

## EAST AREA PLANNING COMMITTEE

3rd February 2021

<b>Application number:</b>	20/01237/RES		
<b>Decision due by</b>	26th August 2020		
<b>Extension of time</b>	tbc		
<b>Proposal</b>	<p>Erection of three detached buildings for business use (Class B1), with associated access, car parking, cycle parking, landscaping and services infrastructure. Approval of reserved matters approved under planning permission 12/04124/EXT for access, appearance, landscaping, layout and scale.</p> <p>The outline planning application was not an Environmental Impact Assessment application.</p>		
<b>Site address</b>	Plots 8150 8200 And 9200, Alec Issigonis Way, Oxford, Oxfordshire – see <b>Appendix 1</b> for site plan		
<b>Ward</b>	Lye Valley Ward		
<b>Case officer</b>	Sarah Chesshyre		
<b>Agent:</b>	N/A	<b>Applicant:</b>	Mr Robin Moxon
<b>Reason at Committee</b>	The application constitutes major development		

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## 1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the prior completion of an agreement or unilateral undertaking made pursuant to S106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations which are referred to in this report and subject to the required planning conditions set out in section 12 of this report and informatives set out in section 13 of this report and subject to the approval of a final drainage strategy from the Lead Local Flood Authority.

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;
- agree the provision of a final drainage strategy in consultation with relevant consultees;

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

## **2. EXECUTIVE SUMMARY**

2.1. This report considers all reserved matters (access, appearance, landscaping, layout and scale) for the development of Plots 8150, 8200 and 9200 of Oxford Business Park, which benefit from outline planning permission for development for employment uses. Permission is sought for the erection of three detached buildings for business use (Use Class B1) and the associated provision of access, car parking, cycle parking, landscaping and services infrastructure.

2.2. This report considers the following material considerations:

- Principle of development
- Design
- Amenity
- Transport and highways
- Drainage
- Sustainability
- Biodiversity
- Trees
- Air quality
- Land contamination
- Health

2.3. The development is considered acceptable in principle, and would make a significant contribution to Oxford's economy in the expanding knowledge sector. The proposals would make a high quality, sustainable contribution to the Oxford Business Park that would be appropriate in design terms and would not result in any harm to the amenity of neighbouring uses. The development would not give rise to any unacceptable impacts in terms of public highways, flooding, biodiversity, green infrastructure features, air quality or land contamination. The proposals are considered to comply with policies E1, RE2, SP10, RE1, DH1, DH7, H14, RE7, M3, M4, M5, RE4, G2, G7, G8, RE6 and RE9 of the Oxford Local Plan 2036 and the NPPF.

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

## **3. LEGAL AGREEMENT**

3.1. The application would be subject to a legal agreement which is needed in order to secure a financial contribution to be paid to Oxfordshire County Council Highways Authority for the monitoring of the approved Travel Plan. The contribution would total £7,038.

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

4.1. The proposal is not liable for CIL.

#### **5. SITE AND SURROUNDINGS**

5.1. The application site comprises an area of undeveloped land bisected by Alec Issigonis Way approximately 1.93ha in area within the north-eastern corner of Oxford Business Park. The plots are bordered by the Audi car dealership to the east, with the Eastern bypass slip road beyond. To the south east are the David Lloyd gym and Premier Inn Hotel. To the south and west are a number of business premises operating within Use Class E(g) (formerly Use Class B1). To the north are residential properties on Fern Hill Road.

5.2. The site has vehicular access from Alec Issigonis Way, which forms the main east-west route through the northern part of the Business Park, and which is accessed from the northern spur of the Garsington Road roundabout. A combined footpath/cycleway runs along the south side of Alec Issigonis Way.

5.3. In November 1992 outline planning permission was granted for the development of the Oxford Business Park and the construction of buildings for B1 Business Use (125,023m<sup>2</sup> floorspace); a hotel (10,451m<sup>2</sup> floorspace); new roads; car parking; infrastructure and landscaping under reference 91/01303/NO. At the time outline planning permission was granted a number of matters were reserved for approval such as scale, layout, access, appearance and landscaping. The timeframe for these matters to be approved has been extended to 13<sup>th</sup> December 2022 under application 12/01424/EXT so the outline permission remains extant.

5.4. See location plan below:



## 6. PROPOSAL

- 6.1. The application is seeking approval of all the matters (scale, layout, access, appearance and landscaping) reserved under the original outline planning permission and extended under 12/01242/EXT for the erection of three detached office buildings for Business Use (Use Class B1) with associated access, landscaping and services infrastructure.
- 6.2. The application proposes the erection of three detached two storey buildings to provide flexible office, research and development, and science and technology uses falling within Use Class B1. New vehicular and pedestrian access from Alec Issigonis Way would be created to serve each building. A new footpath would be formed along the length of the northern side of Alec Issigonis Way, running along the southern perimeter of Plots 8150 and 8200, as well as along already developed plots 8050 and 8100.
- 6.3. The proposed building on Plot 8150 would have a footprint measuring 72 metres by 39 metres, and a height of 10.8 metres. It would provide 2,644m<sup>2</sup> of floorspace at ground floor with a further 675m<sup>2</sup> of office space at first floor. 60 car parking spaces would be provided, of which 15 would have electric vehicle charging points and 3 would be DDA compliant. 38 bicycle parking spaces would be provided.
- 6.4. The proposed building on Plot 8200 would have a footprint measuring 72 metres by 32 metres, and a height of 10.8 metres. It would provide 2,140m<sup>2</sup> of floorspace at ground floor with a further 549m<sup>2</sup> of office space at first floor. 50 car parking spaces would be provided, of which 13 would have electric vehicle charging points and 3 would be DDA compliant. 32 bicycle parking spaces would be provided.

6.5. The proposed building on Plot 9200 would have a footprint measuring 59 metres by 38 metres, and a height of 10.8 metres. It would provide 2,059m<sup>2</sup> of floorspace at ground floor with a further 528m<sup>2</sup> of office space at first floor. 47 car parking spaces would be provided, of which 12 would have electric vehicle charging points and 2 would be DDA compliant. 30 bicycle parking spaces would be provided.

**7. RELEVANT PLANNING HISTORY**

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

<p>91/01303/NO Demolition of all buildings. Construction of buildings for B1 business use (125,023 square metres) &amp; a hotel (10,451 square metres) incl. new roads, car parking, infrastructure &amp; landscaping (Amended Plans) (Oxford Business Park, Garsington Road). APPROVED 27<sup>th</sup> November 1992</p> <p>99/01351/VF Variation of condition 1 on permission NO/1303/91 to allow submission of reserved matters application until 26.11.2004. APPROVED 8<sup>th</sup> February 2000</p> <p>04/00215/VAR Variation of condition 1 on permission 99/01351/VF to allow submission of reserved matters application until 30.11.2012. APPROVED 2<sup>nd</sup> April 2004</p> <p>12/01424/EXT Extension to the outline planning permission 91/01303/NO for Class B1 business use, hotel, associated roads, car parking, infrastructure and landscaping. APPROVED 13<sup>th</sup> December 2012</p>
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**8. RELEVANT PLANNING POLICY**

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents
Design	117-123, 124-132	<b>DH1</b> - High quality design and placemaking <b>DH7</b> - External servicing features and stores	
Commercial	170-183	<b>E1</b> - Employment sites - intensify of uses <b>RE2</b> - Efficient use of Land <b>SP10</b> - Oxford Business Park	
Natural environment	91-101	<b>G2</b> - Protection of biodiversity geo-diversity <b>G7</b> - Existing green infrastructure features	

		<b>G8</b> - New and enhanced Green and Blue Infrastructure Network Features	
<b>Social and community</b>	102-111	<b>RE5</b> - Health, wellbeing, and Health Impact Assessment	
<b>Transport</b>	117-123	<b>M1</b> - Prioritising walking, cycling and public transport <b>M2</b> - Assessing and managing development <b>M3</b> - Motor vehicle parking <b>M4</b> - Provision of electric charging points <b>M5</b> - Bicycle Parking	
<b>Environmental</b>	117-121, 148-165, 170-183	<b>RE1</b> - Sustainable design and construction <b>RE2</b> - Efficient use of Land <b>RE4</b> - Sustainable and foul drainage, surface and groundwater flow <b>RE6</b> - Air Quality <b>RE7</b> - Managing the impact of development <b>RE8</b> - Noise and vibration <b>RE9</b> - Land Quality	
<b>Miscellaneous</b>	7-12	<b>S1</b> - Sustainable development	

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 10th July 2020 and an advertisement was published in The Oxford Times newspaper on 2nd July 2020. Following the receipt of additional information, further site notices were displayed around the application site on 16<sup>th</sup> December 2020.

### **Statutory and non-statutory consultees**

#### Oxfordshire County Council (Highways Authority)

9.2. No objection subject to conditions requiring the submission of a detailed Travel Plan for each building; a Construction Management Plan and Delivery and Service Management Plan.

#### Oxfordshire County Council (Lead Local Flood Authority)

9.3. Objection; site investigations have demonstrated that the site is suitable for infiltration therefore the proposed drainage strategy should rely on infiltration only for management of surface water and should not discharge to sewers.

#### Thames Water Utilities Limited

9.4. No objection with regard to surface water network and foul water sewerage network capacity. Existing water network infrastructure has insufficient capacity

to accommodate the proposed development; condition required to secure network upgrades prior to occupation.

Environment Agency

9.5. Do not wish to comment.

Historic England

9.6. Do not wish to comment.

Natural England

9.7. No comments.

Councillor John Sanders

9.8. The site backs on to Fern Hill Road which is in the proposed Hollow Way South Controlled Parking Zone that requires funding before it can be progressed. The proposed development is for three office blocks with some on-site parking. However, I am concerned for residents of Fern Hill Road who will be impacted by inappropriate parking from this new development. I strongly propose that adequate developer funding is sought for the site to fund the CPZ. Experience of offices in the nearby John Smith Drive developments indicate that office staff who find their own dedicated car parks full will park in nearby residential streets and consequently take up parking spaces for residents and even sometimes block driveways. Fortunately, the Cowley Centre East CPZ has raised funding for its implementation alongside John Smith Drive but a similar solution will urgently be needed if the proposed new office buildings are implemented

**Public representations**

9.9. No third party comments received.

**10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- Principle of development
- Design
- Amenity
- Transport and highways
- Drainage
- Sustainability
- Biodiversity
- Trees
- Air quality

- Land contamination
- Health

**a. Principle of development**

10.2. The National Planning Policy Framework (NPPF) and Oxford Local Plan 2036 Policy RE2 encourage development proposals to make an efficient and appropriate use of previously developed land in a manner that suits the capacity of the site.

10.3. The NPPF encourages weight to be placed on the need to support economic growth and productivity, and in particular in areas with high levels of productivity which should be able to capitalise on their performance and potential (paragraph 80). Decisions should recognise the specific locational requirements of different sectors, including making provision for clusters or networks of knowledge industries (paragraph 82).

10.4. The Oxford Local Plan 2036 sets out Oxford's employment strategy which recognises the importance of the city particularly in the knowledge economy but also seeks to achieve sustainable growth by balancing the supply of labour, housing and infrastructure. Oxford Business Park is designated a Category 1 employment site by policy E1 of the Oxford Local Plan 2036, which seeks to safeguard existing employment sites and resist the loss of protected employment sites.

10.5. The site is also specifically allocated for development within Oxford Local Plan 2036 Policy SP10, which states that planning permission will be granted for B1 and B2 employment uses at Oxford Business Park.

10.6. Notwithstanding the support for the provision of B1 employment use on the site within the above-mentioned policies, the principle of developing Oxford Business Park for B1 business use has already been established through the original outline planning permission 93/01303/NO and the remaining undeveloped plots under the extension to the outline permission 12/01242/EXT. Approximately 18,200m<sup>2</sup> of B1 floorspace on 5.66ha of land remains to be developed from the outline permission. The proposed office buildings would provide 9,293m<sup>2</sup> of floorspace on 1.93ha of land, which would fall within the unfulfilled commitment of the outline planning permission (93/01303/NO and 12/01242/EXT).

10.7. Therefore officers consider that this reserved matters application would fall within the scope of the outline planning permission, as well as complying with relevant Local Plan policies, and would be acceptable in principle.

**b. Design**

10.8. Policy DH1 of the Oxford Local Plan 2036 states that planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness, and where proposals are designed to meet the key design



objectives and principles for delivering high quality development as set out in Appendix 6.1.

- 10.9. Policy DH7 of the Oxford Local Plan 2036 states that planning permission will be granted where it can be demonstrated that external servicing features have been designed as an integrated part of the overall design, or are positioned to minimise their impact.

#### Scale, height, massing and appearance

- 10.10. The proposed buildings are considered to be of a suitable scale having regard to the constraints of the site and to other buildings within the Business Park. Existing buildings within the Business Park are varied in character reflecting their incremental development, but nonetheless are within a range of fairly conventional commercial office building styles, to which the proposals would make a coherent addition. While broadly the park is laid out around formal avenues surrounded by structural landscaping, there is a considerable degree of variation in the layout and orientation of buildings within individual plots, and the relationship of buildings to the roads within the park. Following discussions between officers and the applicant, amendments were made to the layout of plots 8150 and 8200 to increase the separation between the buildings, which is considered to result in a more satisfactory relationship that also helps to break up their overall massing and allow more suitable landscaping.
- 10.11. In terms of their footprint, the proposed buildings are larger in scale than the adjacent buildings at plots 8050 and 8100, but would be of a similar scale to buildings at plots 8600 (Audi dealership), 9000 (David Lloyd gym) and 9600 (John Wiley & Sons). The scale is considered appropriate having regard to the surrounding context, and would also make an efficient use of the site. Furthermore, officers consider that the proposed landscaping would integrate the buildings into the surrounding development, and the siting of the buildings within the plots would be appropriate. It is also noted that, when seen in wider views, the buildings would be viewed through and in the context of surrounding buildings and there would be limited unbroken views of the elevations of the buildings.
- 10.12. The proposed buildings would read as a coherent group, due to their uniform height; the consistent palette of materials and the similar elevational treatment particularly in terms of fenestration. The proposed use of grey bricks and a range of shades of grey cladding, which officers have negotiated, is considered to form a suitable relationship to surrounding buildings within the park and is appropriate for a commercial building of this scale and form. Each of the buildings would feature a prominent glazed entrance lobby addressing Alec Issigonis Way, which would form a positive feature within the streetscene. While the buildings would have relatively long side elevations and would be quite substantial in terms of their massing, the use of varying shades of cladding helps to break up these elevations and ensure they are not overly dominant. Furthermore, as noted above these elevations would be viewed through other surrounding development and officers are satisfied that their visual impact would not be harmful to wider views.

### Landscaping

10.13. The undeveloped plots within the site are vegetated with neutral grassland. Across the park there is an established high quality parkland style landscape with formal avenues of trees, ornamental shrubs and lawns. A detailed Landscape Design and Access Statement has been submitted which proposes a suitable scheme of landscaping that would integrate well with the character and features of the existing landscaping across the park. The proposed landscaping scheme would form a suitable relationship with the proposed buildings, and would help to soften their appearance in wider views. The proposals would also make suitable provision for the protection of existing trees, and the tree and shrub selections are predominantly native species for wildlife benefit; these matters are addressed in more detail in the relevant sections below. Subject to recommended conditions requiring implementation, reinstatement and management of landscaping features the proposals would provide a high quality landscaping scheme that would be a positive feature of the development.

### External servicing features

10.14. A number of ancillary structures are required in association with the proposed development. Electricity substations would be sited to the front of each building, adjacent to Alec Issigonis Way. These would have a height of 2.4 metres, and would be constructed from grey brick to match the main buildings. Officers consider that these structures would sit comfortably against the principal elevations of the buildings, and that the brick construction would be of a suitably high quality given their relatively prominent location.

10.15. External bin stores would also be provided, and these would be sited to the rear of each building. The stores would have a height of 2 metres, and would be constructed from vertical hit and miss timber boarding. This is considered suitable for an ancillary structure, and would be a discrete addition to the site.

10.16. Plant enclosures would be provided for each building. For plot 9200 this would be finished with anthracite cladding panels to match those used in the main building. For plots 8150 and 8200 it is proposed to use vertical hit and miss timber boarding. Officers consider that these features would form an acceptable relationship with the main building that would not detract from the overall appearance of the development.

10.17. Officers consider that the proposed development would be a suitable addition having regard to the existing character and scale of development within the Business Park which would provide a high quality of accommodation for future occupiers and make a positive addition to the wider surroundings of the park. The proposals are considered acceptable in design terms and compliant with policies DH1 and DH7 of the Oxford Local Plan 2036 and paragraph 127 of the NPPF.

### **c. Amenity**

10.18. Policy H14 of the OLP2036 states that planning permission will only be granted for new development that provides reasonable privacy, daylight and

sunlight for occupants of both existing and new homes, and does not have an overbearing effect on existing homes.

- 10.19. Policy RE7 of the OLP2036 states that planning permission will only be granted for development that ensures that the amenity of communities, occupiers and neighbours is protected. Policy RE8 states that planning permission will not be granted for development proposals that will generate unacceptable noise and vibration impacts.
- 10.20. The only nearby residential dwellings are those located on Fern Hill Road to the north of the site. The northern boundary of the site runs adjacent to the boundaries to rear gardens on the south side of Fern Hill Road. These dwellings are on higher ground than the application site, and benefit from rear gardens extending to approximately 30 metres. The proposed buildings on Plots 8150 and 8200 would be separated from the northern boundary of the site by approximately 7 metres. Therefore the buildings would be separated from the dwellings on the south side of Fern Hill Road by approximately 37 metres. The buildings on Plots 8150 and 8200 would also be separated by approximately 30 metres, which would break up their bulk and massing when seen from the dwellings on Fern Hill Road, and their impact would be further softened by the proposed landscaping and tree planting.
- 10.21. The submitted site sections demonstrate that the proposed buildings would not project significantly above the height of dwellings on Fern Hill Road. Having regard to the height of the proposed buildings, the separation distances between dwellings and the proposed development, and the differences in ground level, officers are satisfied that the proposed development would not result in an unacceptable impact of overbearing or loss of outlook to the dwellings or gardens of houses on Fern Hill Road.
- 10.22. The proposed buildings would also comply with the 45 degree line when applied to windows in the rear elevations of dwellings on the south side of Fern Hill Road. Noting this, and the separation distance between the development and the dwellings, officers consider that the development would not result in any unacceptable loss of light or overshadowing to the dwellings on Fern Hill Road.
- 10.23. Given the proposed use of the buildings and the provision of plant, there is some potential for the development to give rise to an increase in noise levels in the vicinity of the site. The proposed development is considered compatible with surrounding development given the wider context of the Business Park, and as noted above dwellings on Fern Hill Road are separated from the buildings by over 30 metres. The plant would be located to the side of each building, further increasing the separation distance from dwellings. To ensure that the development does not give rise to any unacceptable impacts in terms of noise or nuisance a condition is recommended requiring the submission and approval of details of plant, machinery or equipment and mitigation measures. A condition is also recommended restricting hours for deliveries to the site.
- 10.24. The proposed development also has the potential to give rise to impacts on amenity particularly from noise and vibration during construction, which could affect residential properties as well as existing business premises within the park.

To ensure that these impacts are managed and do not cause harm to the amenity of neighbouring residential properties, a Construction Management Plan will be required to demonstrate how these impacts will be managed and mitigated. A condition is recommended accordingly.

10.25. Subject to the recommended conditions, officers are satisfied that the development would not give rise to any harmful impacts to the amenity of neighbouring residential dwellings or surrounding uses within the park during construction or operational phases. The proposals are considered to comply with policies H14, RE7 and RE8 of the Oxford Local Plan 2036.

#### **d. Transport and highways**

10.26. Policy M2 of the Oxford Local Plan 2036 states that a Transport Assessment must be submitted for development that is likely to generate significant amounts of movement, in accordance with the requirements as defined in Appendix 7.1. In addition, development which meets the relevant criteria must include a travel plan. Where a Travel Plan is required under this policy and a substantial amount of the movement is likely to be in the form of delivery, service and dispatch vehicles, a Delivery and Service Management Plan will be required. Policy SP10 states that opportunities should be sought to enhance and promote more sustainable travel modes within the Business Park.

10.27. Policy M3 of the Oxford Local Plan 2036 states that the parking requirements for all non-residential development will be determined in light of the submitted Transport Assessment or Travel Plan, which must take into account the objectives of the 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.

10.28. Policy M4 requires that where additional parking is to be provided in accordance with Policy M3, planning permission will only be granted for non-residential development that includes parking spaces if a minimum of 25% of the spaces are provided with electric charging points.

10.29. Highway impacts arising from development permitted by the outline planning consent for the Business Park were considered and addressed at the time the outline consent was renewed in 2012, and a number of measures to mitigate these impacts on the highway network were secured.

10.30. A Transport Assessment and Framework Travel Plan have been submitted with the application which consider the highway impacts of the proposed development. The proposed buildings will be accessed via new accesses formed off Alec Issigonis Way. A new footpath would be created along the northern side of Alec Issigonis Way. 157 car parking spaces would be provided split across the three buildings, of which 8 would be DDA compliant and 39 would provide electric vehicle charging. 100 cycle parking spaces would be provided also split across the three sites.

#### Highway impacts

10.31. The Transport Assessment provides details of the anticipated multimodal trips generated by the proposed development, with reference to the trip rates considered at outline stage. The trips generated fall within the parameters considered when the outline consent was renewed in 2012, and therefore the development is considered to result in no additional impacts on the highway network beyond what has previously been assessed and for which mitigation has been secured. This is therefore acceptable.

#### Car parking

10.32. The Local Plan does not set specific maximum car parking standards for non-residential development, rather as outlined above it is expected that the number of spaces is considered on a case by case basis in reference to the submitted Travel Plan. The Highway Authority have indicated that they consider the level of car parking provision proposed to be appropriate for the intended use having regard to the aims of the Local Plan to increase sustainable modes of transport. It is also noted that the proposed quantum of car parking represents a very significant reduction in the levels at other sites within the Business Park which accords with the aims of the Local Plan to reduce car parking overall and where possible.

10.33. The submitted Travel Plan provides limited detail as to how future occupiers of the building will be encouraged to shift to more sustainable modes. However, given that the occupiers of each building are not known it is considered that it would be more appropriate for detailed information relevant and specific to each building to be provided once occupiers are known. Accordingly officers are satisfied that it is appropriate to require the submission of detailed Travel Plans for each building prior to occupation, along with a fee to be paid to the Highways Authority for Travel Plan monitoring, which will be secured via a S106 agreement. In addition to measures outlined in a Travel Plan, a total of 11 car sharing spaces are proposed across the site, which would be located in close proximity to the entrance of each building in order to promote their use.

10.34. Concerns raised by a local councillor regarding the impact of the development on parking pressure in surrounding streets, particularly in Fern Hill Road are noted. Comments submitted suggest that contributions towards a proposed controlled parking zone for Hollow Way South should be sought from the development. As noted above, the wider transport impacts of the proposed development were considered at outline stage and mitigation, including financial contributions, were secured at that time. Further mitigation could not be sought via the approval of reserved matters given the impacts are considered to be in line with the parameters of the outline consent. However, a condition is recommended requiring the submission and approval of a Car Parking Strategy prior to the occupation of the development to include details of how car parking will be managed, on and off-site, which it is considered is adequate to address these concerns.

10.35. Officers are satisfied that the development would provide a suitable level of car parking, and that other measures secured through the application including the submission of Travel Plan, car sharing spaces, bicycle parking and the provision of a new footpath along the northern side of Alec Issigonis Way would

help to achieve the objectives of the Plan and policy SP10 to enhance and promote more sustainable travel modes.

### Cycle parking

- 10.36. Policy M5 requires that development provides bicycle parking that complies with or exceeds the minimum bicycle parking provision set out in Appendix 7.4, which in the case of B1 development is 1 space per 90m<sup>2</sup>. Bicycle parking should be well designed, well located, convenient, secure, covered and provide level, unobstructed external access to the street. Policy M5 also requires that non-residential development provides showers and changing facilities in accordance with the thresholds and minimum standards set out in Appendix 7.4.
- 10.37. It is proposed to provide bicycle parking in designated stores for each building. The number of spaces provided for each building would comply with the minimum standards required by policy M5 and appendix 7.4. The cycle parking is considered to be appropriately located within the site to encourage travel by bicycle, and the proposed stores would provide a good standard of secure covered storage. Three showers, with changing facilities would be provided within each building, and one of these in each building would be fully accessible.
- 10.38. The proposed development would provide bicycle parking and associated facilities in accordance with the requirements of policy M5 and is acceptable in this regard.

### **e. Drainage**

- 10.39. The NPPF states that when determining planning applications Local Planning Authorities should ensure that flood risk is not increased elsewhere and that development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that the most vulnerable development is located in areas of lowest flood risk; the development is appropriately flood resistant and resilient; it incorporates sustainable drainage systems; any residual risk can be safely managed; and safe access and escape routes are included where appropriate (paragraph 163).
- 10.40. Policy RE4 of the Oxford Local Plan 2036 states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off. Surface water runoff should be managed as close to its source as possible in line with the drainage hierarchy set out in the policy.
- 10.41. The submitted Flood Risk Assessment states that the site is not within the functional flood plain or at risk from fluvial flooding. Site investigations indicate that the site is suitable for drainage by infiltration.
- 10.42. The originally submitted drainage strategy proposed attenuation drained by a combination of infiltration and connection to mains sewers. Given that the site has been found to be suitable for drainage by infiltration, Oxfordshire County Council Lead Local Flood Authority have objected to the proposal for the

attenuation tanks to be connected to the sewerage network. Following the receipt of these comments an amended drainage strategy has been provided proposing that the attenuation tanks would rely solely on infiltration.

10.43. Pervious paving is proposed across the hard surfaces of the site other than those to be used by HGVs, and it is proposed that the car parking areas would be allowed to flood in high rainfall events.

10.44. Following the submission of the amended drainage strategy the Lead Local Flood Authority have been re-consulted in order to agree to the final drainage proposals. Officers are satisfied that the principles of the drainage strategy would be in accordance with the requirements of policy RE4 for sites to be drained through Sustainable Drainage Systems, but confirmation that the technical information and resulting calculations are acceptable is required from the County Council.

10.45. The final recommendation is anticipated to be subject to an additional condition(s) in respect of surface water drainage.

#### **f. Sustainability**

10.46. Policy RE1 of the Oxford Local Plan 2036 states that planning permission will only be granted where it can be demonstrated that the sustainable design principles listed have been incorporated. Non-residential development proposals are required to meet BREEAM excellent standard in addition to achieving a 40% reduction in carbon emissions compared with the 2013 Building Regulations compliant base case. In terms of water efficiency, non-residential developments are required to meet the minimum standard of four credits under the BREEAM assessment.

10.47. An Energy Statement has been submitted that demonstrates the proposed development would achieve the required reduction in carbon emissions, and would meet BREEAM excellent and the water efficiency standard. Subject to a condition requiring compliance with measures outlined in the statement, the proposed development would comply with the requirements of policy RE1 of the Oxford Local Plan 2036.

#### **g. Biodiversity**

10.48. The NPPF states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity or geological value and minimising impacts on and providing net gains for biodiversity (paragraph 170).

10.49. Policy G2 of the Oxford Local Plan 2036 states that development that results in a net loss of sites and species of ecological value will not be permitted. Compensation and mitigation measures must offset the loss and achieve an overall net gain for biodiversity. For all major developments proposed on greenfield sites or brownfield sites that have become vegetated, this should be measured through use of a recognised biodiversity calculator. To demonstrate an

overall net gain for biodiversity, the biodiversity calculator should demonstrate an improvement of 5% or more from the existing situation.

- 10.50. Site allocation policy SP10 states that a biodiversity survey will be expected to assess the biodiversity value of the undeveloped plots on the site and it should be demonstrated how harm will be avoided, mitigated or compensated.
- 10.51. An Ecological Assessment has been undertaken and its findings submitted with the application and lengthy discussions have taken place with Officers to ensure that biodiversity net gain can be achieved on site as opposed to off-site compensation. The site comprises two neutral grassland areas bisected by Alec Issigonis Way. The site also supports small areas of scrub, amenity planting, semi-improved grassland and trees. The site is not subject to any statutory or non-statutory designations, and is considered to be located a sufficient distance from any such sites that the development would result in no adverse direct or indirect effects to such sites. No evidence of protected species was recorded, and the habitats within the site comprise mainly common and widespread species of limited ecological interest.
- 10.52. The exception to this is areas of grassland within the development that support Bee Orchids. The Ecological Assessment recommends that these areas of grassland are retained and incorporated into the development.
- 10.53. The development proposes the translocation of the areas of grassland supporting Bee Orchids, and a number of measures to achieve a biodiversity net gain on site including extensive planting of native hedgerow as part of the landscaping proposals, as well as measures installed on the buildings such as bat and bird boxes.
- 10.54. The Defra Biodiversity Metric 2.0 has been used to assess the baseline habitat units of the site and the habitat units following the proposed development including compensation measures. The calculation finds that the development would result in a loss of neutral grassland habitat units but would result in a substantial gain in hedgerow units (809.35%).
- 10.55. Having regards to the existing characteristics of the site, and the need to make an efficient use of the site particularly given its allocation for employment uses, officers are satisfied that the proposals would make acceptable provision for biodiversity net gain on the site. To secure these measures, conditions are recommended requiring the submission, approval and implementation of a detailed scheme of ecological enhancements, and a Landscape and Ecological Management Plan.
- 10.56. Subject to the recommended conditions, officers consider that the proposed development would not result in the loss of species of ecological value and would achieve an overall net gain for biodiversity on site in accordance with policies G2 and SP10 of the Oxford Local Plan 2036.

#### **h. Trees**



- 10.57. Policy G7 of the Oxford Local Plan 2036 states that planning permission will not be granted for development that results in the net loss of green infrastructure features such as hedgerows, trees or woodland where this would have a significant adverse impact or public amenity or ecological interest.
- 10.58. As noted above the site is vegetated with neutral grassland with areas of mixed scrub and a small number of trees to the northern boundary of the site. The only notable features proposed for removal are a portion of mixed low scrub and a birch tree (T12) from the northern boundary of the site. Officers consider that the proposed landscape planting proposals including tree planting to the perimeters of each plot to continue the existing formal treed avenues would provide suitable mitigation for the removal of existing features. The structural design of the proposed tree planting takes account of the surrounding existing landscape character and will make a positive contribution to the wider landscape and appearance of the park.
- 10.59. There are existing semi-mature landscape trees located along the western and southern boundaries of plot 9200 and to the eastern boundary of plot 8200 which will need to be protected during the course of the development to ensure their viability is not compromised. The Landscape Design and Access Statement proposes tree protection measures, which are also detailed in submitted drawings. Subject to a condition recommending compliance with the proposed tree protection measures, officers are satisfied that the proposed development would not compromise retained trees.
- 10.60. The proposals would not result in a net loss of green infrastructure features that would have a significant adverse impact on public amenity or ecological interest. The application proposes suitable and high quality landscape planting including tree planting, and makes provision for protection of retained trees. As such officers consider the proposals are compliant with policies G7 and G8 of the Oxford Local Plan 2036.

**i. Air quality**

- 10.61. The NPPF states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environment conditions such as air and water quality (paragraph 170).
- 10.62. Policy RE6 of the Oxford Local Plan 2036 states that planning permission will only be granted where the impact of new development on air quality is mitigated and where exposure to poor air quality is minimised or reduced.
- 10.63. An Air Quality Assessment has been submitted with the application which considers the impacts to air quality arising from the development including in relation to road traffic emissions generated by increased traffic associated with the proposals. The assessment establishes that mitigation measures to reduce the impacts of the development on air quality concentrations are not required, although transport related mitigation measures are to be employed as outlined in

the highways section, above which would reduce emissions from the development. This includes the provision of Electric Vehicle charging points to 25% of car parking spaces within the development in accordance with the requirements of Policy M4 and which will be secured by condition. The operational effects of the proposed development are found to be 'not significant' in air quality terms.

10.64. The development has the potential to give rise to impacts to air quality during construction from dust. Dust mitigation measures to control these impacts are required, and accordingly a condition is recommended requiring the submission and approval of a Construction Environment Management Plan detailing site specific mitigation measures.

10.65. Subject to the recommended conditions officers consider that the proposed development would not give rise to any unacceptable impacts to air quality and would comply with Policy RE6 of the Oxford Local Plan 2036.

#### **j. Land contamination**

10.66. The NPPF states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination, which includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation; and that adequate site investigation information is available to inform these assessment (paragraph 178).

10.67. Policy RE9 of the OLP2036 sets out the requirements for applications where proposals would be affected by contamination or where contamination may present a risk to the surrounding environment. These include details of investigations carried out to assess the nature and extent of contamination and possible impacts on the development and future users, biodiversity, and the natural and built environment; and detailed mitigation measures.

10.68. A Land Quality Assessment has been submitted with the application. It is clear from historical records that the site was previously utilised for vehicle manufacture and therefore potentially significant contamination risks may be present with the made ground at the site. It is therefore essential that an intrusive ground contamination investigation is carried out at the site to assess and quantify any potential contamination risks, as recommended in the submitted Land Quality Assessment.

10.69. Conditions are recommended requiring the completion of a phased risk assessment prior to the commencement of development, a watching brief during the course of the development, and the completion of any required remedial works prior to occupation. Subject to these conditions officers are satisfied that the proposed development would not result in any unacceptable impacts in terms of contaminated land or contamination to surrounding environments, and would comply with policy RE9 of the Oxford Local Plan 2036 and paragraph 178 of the NPPF.

#### **k. Health**

10.70. Paragraphs 91-95 of the NPPF set out the requirement for planning decisions to aim to achieve healthy, inclusive and safe places which includes promoting social interaction, delivering safe and accessible places and supporting healthy lifestyles. Local Plan Policy RE5 outlines the aim to promote strong vibrant and healthy communities. Major development proposals must provide a Health Impact Assessment (HIA) which should include details of implementation and monitoring.

10.71. The applicant has submitted a HIA as well as the self-completing matrix template as recommended and referenced in Appendix 4 of the Local Plan. The submitted HIA has considered each of the 11 topics/broad assessment criteria as identified in the guidance and assessed the impact the proposal will have on the construction and operational period of each criterion, whilst the matrix has summarised these key issues.

10.72. Officers concur with the assessment of each of the criteria and given the development is for business rather than residential use consider that some criteria are of limited relevance. No significant impacts are identified in the assessment; negative impacts identified are predominantly those arising during construction from potential noise, dust etc, and these impacts are assessed elsewhere in this report and will be controlled and managed through conditions imposed. A number of benefits are identified, relating to healthy workplaces including accessibility and active travel; work and training and minimising the use of resources. There are unlikely to be any significant health benefits to the wider residential areas other than work and training provisions.

10.73. The submitted HIA is considered to be proportionate to the proposals and their likely impacts, and has identified a number of positive impacts arising from the development. No negative impacts requiring mitigation are identified. Officers are satisfied that the applicant has demonstrated that consideration has been given to each of the broad criteria and that policy RE5 of the Oxford Local Plan 2036 has been complied with.

#### **I. Planning obligations**

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

- Financial contribution of £7,038 to be paid to Oxfordshire County Council Highways Authority towards Travel Plan monitoring.

#### **m. Other matters**

10.75. Officers consider that, on present evidence including the findings of archaeological work conducted following the grant of outline planning permission, the proposed development would not be likely to have below ground archaeological implications. No further investigation or recording is considered to be required and the proposals would comply with policy DH4 of the Oxford Local Plan 2036.

## 11. CONCLUSION

- 11.1. On the basis of the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes it clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. In the context of all proposals paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development. This means approving development that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

### *Compliance with development plan policies*

- 11.3. Therefore, in conclusion, it is necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.
- 11.4. In summary, the proposed development would make a positive contribution to Oxford's economy, which is considered a substantial benefit and is supported by the overall objectives of the Oxford Local Plan 2036 and policies E1 and SP10, as well as by paragraphs 80 and 82 of the NPPF. The visual impact of the proposals is considered acceptable and compliant with policy DH1. The development would not have any unacceptable impacts in terms of highways and traffic, including to pedestrians and cyclists, and is compliant with policies M2, M3, M4, M5 and RE7 in this respect. The proposals would have potential limited short terms impacts on amenity during construction but these can be managed in such a way that they would not be unacceptably detrimental to amenity, including in terms of noise and other nuisance, but would otherwise not be detrimental to amenity, and are compliant with RE7 and RE8. Environmental impacts in terms of drainage, contaminated land, green infrastructure features, biodiversity and air quality, particularly arising during construction, can be managed and would be acceptable and compliant with policies G2, G7, RE3, RE4, RE6, RE7 and RE9.
- 11.5. Therefore officers consider that the proposals would accord with the development plan as a whole.

### *Material considerations*

- 11.6. The principal material considerations which arise are addressed above, and follow the analysis set out in earlier sections of this report.

11.7. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.

11.8. Officers would advise members that, having considered the application carefully, including all representations made with respect to the application, the proposals are considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Local Plan 2036, and that there are no material considerations that would outweigh these policies.

11.9. Therefore, it is recommended that the Committee resolve to grant planning permission for the proposed development subject to the conditions set out in section 12 of this report and to the prior completion of an agreement or unilateral undertaking made pursuant to section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the matter referred to in the report and subject also to the other matters referred to in the recommendation.

## **12. CONDITIONS**

- 1 No additional mezzanine office floorspace shall be created within the three buildings hereby approved without the prior written consent of the Local Planning Authority.

Reason: To ensure the development remains within the constraints of the outline planning permission ref: 12/01424/EXT and does not prejudice the development of the remaining plots within Oxford Business Park that benefit from outline consent in accordance with policy SP10 of the Oxford Local Plan 2036.

- 2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and enacting that Order with or without modification) no extensions to the buildings hereby approved and no additional hardstanding other than those hereby approved as defined in Classes F and G of Part 1 of Schedule 2 of the Order shall be erected or undertaken without the prior written consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to give consideration to additional floor areas created with regard to the car parking provision on site and impacts to the amenity of neighbouring residential buildings in accordance with policies M3 and H14 of the Oxford Local Plan 2036.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and enacting that Order with or without modification) no change shall be made to the use of the buildings including those provided for in Part 3 of Schedule 2 of the Order without the prior written consent of the Local Planning Authority.

Reason: To protect employment use and allow consideration to be given to any other uses in accordance with the aims of Policies E1 and SP10 of the Oxford Local Plan 2036.

- 4 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), the use of the buildings hereby approved shall be confined to a use within Class E(g) (previously Class B1) of the Order and shall be used for no other purpose including any other purpose within Class E (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect employment use and allow consideration to be given to any other uses in accordance with the aims of Policies E1 and SP10 of the Oxford Local Plan 2036.

- 5 Prior to the commencement of the approved development, samples of the materials to be used in the external construction of the approved development shall be submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall be used.

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

- 6 The landscaping proposals hereby approved and detailed in the documents listed below shall be carried out no later than the first planting season after first occupation or first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority. Approved details: Macgregor and Smith Landscape Design and Access Statement May 2020  
Vegetation Retention and Removal Plan 1257-101 REV P4  
Planting Plans: 1257-101 REV P4, 1257-201 REV P4, 1257-203 REV P4, 1257-204 REV P4  
Hardworks Plan 1257-301 REV P4  
Typical Tree Pit in Soft 1257-401 REV P1  
Typical Tree Pit in Hard 1257-402 REV P1

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

- 7 Any existing retained trees, or new trees or plants planted in accordance with the details of the approved landscape proposals that fail to establish, are removed, die or become seriously damaged or defective within a period of five years after first occupation or first use of the development hereby approved shall be

replaced. They shall be replaced with others of a species, size and number as originally approved during the first available planting season unless otherwise agreed in writing by the Local Planning Authority.

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

- 8 Prior to first occupation or first use of the development hereby approved a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules and timing for all landscape areas, shall be submitted to, and approved in writing by, the Local Planning Authority. The landscape management plan shall thereafter be carried out as approved by the Local Planning Authority.

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

- 9 The development shall be carried out in strict accordance with the tree protection measures contained within the planning application details shown on drawing number Dwg. 1257-101, Rev: P4 unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

- 10 Prior to commencement of aboveground works, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The mitigation measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the typical background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:1997 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. The approved mitigation measures shall be implemented prior to occupation of the development and thereafter be permanently retained and adhered to.

Reason: In the interests of amenity of nearby residential properties in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

- 11 Prior to the commencement of development, a Construction Management Plan which details measures to be taken to minimise noise, vibration, odour, fumes and dust during the construction phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved Construction Management Plan.

Reason: To ensure that the amenity of nearby residential properties is protected

in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

- 12 Prior to first occupation of each building a Full Travel Plan for each of the plots shall be submitted to and approved in writing by the Local Planning Authority. The respective approved Travel Plans shall be implemented prior to the occupation and operation of each building in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To promote sustainable modes of transport in accordance with Policy M2 of the Oxford Local Plan 2036.

- 13 Prior to the commencement of development a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP 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 hours,
- Engagement with local residents

The development shall be carried out in complete accordance with the approved Construction Traffic Management Plan.

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 RE7 of the Oxford Local Plan 2036.

- 14 Prior to the occupation of the approved development a Servicing and Delivery Management Plan shall be submitted to and be approved in writing by the Local Planning Authority. This shall include:

- a plan showing the location vehicles will use for deliveries
- full tracking drawings for vehicles entering the site, turning and exiting in a forward gear
- details of the management of deliveries which state that deliveries will not take place between the peak hours of 07:30-09:30 or 16:30-18:30.

The development shall be carried out in complete accordance with the approved plan.

Reason: In the interests of highway safety and network management and the



amenity of neighbouring properties in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

- 15 Prior to occupation of each building, cycle parking in accordance with the details hereby approved shall be provided on site. The approved cycle parking shall thereafter be retained for the purposes of cycle storage only unless agreed otherwise in writing by the Local Planning Authority.

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

- 16 Prior to the commencement of development, details of the Electric Vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle infrastructure shall be formed and laid out in accordance with the approved details before each building is occupied and shall remain in place thereafter.

Reason: To contribute to improving local air quality in accordance with policies M4 and RE6 of the new Oxford Local Plan 2016- 2036.

- 17 Prior to occupation of the approved development, a Car Parking Strategy that clearly sets out how car parking will be managed on site in order to mitigate the impact of this development, shall be submitted to and approved in writing by the Local Planning Authority. The approved Car Parking Strategy shall be implemented on first occupation of the buildings or any one of them hereby permitted and the development shall be occupied and operated in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority. The car parking on site shall be used solely by the occupiers of the permitted buildings and shall continue to be so used unless the prior written agreement to do otherwise is obtained from the Local Planning Authority.

Reason: To effectively manage the demand for car parking on site, reduce the potential for overspill parking on surrounding roads, and encourage the use of sustainable travel, in accordance with local policy M2 of the Oxford Local Plan 2036.

- 18 Prior to occupation of each building, car parking in accordance with the details hereby approved shall be provided on site. The approved car parking shall thereafter be retained for the purposes of car parking only unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with policy RE7 of the Oxford Local Plan 2036

- 19 Prior to occupation of the approved development, the pedestrian footway along the northern side of Alec Issigonis Way shall be laid out in complete accordance with the details hereby approved.

Reason: To encourage the use of sustainable travel, in accordance with policy M2 of the Oxford Local Plan 2036.

- 20 The development hereby approved shall not be occupied until confirmation has been provided to the Local Planning Authority that either:
- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or
  - a development and infrastructure phasing plan has been agreed in writing with Thames Water to allow the development to be occupied.

Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development in accordance with policy V8 of the Oxford Local Plan 2036.

- 21 The development shall be carried out in complete accordance with the measures outlined in the submitted Energy Strategy Report (OBP-SPIE-XX-XX-RP-N-8302 Rev 02) dated 1st May 2020 unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is of a sustainable design and meets the carbon reduction targets outlined in Policy RE1 of the Oxford Local Plan 2036.

- 22 The lighting plan hereby approved shall be implemented in complete accordance with the External Lighting Scheme plan (OBP-SPIE-XX-XX-DR-E-3000 P01) before first occupation of the development. No external lighting shall be installed on site without the prior written approval of the Local Planning Authority.

Reason: In the interests of public safety and amenity in accordance with policies RE7 and DH1 of the Oxford Local Plan 2036.

- 23 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to occupation. The content of the LEMP shall include the following:

- Description and evaluation of features to be managed, both on and off-site;
  - Ecological trends and constraints on site that might influence management; Aims and objectives of management;
  - Appropriate management options for achieving aims and objectives;
  - Prescriptions for management actions;
  - Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
  - Details of the body or organization responsible for implementation of the plan;
- and

- Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. Long-term management shall be for a minimum of 20 years.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.

Reason: The prevention of harm to species and habitats within and outside the site during construction in accordance with Policy G2 of the Oxford Local Plan 2036.

- 24 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 shall include confirmation of 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. Other features, such as hedgehog domes and invertebrate houses shall be included. Any new fencing shall include gaps for the safe passage of hedgehogs. The development shall be carried out in accordance with the approved details.

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.

- 25 Prior to the commencement of development, a Reasonable Avoidance Measures Method Statement (RAMMS) for hedgehogs shall be submitted to, and approved in writing by, the Local Planning Authority to ensure that killing or injuring of hedgehogs that may be present within the site are avoided during site clearance. The development shall be carried out in accordance with the approved Statement.

Reason: The prevention of disturbance to species within the site during development in accordance with Policy G2 of the Oxford Local Plan 2036.

- 26 Prior to the commencement of any excavations on site the areas of grassland which support Bee Orchids shall be translocated to the areas identified in the submitted 'Bee Orchid Translocation Plan' 1228-201 REV D.

Reason: The prevention of harm to species and habitats within and outside the site during construction in accordance with Policy G2 of the Oxford Local Plan 2036.

27 All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended). 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.

Reason: To ensure the development does not result in any harm to wild birds during their nesting period in accordance with policy G2 of the Oxford Local Plan 2036.

28 Prior to the commencement of development a Construction Environmental Management Plan (CEMP), containing the site specific dust mitigation measures identified for this development, shall be first submitted to and approved in writing by the Local Planning Authority. The specific dust mitigation measures that need to be included and adopted in the referred plan can be found on pages 25-27 of the reviewed Air Quality Assessment that was submitted with this application. The development shall be carried out in accordance with the approved CEMP.

Reason: To ensure that the overall dust impacts during the construction phase of the proposed development will remain as “not significant”, in accordance with the results of the dust assessment, and with Policy RE6 of the new Oxford Local Plan 2016- 2036.

29 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 by the Local Planning Authority.

- Phase 1 shall incorporate a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model and preliminary risk assessment; this has been completed and approved (12/01424/CND) and the findings and conclusions of this phase shall inform phases 2 and 3.
- Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals.
- Phase 3 requires that a remediation strategy, validation plan, and/or monitoring plan be submitted to and approved in writing by the Local Planning Authority to ensure the site will be suitable for its proposed use.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in

accordance with the requirements of policy RE9 of the Oxford Local Plan 2016-2036.

- 30 The development shall not be occupied until any approved remedial works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

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

- 31 A watching brief shall be undertaken throughout the course of the development to identify any unexpected contamination. Any contamination that is found during the course of construction of the approved development shall be reported immediately to the Local Planning Authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

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

### **13. INFORMATIVES**

- 1 There are water mains crossing or close to the development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near Thames Water's mains (within 3m) they will need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read their guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-nearor-diverting-our-pipes>
- 2 The proposed development is located within 15m of Thames Water's underground water assets. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read Thames Water's guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near their pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)

## **14. APPENDICES**

- **Appendix 1** – Proposed block plan

## **15. HUMAN RIGHTS ACT 1998**

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

## **16. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

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