedent for a third storey has long been abandoned. We further believe the Planning Inspectorate would support such a contention.

Energy_Report-2355268 implies Air Source Heat Pumps will be the most likely solution to low carbon energy targets. However no estimate appears to have been made of the noise from the necessary ASHP fans, immediately next to residential properties. The Air_Quality_Assessment-2355273 report is incorrect in claiming 'There will be no vehicle movements associated with the proposed development' because obviously there will, as some visitors from beyond Oxford will likely take a taxi from the station, and there will inevitably be some commuter traffic as relatives drop off office workers.

The report authors lack of local knowledge is betrayed by the comment 'James Street has approximately 50% more properties than Temple Street or Stockmore Street and therefore in all likelihood has more traffic movements' as most vehicle movements in both streets are not by residents but by local tradespeople and cabs using these two streets as rat runs between Iffley & Cowley roads. So existing pollution is probably quite similar.

A report on the 45_25_Degree_Window_Line-2361710 now exists, but it has no commentary, is very complicated, so we will have to rely on Officers' determination if it complies with current Oxford policy in a residential context.

In short, the proposed development is excellent for an office park but not in this residential setting.

Public representations

- 9.10. 63 local residents have commented on the application from the following areas; Stockmore Street, Temple Street, Eaton Road (Appleton), Magdalen Road and Rose Hill.

- 9.11. In summary, the main points of objection were to the height and mass of the building, the building line on Stockmore Street being forward of the adjoining building line, the use of inappropriate materials and glare from the glazing, overbearing and overshadowing impact on neighbours, increased traffic in the area, light spill, inappropriate use of the site and impact on view cone.

Officer response

- 9.12. Many concerns were raised in relation to the height and building line fronting Stockmore Street. In response to these concerns, plans were amended to set the building line back, to respond to the adjoining properties. Whilst the actual height of the ridgeline fronting Stockmore Street has not been lowered, the design of the roof has been amended to respond better to the adjoining properties by lowering the eaves and introducing a dark metal cladding to the roof with dormer windows, replacing the glazing and light metal cladding originally proposed. In response to objections to the inappropriate use of materials, the overall width of the metal fins proposed to the Stockmore Street elevation have been reduced by 50cm and each fin is graduated to reduce their impact. A condition has been recommended, requesting large drawn details of the fins to be submitted to and approved by the Council prior to the commencement of development. A condition has also been recommended to stipulate that all metal elements are in a matt finish to mitigate reflection. To ensure the impact on neighbouring amenity would be protected, a revised Daylight and Sunlight Assessment and further drawings to illustrate the 45/25 degree lines from neighbouring habitable windows were submitted. To minimise glint and glare from the proposed roof mounted solar panels, a condition has been recommended requiring the specifications of the solar panels to be submitted to and approved by the Council prior to the commencement of development. This would mitigate impact on neighbours and any longer distance views. With regards to light spill and glare from the glazing, a lighting strategy has been submitted and conditions have been recommended requiring details of façade glazing (to be non-reflective) and lighting levels to be submitted to and approved by the Council prior to determination. Furthermore, automated blinds and louvres, to be activated at dawn and dusk are proposed, the use of which would be enforced by a compliance condition.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of development
- ii. Design and impact on the historic environment
- iii. Renewable energy
- iv. Air Quality
- v. Land quality

- vi. Noise
- vii. Ecology
- viii. Impact on neighbouring amenity
- ix. Highways

i. Principle of development

- 10.2. Policy E1 of the Oxford Local Plan 2036 states that planning permission will be granted for the intensification, modernisation and regeneration for employment purposes of any employment site if it can be demonstrated that the development makes the best and most efficient use of land and does not cause unacceptable environmental impacts and effects.
- 10.3. The application site is considered to fall within a Category 3 employment site (the lowest importance site in terms of employment land) and is currently used as a plumber's merchants and offices with ancillary storage (use classes B8 and B1a). The proposal seeks to retain commercial use on a currently underutilised site with a high quality office development (use class B1a). The proposal would make much more efficient use of this previously developed site by developing the existing parking area, accessed off Temple Street and increasing the density and concentration of workspace.
- 10.4. Taking into account all of the environmental mitigation measures, which are assessed in detail within sections iii, iv, v, vi and vii below, it is considered that the proposed development would not lead to unacceptable environmental impacts and effects.
- 10.5. It is therefore considered that the proposed development would comply with Policy E1 of the Oxford Local Plan 2036, the proposed intensification of the site for employment use is therefore acceptable in principle.

ii. Design and impact on the historic environment

- 10.6. Policy DH1 of the Oxford Local Plan 2036 stipulates that planning permission will only be granted for development which shows a high standard of design, and which respects the character and appearance of an area and uses materials appropriate to the site and surroundings.
- 10.7. Policy DH2 of the Oxford Local Plan 2036 states that the Council will seek to retain significant views both within and from outside Oxford, in particular to and from the historic skyline. Planning permission will not be granted for any building that would harm the special significance of Oxford's historic skyline. Planning permission will not be granted for development proposed within a view cone or the setting of a view cone if it would harm the special significance of the view.
- 10.8. Policy DH3 requires development to respect and draw 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.

- 10.9. When determining an application affecting a Conservation Area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended and Chapter 16 of the NPPF which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.
- 10.10. The scale and mass of the proposed development is unusual, however there are a number of large scale local developments, encroaching into the backland, particularly along Temple Street. It is also acknowledged that the character of the site itself, does not currently mirror the adjacent residential properties or grain of development in the immediate surrounding area and therefore, it is considered that the introduction of an alternative design approach is acceptable in this instance. The impact of the building's scale, beyond the street scene, has been mitigated due to its undulating roof form and low height adjacent to neighbouring properties. More private vantage points from nearby neighbours would not be able to see the whole building but rather experience small sections that are sensitively designed and often curved with green roof sections, helping to settle this large building into its urban context.
- 10.11. Turning to the Temple Street frontage, it is considered that the form of this facade reflects the horizontality of the adjacent terrace properties. The proposed proportions sit comfortably within the street scene and retain the rhythm of the adjacent terraced built form. The introduction of a glazed façade is considered appropriate as it maintains the sense of openness of the existing gap in the terraces. It is acknowledged that the level of glazing proposed has caused concern amongst neighbours in relation to the possible glare into their properties, a condition has been recommended to stipulate that the façade glazing is non-reflective to mitigate this potential harm.
- 10.12. The Stockmore Street frontage is the more dominant of the two, due to the fact that this frontage is wider than Temple Street and currently comprises part two, part single storey built form. During the determination process, the frontage was pulled back to respond to the building line of adjoining properties. This is considered an improvement on the existing situation as the two storey element of the existing building protrudes 2.6m beyond the frontage of nos. 31 and 39 Stockmore Street. The roof was also re-designed to better relate to the scale and domestic nature of adjoining properties by lowering the eaves line and wrapping the second storey in dark metal cladding with the insertion of 3no. dormer windows. Whilst part of the roofline is higher than adjoining no. 31 Stockmore Street, it is considered that the increased height would not necessarily be read as such from the street scene given the use of materials and the three sectional elements, breaking up the mass. Furthermore, evidence has been provided to demonstrate that, historically, the building had been higher but was reduced some time ago. Therefore, the principle of introducing a taller building on site is accepted.

- 10.13. As above, the frontage has been divided into three sections to reflect the terraced nature of the adjoining properties. The shorter section, adjoining no. 39 Stockmore Street, seeks to replicate the existing single storey garage with its metal shutter. The middle section is wrapped in metal fins, the width of which were reduced during the determination process, and the remaining element is predominantly glazed with the metal clad roof and dormer windows. Again, the introduction of contemporary materials is considered acceptable in an acknowledgement that the site has always been in contrast with the predominant use, form and design within the street.
- 10.14. The proposed layout and mass of the proposed development is considered to respond to the site itself and local built form which includes elements of varying backland development. The frontages respond to the rhythm of terraces and proportions of existing and historical built form on the site. It is therefore considered to comply with policies RE7 and DH1 of the Oxford Local Plan 2036.
- 10.15. With regards to the proposal's impact on the historic environment, the site lies within the Crescent Road view cone and therefore consideration must be given to the proposal's impact on views looking onto the City's historic skyline. The Council's High Buildings Technical Advice Note (TAN) acknowledges that architectural styles will change over time and that different design approaches in the same area may be justifiable. A degree of variation in height, scale and mass of any single proposal or its relationship to adjoining development is encouraged to promote an interesting and diverse townscape, provided it does not conflict with the surrounding context or appears incoherent. Proposals for high buildings should contribute positively to the green infrastructure of the City, by including green roofs, sustainable drainage systems or other environmental benefits that support natural and ecological processes.
- 10.16. The maximum height of the proposed building would be 9.5m from ground level at the Stockmore Street frontage, this height would extend for 4.2m only. As discussed above, the roof scape would undulate between the two frontages, falling away to 3m at its lowest point. The majority of the roof would be sedum, interspersed with solar PV panels and elements of metal cladding and metal louvres to the Temple Street and Stockmore Street frontages. To ensure the longevity of the green roof, a maintenance plan would be secured by condition and to mitigate any unacceptable glint and glare from the solar panels, specifications would be required to be submitted to and approved by the Council prior to the commencement of development. The metal elements shall be in a matt finish, this would also be secured by condition.
- 10.17. Taking into account the existing surrounding dense urban form with varied height and palette of materials and mature tree cover in the middle ground, the proposed enhanced green rooftop infrastructure and the proposed varied roof form, it is considered that the proposed development would not have a detrimental impact on the views into the City centre. Furthermore, views have been assessed by Officers from St Mary's Tower which confirmed that the application site is imperceptible from this vantage point. Therefore, it is considered that views looking out of the City would not be impacted by the

proposed development and therefore the proposal would comply with policy DH2 of the Oxford Local Plan 2036.

10.18. As set out above, the application site lies approximately 45m east of the boundary of the St Clement's and Iffley Road Conservation Area and can be glimpsed from Iffley Road. The Conservation Area Appraisal does not identify any listed buildings or buildings of local interest within the vicinity of the application site.

10.19. It is considered that the site's position, in relation to the Conservation Area, the layout and proposed lightweight, contemporary materials and recommended conditions on the external material finishes would mitigate any potential impact on the glimpsed views of the site from the Conservation Area. It is concluded that there would be no harm to the heritage asset and therefore the proposal would be acceptable in the context local plan policies DH3 and paragraphs 193-196 of the NPPF.

iii. Renewable energy

10.20. During the determination process, an amended energy statement was provided, demonstrating that the development could meet the requirements to reduce carbon emissions utilising sustainable energy techniques (solar photovoltaic panels at roof level and air source heat pumps) which complement the building energy and water systems by 20% as required by the superseded Core Strategy. The applicant has agreed to prepare additional information, demonstrating the scheme's compliance with the new Local Plan (adopted 8th June 2020) which requires a reduction in carbon emissions by 40%. A policy compliant energy statement would be required by condition.

iv. Air Quality

10.21. The submitted Air Quality Assessment identified that the proposed development would be at medium risk with respect to dust amenity impacts during the construction phase in the absence of mitigation. However, through good site practice and the implementation of suitable site specific mitigation measures (identified within the Air Quality Assessment), the effect of dust and particulate matter releases would be further reduced and the impact on air quality considered to be negligible. It is therefore mandatory that the outcomes of the dust assessment, (which allowed the identification of site specific dust mitigation measures) are incorporated in the site's Construction Environmental Management Plan (CEMP). A condition has been recommended requiring a CEMP to be submitted to and approved by the Council prior to the commencement of development.

v. Land quality

10.22. Taking into account the use of the site as a builder's yard and plumber's merchants, it is clear that there is potential for contamination to exist on site that may present a potential risk to future occupiers or the surrounding environment. Therefore, conditions have been recommended requiring a phased risk assessment to be submitted to and approved by the Council prior

to the commencement of development. Prior to occupation, any approved remedial works would need to be carried out and a full validation report would need to be submitted to and approved by the Council. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority.

vi. Noise

- 10.23. Given the location of the site, in close proximity to other noise sensitive receptors i.e. residential properties, the demolition and construction works would need to be carried out in a controlled manner as significant noise, dust and vibration issues may be caused during the works. Conditions have therefore been recommended, requiring a demolition method statement, a noise impact assessment and details of anti-vibration measures (in relation to plant and machinery) to be submitted to and approved by the Council prior to the commencement of development.
- 10.24. Deliveries, collections and loading/ unloading would be restricted, by condition, to between 08:00 and 18:00 on Monday to Friday, and at no time on Saturdays, Sundays and Public/Bank Holidays. This is to ensure the health and wellbeing of neighbouring residents and occupiers/users of the application site is maintained.

vii. Ecology

- 10.25. A protected species survey report was submitted with the application. It is considered that the potential presence of protected species has been given due regard. A scheme of ecological enhancements shall be submitted to and approved by the Council prior to the commencement of development to ensure the recommendations in the report are adhered to.

viii. Impact on neighbouring amenity

Daylight/ sunlight

- 10.26. Policy H14 of the Oxford Local Plan 2036 requires new development to provide reasonable privacy, daylight and sunlight for occupants of existing homes. Consideration must be given to the degree of overlooking to and from neighbouring properties or gardens, the orientation of windows in both new and existing development in respect of access to daylight, sunlight and solar gain and existing and proposed walls, hedges, trees and fences in respect of their impact on overshadowing both existing and new development. Planning permission will not be granted for any development that has an overbearing effect on existing homes.
- 10.27. The 45 degree line would be contravened when applied to neighbouring habitable windows by virtue of the proposal spanning the entire depth of the

site. When assessing the elevations, the 25 degree line would not be contravened when applied to the habitable windows at no. 32 Temple Street. When applied to the ground floor rear window of no. 29 Temple Street, the 25 degree line would be contravened however this is already the case due to the side boundary fence, furthermore, the affected room benefits from dual aspect windows with a further window to the south eastern elevation which would not be impacted by the proposed development. The 25 degree line would be contravened when applied to habitable windows at no. 31 and ground floor windows at no. 39 Stockmore Street, however this is already the case when applied to the existing development fronting Stockmore Street and boundary treatments.

- 10.28. Furthermore, the submitted daylight and sunlight assessment confirms that the average vertical sky component (VSC) (the illuminance on the outside of a window, divided by the illuminance on an unobstructed roof, under overcast conditions) for adjacent dwelling facades would be in excess of 27% (an acceptable VSC level) when assessed against the proposed scheme and the facades would receive no less than 80% of the existing levels of illuminance. Therefore, the scheme is considered acceptable in this regard.
- 10.29. The proposed development is therefore not considered to materially impact on the level of daylight and sunlight to neighbouring properties, over and above the existing development.

Overshadowing

- 10.30. It is recommended that at least 50% of outdoor amenity areas should receive at least two hours of sunlight on 21st March. The daylight and sunlight assessment confirms that this target would be exceeded when assessed against the neighbouring east and west gardens. It is therefore considered that the proposed development would not lead to an unacceptable level of overshadowing.

Privacy

- 10.31. The useable floorspace within the 'backland' of the site would be limited to ground floor level. The metal louvered fence proposed to the side boundaries would measure between approximately 2m and 4.5m in height and metal louvres would be installed onto the windows which would close intermittently during the day and close at dusk. This, in addition to the timber fences currently forming the neighbouring boundary treatments, would prevent overlooking into neighbouring properties and gardens. The second storey glazed section, over and above no. 39 Stockmore Street shall be obscurely glazed as set out within the recommended condition to prevent overlooking from this potential vantage point. The terrace at second floor level would be used only by maintenance staff when accessing the roof to avoid any unacceptable overlooking or perceived overlooking.

Overbearing

10.32. The outlook of neighbours would undeniably be altered and whilst it is acknowledged that the proposed curved roofscape is unusual, it needs to be considered within the context of existing development on site. The existing outlook for neighbours is a combination of an untidy, hard surfaced builder's yard and a part brick, part render and part timber two storey office building which is considered, by Officers, an unattractive outlook for neighbours. The existing built form measures 5.8m in height and extends 13m from the rear elevation of neighbouring properties fronting Stockmore Street. The maximum height of the proposed development within the 'backland' would be 7.3m but this would only extend for 1m. The element of the scheme, over and above 5.8m in height, would extend 11.3m from the rear elevations of neighbouring properties fronting Stockmore Street. The development would then fall away in height to a minimum of 3m. It is therefore considered that the proposed development would not be unacceptably overbearing on neighbours, taking into account the existing development on site. The outlook for neighbours would be glimpses of sedum roof, interspersed with glazing and solar panels (to be conditioned) which is considered an improvement to the existing situation.

Light spill and reflection

10.33. In order to mitigate light spill, the lighting would be limited to a maximum of 3000K to emit a warm light. This lighting level would be secured by condition. To limit light spillage at night, an integrated louvre and automated blind system would be installed. To the front elevations, the internal blinds would be equipped with a dawn and dusk sensor. The side elevations would be equipped with an external, horizontal louvre system that would automatically shut at dusk also. This would be secured by condition along with details of suitable façade glazing to ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting. Conditions would be attached to stipulate that the façade glazing shall be non-reflective and the metal elements shall be matt finish in order to mitigate the impact of reflection.

10.34. It is considered that the proposed development would not lead to an unacceptable impact on neighbouring amenity, in accordance with policy H14 of the Oxford Local Plan 2036.

ix. Highways

Transport sustainability

10.35. The site is in a highly sustainable location with good access to public transport and within walking/ cycling distance from large residential areas and local amenities. As set out above, the site sits within the East Oxford CPZ.

10.36. The proposed site would likely generate less traffic than the existing uses as plumber's merchants typically receive a relatively high number of short trips which are more difficult to enforce. Furthermore, the existing car park would be removed which would assist in reducing vehicular trips and the development is also proposed to be car-free (and would not be eligible for residential parking permits within the CPZ).

10.37. Kerbs are proposed to be reinstated to full height and the double yellow lines would be converted to on-street parking bays. This would require an amendment to the Traffic Regulation Order (TRO) and would be at the applicant's expense. Both streets are constrained, and the local highway network is above capacity at peak times, as such, a comprehensive Construction Traffic Management Plan is required to show how this will be managed during the construction phase. This would be required prior to the commencement of development.

Cycle parking

10.38. 34 cycle parking spaces, including 7 with electrical sockets, are proposed, exceeding the 14 spaces required for an office development of this size. All cycle parking should be covered, secure and accessible, as such a condition requiring details of cycle parking to be submitted to and approved by the Council prior to the commencement of development has been recommended.

10.39. It is considered that the proposed development is acceptable in highways terms.

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 despite being adopted prior to the publication of the framework.

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.

Material consideration

- 11.6. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.
- 11.7. National Planning Policy: the NPPF has a presumption in favour of sustainable development.
- 11.8. 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.
- 11.9. 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.
- 11.10. 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.
- 11.11. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

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. 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 CP1 of the Oxford Local Plan 2001-2016.

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 policy RE7 of the Oxford Local Plan 2036.

4. Prior to the commencement of the development a phased risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's 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 in writing by the local planning authority.

Phase 1 shall incorporate a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model and preliminary risk assessment. If potential contamination is identified in Phase 1 then a Phase 2 investigation shall be undertaken.

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

before the development (or relevant phase of development) is resumed or continued.

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

7. No development shall take place until a Construction Environmental Management Plan (CEMP), containing the specific dust mitigation measures identified for this development, has first been submitted to and approved in writing by the Local Planning Authority. The specific dust mitigation measures to be included in the plan can be found in the Air Quality Assessment - version number A3912/AQ/002 (from 26/05/2020 - Page 18), that was submitted with the planning application. The approved CEMP shall be implemented during the construction period.

Reason: To ensure that the overall dust impacts during the construction phase of the proposed development will be mitigated in accordance with Policy RE6 of the Oxford Local Plan 2036.

8. A noise assessment shall be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of works. The assessment shall follow the methodology set out in BS 4142: 2014 to predict the likely noise impact from the proposed development at all noise sensitive receptors. The assessment shall demonstrate that the proposed development would not cause any significant adverse noise impacts and all reasonable steps have been taken in its design and operation to achieve a rating level L_{Ar,Tr} at least 5 dB below the existing background sound level L_{A90,T} at any dwelling. The development shall be carried out in accordance with the approved noise assessment.

Reason: In the interests of the amenities of neighbouring occupiers, in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

9. Prior to commencement of the development, details of anti-vibration measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall ensure that machinery, plant/equipment are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason In the interests of the health and wellbeing of neighbouring residents and occupiers/users of the application site subject to the development, in accordance with Policies RE7 and RE8 of the Oxford Local Plan 2036.

10. Prior to commencement of the development hereby approved, a demolition method statement and a construction management plan shall be submitted

to and approved in writing by the Council. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800 -1300 hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. The approved details shall be implemented throughout the project period.

Reason In the interests of the health and wellbeing of neighbouring residents and occupiers/users of the application site subject to the development, in accordance with Policies RE7 and RE8.

11. Prior to the commencement of development, a Health Impact Assessment shall be submitted to, and approved in writing by, the Local Planning Authority. Details within the approved assessment shall be implemented during the construction of the development and maintained thereafter.

Reason: To encourage and sustain healthy day-to-day behaviours and social and cultural wellbeing in accordance with policy RE5 of the Oxford Local Plan 2036.

12. Prior to the commencement of development, details of suitable façade glazing shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

13. The internal lighting shall be restricted to a maximum of 3000 kalvin. Details of the illuminance level shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: In the interests of visual amenity of the area in accordance with policies RE7 and H14 of the Oxford Local Plan 2036.

14. No deliveries nor collections/ loading nor unloading shall occur at the development hereby approved other than between the hours of 08:00 to 18:00 on Monday to Friday, and at no time on Saturdays, Sundays and Public/Bank Holidays.

Reason: In the interests of the health and wellbeing of neighbouring residents and occupiers/users of the application site subject to the development, in accordance with Policies RE7 and RE8 of the Oxford Local Plan 2036.

15. Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority (LPA). The plans, calculations and drainage details shall be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics.

The plans, calculations and drainage details submitted shall demonstrate that;

- I. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event with a 40% allowance for climate change.
- II. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.
- III. Excess surface water runoff must be stored on site and released to receiving system at greenfield runoff rates.
- IV. Where sites have been previously developed, discharge rates should be at greenfield rates.

Any proposal which relies on Infiltration will need to be based on on-site infiltration testing in accordance with BRE365 or alternative suitable methodology, details of which are to be submitted to and approved by the LPA. Consultation and agreement should also be sought with the sewerage undertaker where required. The approved details shall be implemented during the construction of the development.

16. A SuDS maintenance plan shall be submitted and approved in writing by the LPA. The Sustainable Drainage (SuDS) Maintenance Plan shall be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The SuDS maintenance plan shall provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function safely and effectively in perpetuity. The SuDS shall be maintained in accordance with the approved plan.

Reason: To ensure compliance with policy RE4 of the Oxford Local Plan 2036.

17. The development shall not be occupied until confirmation has been provided in relation to foul water drainage to the local planning authority that either:-
1. Capacity exists off site to serve the development or
 2. A housing and infrastructure phasing plan has been agreed with Thames Water. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. Or

3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Reason - Network reinforcement works may be required to accommodate the proposed development.

18. Prior to the commencement of development, an updated energy statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved energy statement shall be implemented during the construction of the development.

Reason: To ensure the development makes best use of natural resources in accordance with policy RE1 of the Oxford Local Plan 2036.

19. Prior to the commencement of development, a scheme of ecological enhancements shall be submitted to, and approved in writing by, the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme will include any landscape planting of known benefit to wildlife, including nectar resources for invertebrates. Details shall be provided of artificial roost features, including bird and bat boxes, and a minimum of two dedicated swift boxes. The approved details shall be implemented prior to occupation of the development.

Reason: To comply with the requirements of the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017, Wildlife and Countryside Act 1981 (as amended) and policy G2 of the Oxford Local Plan 2036.

20. Before the development hereby permitted is commenced details of the cycle parking areas, including dimensions and means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport in line with policy M5 of the Oxford Local Plan 2036.

21. A Construction Traffic Management Plan (CTMP) shall be submitted to the Local Planning Authority and agreed prior to commencement of works. The CTMP should follow Oxfordshire County Council's template if possible. This should identify;

- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
- Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),

- Details of wheel cleaning / wash facilities to prevent mud, etc. from migrating on to the adjacent highway,
- Contact details for the Site Supervisor responsible for on-site works,
- Travel initiatives for site related worker vehicles,
- Parking provision for site related worker vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
- Engagement with local residents

Details within the approved CTMP shall be carried out during the construction of the development.

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

22. Prior to the commencement of development, a maintenance plan for the sedum roof shall be submitted to, and approved in writing by, the Local Planning Authority. Details within the approved plan shall be carried out in perpetuity.

Reason: To ensure the longevity of the new green infrastructure network feature in accordance with policy G8 of the Oxford Local Plan 2036.

23. Automated blinds shall be fitted to each window and shall be activated at dawn and dusk.

Reason: To ensure light spill in the evening is minimised and the impact on neighbours is mitigated in accordance with policy RE7 of the Oxford Local Plan 2036.

24. The glazing to the second storey, over and above the roofline of 39 Stockmore Street, shall be obscure and shall be retained as such.

Reason: To avoid the impact of overlooking onto neighbouring dwellings and private gardens in accordance with policy H14 of the Oxford Local Plan 2036.

25. The second floor terrace shall be used only as a means of accessing the roof by maintenance staff and for no other purposes.

Reason: To ensure the amenity of neighbours is protected in accordance with policy H14 of the Oxford Local Plan 2036.

26. The façade glazing shall be non-reflective and shall be retained as such.

Reason: To ensure the development does not impact on the setting of the nearby Conservation Area and the amenity of neighbours is protected in accordance with policies H14 and DH3 of the Oxford Local Plan 2036.

27. The external metal elements shall have a matt finish and shall be retained as such.

Reason: To ensure the development does not impact on the setting of the nearby Conservation Area and the amenity of neighbours is protected in accordance with policies H14 and DH3 of the Oxford Local Plan 2036.

28. Prior to the commencement of relevant works, large scale drawn details of the proposed metal fins fronting Stockmore Street shall be submitted to, and approved in writing by, the Local Planning Authority. The fins shall be installed in accordance with the approved details.

Reason: To ensure a sympathetic appearance of the new development, in accordance with policies RE7 and DH1 of the Oxford Local Plan 2036.

29. Prior to the commencement of development, details of the proposed boundary treatments to the front and side elevations shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the sympathetic design of the works in accordance with policy DH1 and RE7 of the Oxford Local Plan 2036.

30. The colour of the render shall be neutral off white or cream, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory appearance of the development in accordance with policies RE7 and DH1 of the Oxford Local Plan 2036.

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

Reason: To create a safe environment for occupiers of the development and the local community in accordance with policy RE7 of the Oxford Local Plan 2036.

INFORMATIVES :-

1. The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Oxford City Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Oxford City Council prior to commencement

of development. For more information see: www.oxford.gov.uk/CIL

2. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
3. Removal of any building or vegetation shall be undertaken outside of the bird nesting season (March to August inclusive). If this is not possible, then a suitability qualified ecologist shall check the areas concerned immediately prior to the commencement of clearance works to ensure no nesting or nest-building birds are present. If any nesting activity is confirmed, no clearance will be permitted within the area until the birds have fledged and the nest is considered inactive.

13. APPENDICES

- **Appendix 1 – Site location plan**

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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