

Planning Committee:

15th June 2021

Application number: 16/03006/FUL

Decision due by 23rd March 2017

Extension of time 9th April 2021

Proposal Mixed use phased development comprising residential (Use Class C3), hotel (Use Class C1), retail (Use Class A1/A3/A4) with associated car parking, demolition of car park, high level walkway and public house, public realm improvements, landscaping, highways and refurbishment of car parks and enhancement to shopping centre entrances. (amended information)(amended plans)

Site address Templars Square, Between Towns Road, Oxford, Oxfordshire – see **Appendix 1** for proposed site plan

Ward Cowley Ward

Case officer Felicity Byrne

Agent: Miss Amy Jones **Applicant:** Mr Jamie Whitfield

Reason at Committee Major development

1. RECOMMENDATION

1.1. The committee is recommended to:

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

- the satisfactory completion of a legal agreement under section.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and

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

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

obligations detailed in the heads of terms 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. Section 70(2) of the Town and County Planning Act 1990 requires that the Local Planning Authority have regard to any material consideration before finally determining an application. This report considers the material considerations arising since the East Area Planning Committee (“EAPC”) resolved to grant full planning permission on 5th July 2017 and since March 2020 when Officers last considered the material considerations under delegated authority.
- 2.2. The unexpected delay in the issuing the decision has been due to delays relating to finalising a section 278 agreement between the Applicant and the County Council, the section 106 agreement between the City council and the applicant and a land purchase agreement between the Applicant and City Council required to enable the development to take place.
- 2.3. The adoption of the Oxford Local Plan 2036 (OLP36) and the changes to the NPPF are material considerations and Officers have previously considered the implications of these material changes in circumstances as set out in the Officers Delegated Report of 9th March 2020 at Appendix 2. Officers concluded that whilst the NPPF had been revised and increasing weight was being given to emerging policies in the Oxford Local Plan 2036 these changes were not so materially different as to alter the Officers’ recommendation to EAPC and warrant re-consideration of the application at committee and, if referred back it was considered that EAPC’s decision to approve the development subject to the completion of the section 106 agreement would be the same. It was therefore considered that it was appropriate, reasonable and legally sound to follow through with the original decision of the planning committee.
- 2.4. The implementation of the Cowley Centre (West) Controlled Parking Zone (CPZ) on 5th March 2021 is a recent material consideration and affects only ‘Site A’ within the application site. Site A is currently a multi-story car park that would be demolished and 97 residential units with 46 car parking spaces (including one disabled space) would be provided. The new CPZ therefore consequently changes how Policy M3 of the OLP36 is applied in respect of Site A, which should be car free. Officers also identified another material change in air quality. The application has subsequently been re-advertised including as a departure from the OLP36 in respect of Site A.
- 2.5. Additional supporting information submitted by the Applicant including air quality, transport and viability of the scheme in respect of affordable housing updates have been considered, together with public comments received.

- 2.6. Officers conclude that Site A of the development should be car free in accordance with policy M3 and therefore this element of the proposal does not accord with policy M3. However, there are other key material considerations specific to this case that on balance outweigh the need to comply with policy M3. Firstly, the removal of the current multi-storey car park which is presently on Site A would result in a significant reduction in parking on site (424 spaces) and a reduction in traffic movements to the District Centre by vehicle. The new CPZ would now mitigate against indiscriminate car parking in the area. Overall the whole development would result in a reduction of 566 car parking spaces from 876 spaces to 310 spaces. Again this would be a significant reduction in traffic movements to the District Centre by vehicle. The development overall would significantly reduce car parking by 556 spaces and traffic generation in the area in accordance with the aims of the OLP36 to reduce traffic movements, improve air quality and generate a shift modal travel to foot, cycle and public transport.
- 2.7. Secondly, the viability of the scheme and ability to provide the 51 affordable units is less viable now than when reviewed in 2020 due to the events of the last year. The parking that is being provided on Site A would increase the value of the residential units on the site which contributes towards the viability of the development, enabling the provision of affordable housing which would otherwise not be possible. Site A is in Phase 1 of the development providing private sales that would financially enable the development of Phase 2 which includes the affordable housing.
- 2.8. Lastly, the development would provide significant public benefits that would be delivered from the scheme including a high quality mixed use development, public realm improvements (new pavement, seating, tree & soft landscaping, public art etc.), highway improvements (including cycle lane and bus turning circle) and much needed regeneration of the area. It would significantly contribute towards the Council's delivery of housing over the plan period.
- 2.9. Officers conclude that these material considerations on balance outweigh the Policy M3 requirement in this case.
- 2.10. In respect of Air Quality the information satisfactorily demonstrates that there has been no material change since 2017.
- 2.11. The Officer's recommendation to approve therefore remains. The Planning Committee is requested to re-confirm EAPC's resolution to grant planning permission and delegate to Officers to issue the decision subject to conditions and a S106 legal agreement.

3. LEGAL AGREEMENT

- 3.1. This application is subject to a legal agreement to cover affordable housing provision and a contribution of £55,000 towards the John Allen Park improvements.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for CIL amounting to £1,289,548.89.

5. SITE AND SURROUNDINGS

5.1. Templars Square Shopping Centre is situated within eastern suburb of Oxford on Between Towns Road, Crowell Road, Barns Road and Hockmore Street and lies to the east of the historic core of Oxford City Centre within Cowley Primary District Shopping Area, see Appendix 1. The surrounding area is a mix of commercial uses and early 20th Century residential suburbs, close to the eastern Business Parks and industrial areas. The shopping centre was originally constructed in the 1960's together with 3 multi storey car parks. Eventually the originally open air shopping centre was covered over and whilst changes and improvements have been made both internally and externally with one or two new buildings on Between Towns Road (e.g. William Morris PH), much of it is still mid-20th Century in appearance.

5.2. The application site comprises 3 larger development sites with the Shopping Centre (Sites A, D & F) as follows:

- Site A: Castle Car Park - located in between Crowell Road, Beauchamp Lane, and Between Towns Road
- Site D: The former Nelson Public House and Barns Road Car Park – located at the eastern end of Between Towns Road at its junction with Barns Road
- Site F: Retail Parade - located between the Northern Entrance to the centre and Banjo Road.

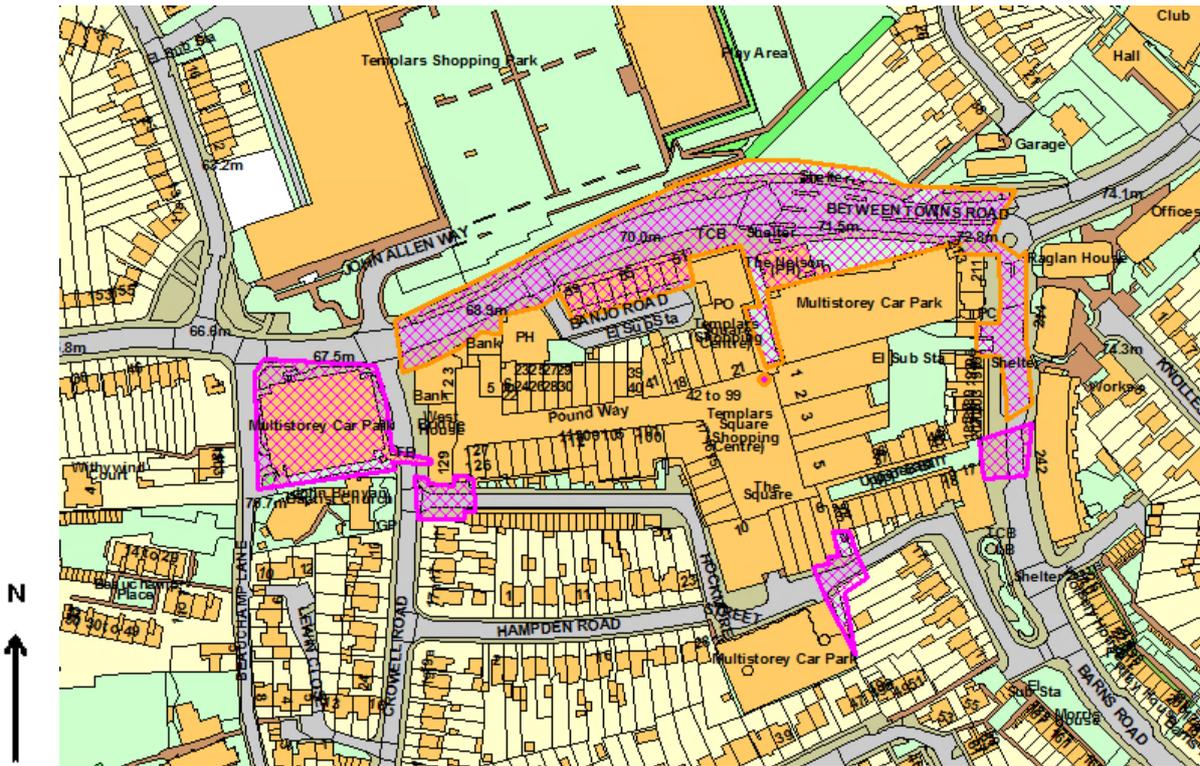
5.3. In addition Site A, D and F, a number of smaller sites are also included consisting of existing shopping centre entrances, façade treatments to the shopping centre and car parks, extensions to the Barns Road and Knights Road Carparks (the rest of these car parks are outside the application red line) and the whole of the public realm of Between Towns Road itself.

5.4. Site A lies adjacent to the Beauchamp Lane Conservation Area (CA) and within the setting of No.1 Beauchamp Lane which is a circa 17th Century thatched cottage and Grade II listed. The CA is a small area characterised by its rural village appearance and charm predominated by residential houses with front gardens informally planted with trees and shrubs. Many buildings and boundary walls are constructed in stone and interspersed through the houses are a Church and old school buildings. Beauchamp Lane, as its name suggests is a narrow vehicular lane, which typifies the character of the CA.

5.5. Officers revisited the site in February 2021 and 27th May 2021, and there have been no material changes to the site or adjacent buildings/ properties since March 2020.

5.6. The County Council has proposed new Controlled Parking Zones (CPZs) within the City, and the Cowley (West) CPZ covers 'Site A' of the application site. It was implemented on 15th March 2021. This is a material change.

5.7. See block plan below:



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6. BACKGROUND TO THE PROPOSAL

6.1. Application 16/03006/FUL was considered by East Area Planning Committee (“EAPC”) on 5th July 2017. A copy of the report is at Appendix 2. The Committee resolved to approve the application in accordance with the Officers’ recommendation. This required the prior completion of an agreement made pursuant to section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the affordable housing and a financial contribution towards public amenity improvements in John Allen Park.

6.2. When considering planning applications the Local Planning Authority must have regard to the provisions of the development plan and local finance considerations, i.e. CIL, so far as material to the application, and any other material considerations in accordance with s70 of the Town and Country Planning Act 1990.

6.3. In recognition of the fact that the original decision by the East Area Planning Committee was taken in July 2017, a delegated Officers report to the Head of Planning Services was issued in March 2020 (at Appendix 3). The report considered whether there had been any changes in policy or to other material considerations such that the Committee should review its decision. Officers recommended that at that time the application did not need to go back to EAPC for their re-consideration and the decision notice should be issued on finalisation of the recommended conditions and finalisation and completion of the S106 agreement, in accordance with the EAPC’s resolution of 5th July 2017. The Head of Planning Services agreed with the Officers recommendation and that permission should be issued.

6.4. Subsequent to the officers last report it has taken further time to progress the S106 agreement and the S278 agreement with the Applicant and County Council. This report considers any further material considerations that have arisen since the report of March 2020. This report should be read in conjunction with the March 2020 report.

7. RELEVANT PLANNING HISTORY

7.1. There is no relevant planning history for the application site.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic			
Design	117-123, 124-132	RE1 Sustainable design and construction RE2 Efficient Use of Land H14 Privacy, daylight and sunlight H15 Internal space standards H16 Outdoor amenity space standards DH6 Shopfronts and signage DH7 External servicing features and stores	TAN 2 Waste Storage
Conservation/ Heritage	184-202	DH1 High quality design and placemaking DH2 Views and building heights DH3 Designated heritage assets DH4 Archaeological remains	TAN 7: High Buildings
Housing	59-76	H1 The scale of new housing provision H2 Delivering Affordable Homes H4 Mix of dwelling sizes	TAN 1 Housing
Commercial	170-183	V1 Ensuring the vitality of centres V4 District and Local Centre shopping Frontages V5 Sustainable Tourism	

Natural environment	91-101	RE3 Flood management RE4 Sustainable drainage, surface and ground water flow RE7 Managing the Impact of Development G2 Protection of biodiversity and geo-diversity G8 Protection of existing Green Infrastructure features G9 New and enhanced Green and Blue Infrastructure Network Features	Risk TAN 7: High Buildings TAN 9: Green Spaces
Social and community	102-111	RE5 Health, wellbeing and Health Impact Assessments SP3 Cowley Centre – Site Allocation for Cowley Centre (including Templars Square)	TAN 5 Health Impact Assessments
Transport	117-123	M1 Prioritising walking, cycling and public transport M2 Accessing and managing development (TA) M3 Motor vehicle parking M4 Provision of electric charging Points M5 Cycle parking	
Environmental	117-121, 148-165, 170-183	RE6 Air Quality RE9 Land Quality	
Miscellaneous	7-12	S1 Presumption in Favour of Sustainable development	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 19th May 2021 and an advertisement was published in The Oxford Times newspaper on 20th May 2021. A 21 day consultation period was given in accordance with current COVID-19 Government guidelines.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. The response from the Highways Authority is summarised as follows:

9.3. Since the last response in 2017, the Oxford Local Plan 2036 has been adopted which replaces previous transport policies. Policy M3 of the Oxford Local Plan sets out car parking standards for residential and non-residential developments. This states that within a Controlled Parking Zone (CPZ), residential dwellings should be car-free.

9.4. The proposal results in a reduction of 566 parking bays across the development but retains 46 spaces for residents in Site A which falls within the CPZ.

9.5. As part of the scheme, the applicant is proposing cycle improvements to Between Towns Road. In July 2020, the government released LTN 1/20 which offers guidance on cycle infrastructure. The current proposals do not meet the standards set within LTN 1/20; therefore, a condition has been included to ensure the proposals meet the requirements of the new standards.

9.6. There are currently Low Traffic Neighbourhoods (LTNs) being trialled in the local area. These reduce through-traffic on several residential roads which in-turn relocate traffic onto the main routes within the area, namely Between Towns Road. This therefore changes the characteristic of traffic flows in the area, however, as the LTNs are only in place on a trial basis and therefore considered temporary (at the current time), this cannot be taken into account and are not a material consideration in this case

9.7. The scheme is providing transport improvements in the area, including an improved bus stop with real time information and a new bus turning area which will improve public transport services. The applicant is also proposing a large reduction in car-parking which will have benefits to traffic flows and modal shift, a contribution towards the local CPZ and public realm improvements. As such, Oxfordshire County Council do not object to the application despite the recent changes in policy.

Oxfordshire County Council (Lead Local Flood Authority)

9.8. LLFA have no comments to make. All drainage aspects will be reviewed upon submission of Discharge of Conditions applications.

Thames Water Utilities Limited

9.9. No comments received at the time of writing the report, Committee will be verbally updated.

Environment Agency

9.10. No comment to make.

Royal Society for the Protection of Birds

9.11. Requests measures to ensure that swift nest bricks are incorporated into this major development as a biodiversity enhancement.

Cherwell District Council

9.12. Our position remains as stated in our letter dated 20th April 2017 (reference 17/00722/ADJ) and we do not wish to object to the proposed development.

Historic England

9.13. No comment to make.

Public representations

9.14. At the time of writing the report, one comment from Bulan Road on behalf of the Cowley Area Transport Group was received as a result of re-advertisement on this application. Any further comments will be verbally updated to committee.

9.15. In summary, the main points of comment were:

- The revised site plan shows a cycle lane on the Southern side of Between Towns Road leading from Oxford Road stop several yards before the crossroads with Crowell Road/ John Allen Centre.
- Between Towns Road/ Church Cowley Road has been identified as a Quickway Cycle Route which provides a continuous route for cyclists with minimal delay, diversions or the need to stop.
- Local Transport Note (LTN) 1/20 sees 1.5m min cycle lane width.
- The cycle lane should allow for cargo bikes (min 1.7m width).
- The cycle lane/ junction does not meet the Local Transport Note 1/20 of July 2020, Department for Transport.
- Bike cannot reach the advance stop line provided.
- The cycle lane should be stepped rather than painted.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Central Government Advice and Local Development Framework
- Transport
- EIA & Air Quality
- Other Matters

a. Central Government Advice and Local Development Framework

10.2. Since the Officers delegated report in March 2020, the current edition of the National Planning Policy Framework is still in place and has not materially changed. The Oxford Local Plan 2036 (OLP36) was adopted in June 2020. Officers considered the relevant emerging local plan policies in the March 2020 report. There were no significant material changes to the relevant emerging

policies as a result of adoption. With the exception of Policy M3, discussed below, in respect of other relevant policies, adoption has not altered the Officers previous consideration and recommendation in the March 2020 report.

b. Transport

Car Parking

- 10.3. Policy M3 states that with regard to new residential development that lies within a Controlled Parking Zone (CPZ) and is located within a 400m walk to frequent (15minute) public transport services and within 800m walk to a local supermarket or equivalent facilities, planning permission will only be granted for residential development that is car-free. Disabled car parking should be provided (number on a case by case basis) and car club spaces should be provided (at 0.2 per dwelling).
- 10.4. The County Council implemented a CPZ that covers only Site A of the Templars Square development on 15th March 2021. Site A is the existing multi-storey car park containing 470 spaces. The proposed development would result in the demolition of the existing multi-storey car park and erection of 97 units (mix of 1, 2, & 3 beds, including one disable unit) and provides 46 car parking spaces including one disabled space.
- 10.5. Site F and Site D are not in the CPZ and parking provision meets policy M3 in that there would be a significant reduction in parking. The whole of the development would result in a reduction of 566 car parking spaces from 876 spaces to 310 spaces. Site A is currently a multi-storey car park with 470 spaces. The development would provide 46 spaces, a reduction of 424 spaces.
- 10.6. The County Council acknowledges the requirements of Policy M3 and that Site A should be car free. However it also acknowledges the wider benefits, resulting from the significant reduction in car parking not only within Site A itself but also from the development as a whole will have a positive impact on the operation of the surrounding highway network and junctions due to the development's overall reduction in traffic generation. It also agrees that the development would meet the wider objectives of sustainable travel and reduction in vehicular movements. Another significant benefit as a result of the development would be the new bus turning circle which provides improvements to the highway and for bus turning. The current low traffic neighbourhood nearby has changed the way in which the highway network is used (by closing off some roads). However it is a temporary measure at this time and there is no certainty over its future. Therefore the County Council considers that it would not materially impact on this case.
- 10.7. The implications of the new Cowley Centre (west) CPZ and the adjoining Cowley Centre (east) CPZ is that any adverse impact from new residents owning cars and indiscriminate parking on the surrounding roads would be suitably mitigated and controlled via the restrictions of the CPZ. This would be a material change, and a positive one in terms of mitigating harm from the proposed development. Site A of the development should be car free in accordance with

Policy M3 and therefore does not accord. However there are other key material considerations specific to this case that need to be considered.

- 10.8. Firstly, the removal of the existing multi-storey car park on Site A would result in a significant reduction in parking on site of 424 spaces. This would in itself result in a large reduction in potential traffic movements to the Primary District Centre by vehicle. The new CPZ would now mitigate against indiscriminate car parking in the area. Overall the whole development would result in a significant reduction of 566 car parking spaces from 876 spaces to 310 spaces. Again this would be a large reduction in traffic movements to the Primary District Centre by vehicle, also recognised by the County Council. The significant reduction in car parking and traffic generation in the area accords with the aims of the OLP36 to reduce traffic movements, improve air quality and generate a shift modal travel to foot, cycle and public transport. The significant reduction in car parking and traffic movements is a material consideration and afforded great weight.
- 10.9. Secondly, the provision of the 46 car parking spaces within Site A has a value in terms of sale revenue which feeds into the viability of the scheme and affordable housing provision. Evidence from Savills submitted shows a range of 20K for a 1 bed unit car parking space to 30K for a 3 bed (set against a build cost of 10k per space). This means that the 45 spaces (the disabled unit space is excluded) from the development of Site A could provide in the region of £1m into the viability of the scheme and the 51 units of affordable housing provided. The 2020 review of the affordable housing viability showed that the scheme was further unviable at that time since the 2017 committee decision. It is reasonable to assume given the last years events that this situation has not improved and more likely that the scheme is now more unviable.
- 10.10. The Applicant has re-confirmed its commitment to provide the affordable housing which is secured in the drawn up s106 agreement. Site A would provide private sale units within Phase 1 of the development that are required in order to fund the redevelopment of the rest of the scheme. The Applicant has confirmed that the impact of loss of the additional revenue of these spaces in this case would have a material impact on the overall viability of the scheme as a whole, and could result in a reduction or the loss of the affordable housing provision currently secured. The loss of the affordable housing is a key material consideration when viewed against the Council's high housing needs and in particular affordable housing provision. Officers consider this material consideration has a great weight.
- 10.11. Lastly there are other important public benefits derived from the proposed development. The OLP36 states that Cowley Centre (including Templars Square and the John Allen Centre) is second in Oxford's hierarchy of centres. The designation as a Primary District Centre recognises the special qualities and features of the Cowley Centre that elevate its status above the other District Centres. These include the scale of retail and service provision, the range of retail on offer (pre-pandemic), the size of the catchment area and its importance to users (many of whom would visit the Cowley Centre in place of the City centre), its role as a public transport interchange, and its capacity to accommodate growth and opportunities for redevelopment.

- 10.12. The OLP also acknowledges at para 1.8, the importance of EAPC's decision to approve this development in 2017. It states that the development represents a significant investment (£60 million) in the quality of the buildings and public realm and a strengthening of the range and quantity of facilities provided (including residential development). This reinforces the status of the Cowley Centre and its importance in the hierarchy of centres.
- 10.13. As clearly set out in previous officer's reports (appendices 2 & 3) and in the OLP, the development would provide significant public benefits that would be delivered from the scheme including high quality design, housing, public realm improvements (new pavement, seating, tree & soft landscaping, public art etc.) and much needed regeneration of the area. It would create a total of 226 residential units that would significantly contribute towards the City Council's delivery of housing over the plan period and expected trajectory.
- 10.14. The development overall would significantly reduce car parking by 556 spaces and traffic generation in the area in accordance with the aims of the OLP36 to reduce traffic movements, improve air quality and generate a shift modal travel to foot, cycle and public transport. The County Council has advised that the provision of the new bus turning circle is of high benefit to the highway network. New cycle lanes are proposed on Between Towns Road along with advanced stop lines for cyclists at the Crowell Road junction, and the provision of new improved cycle parking facilities which will be located within the improved public realm. This would substantially improve cycle opportunities to the centre consistent with Oxford's cycling aspirations. The provision of the new signal-controlled pedestrian crossing on the Between Towns Road site frontage with the retail park opposite would improve pedestrian accesses to both. Officers consider these public benefits also have great weight.
- 10.15. Officers therefore consider that given the time at which the original resolution to grant permission was taken, and notwithstanding the Policy M3, these material considerations on balance outweigh the policy requirement in this case. Officers still therefore recommend approval and seek confirmation from the Committee of their previous resolution to grant permission.

Cycle Lanes

- 10.16. Comments have been received in relation to the provision of cycle lanes along Between Towns Road being in accordance with the latest government guidance LTN 1/20 which acts as guidance for the provision of pedestrian and cycle infrastructure. The County has advised that there is sufficient width to meet the requirements within LTN 1/20, however, further work is required to make it fully compliant, including some form of light segregation.. In discussion with the Applicant the County has suggested amended wording to the original condition to deal with the cycle lanes and highway. Furthermore Technical Approval through the Section 278 Agreement is required which gives a further opportunity to ensure that the infrastructure is designed in line with the latest standards. It is therefore considered that overall this change in guidance whilst material does not change Officers previous recommendation to approve subject to conditions in this respect.

c. EIA & Air Quality

10.17. The Templars Square application was accompanied by an EIA, which dealt with the following issues:

- Landscape (Townscape) and Visual Impact;
- Traffic and Transport;
- Socio-Economic Effects;
- Noise and Vibration;
- Air Quality
- Biodiversity (Ecology);
- Cultural Heritage (including below ground archaeology);
- Hydrology (surface water drainage and flood risk)
- Sunlight and Daylight
- Ground Conditions and Contamination; and
- Wind Microclimate Conditions.

10.18. The Applicant has confirmed by way of an EIA update in January 2021 that there are no material changes to the EIA chapters submitted with the application. However, Officers requested the air quality assessment be re-assessed due to known changes in air quality levels and traffic that have occurred recently.

10.19. The Applicant submitted an update to the air quality assessment of the EIA which satisfactorily demonstrates that the impact of the development would have a likely negligible impact on air quality and therefore there would be no material change. This confirms the Applicant's January statement in respect of the EIA. It is therefore considered that there have been no material considerations that affect the outcome or recommendations of the EIA in respect of the matters listed above and therefore neither the Officers' original recommendation to committee.

d. S106

10.20. The Section 106 legal agreement has been drawn up and the wording agreed between the parties. It secures the 51 units of affordable housing in Site F and a contribution of £55,000 towards improvements to John Allen Park.

e. Other matters

10.21. The proposed conditions have been updated in order for the development to meet current OLP36 requirements and standards, particularly Air Quality, Biodiversity (net gain), landscaping (canopy cover), and contamination.

11. CONCLUSION

11.1. Officers have considered whether there are any changes in material considerations since EAPC's decision in July 2017 was made and since the March 2020 report. The NPPF has not materially changed since 2020 and whilst the Oxford Local Plan 2036 is now adopted, any new material considerations arising do not materially alter the Officers' conclusion in 2020 or the Officers' recommendation to EAPC and therefore EAPC's decision to approve the development subject to the completion of the section 106 agreement.

11.2. It is recommended that the Committee re-confirm the East Area Planning Committee's resolution 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 and the conditions as set out below.

12. CONDITIONS

1 Time Limit

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 Approved Plans

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

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policies SR1 and DH1 of the Oxford Local Plan 2016-2036.

3 Materials

Prior to the commencement of each phase of development in accordance with the approved Phasing Plan excluding demolition and enabling works a schedule of materials together with samples of the exterior materials provided on site (including brick and stone sample panels) to be used shall be submitted to and approved in writing by the Local Planning Authority before the start of work on the site and only the approved materials shall be used unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance of the Primary District Centre and the Beauchamp Lane Conservation Area to which it stands adjacent in accordance with policies DH1 and DH3 of the Oxford Local Plan 2036.

4 Archaeology

No development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the approved WSI which shall include the statement of significance and research objectives, and the following matters:-

- The programme and methodology of site investigation (including provision for trial trenching followed by further archaeological recording) and the nomination of a competent person(s) or organisation to undertake the agreed works; and

- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

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

5 Biodiversity

Prior to the commencement of development in accordance with the approved Phasing Plan, excluding demolition and enabling works, a scheme of ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority that demonstrates the development will achieve an overall biodiversity net gain of 5%. The scheme shall include details of biodiversity enhancement measures including 20 bird nesting devices for the whole development including specifications and a location (plan and elevation) which shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be incorporated into the scheme and be fully constructed prior to occupation of the approved development and retained as such thereafter.

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.

6 Demolition Method Statement

No demolition shall take place until a method statement for demolition of all buildings and structures to be removed has been submitted to and approved in writing by the Local Planning Authority. The statement shall include details of any below ground works, measures to limit impact from demolition of the Castle Multi-storey Car Park and duration of demolition works. The development shall only take place in accordance with the approved method statement.

Reason: To ensure that demolition works are undertaken in a manner that avoids unnecessary below ground impacts to archaeological remains and

impact on local residential amenities adjacent in accordance with Policies RE6, RE7, RE8 and DH3 of the Oxford Local Plan 2036.

7 Construction Environmental Management Plan

No commencement of development shall take place including demolition and site clearance until a Construction Environmental Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the following matters:-

- the routing of construction and demolition 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 and demolition vehicles (to minimise the impact on the surrounding highway network),
- times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
- hours of working;
- travel initiatives for site related worker vehicles;
- signage for construction traffic, pedestrians and other users of the site;
- piling methods (if employed) and controls on vibration;
- earthworks;
- hoardings and security fencing to the site;
- noise limits;
- control of emissions;
- waste management and disposal, and material re use;
 - wheel cleaning / wash facilities to prevent prevention of mud / debris being deposited on public highway;
- contact details of the Project Manager and / or Site Supervisor;
- layout plan of the site;
- materials storage including any hazardous material storage and removal.
- Engagement with local residents and neighbours

The approved Construction Environmental Management Plan shall be implemented accordingly throughout the demolition and construction period.

Reason: In the interests of the amenities of neighbouring occupiers, in accordance with policies RE6, RE7, RE8, M2 and DH3 of the Oxford Local Plan 2036.

8 Energy Efficiency

The development shall be implemented in strict accordance with the approved Energy Statement. Prior to the first occupation of each phase of the development, evidence shall be submitted to the Local Planning Authority to confirm that the energy systems have been implemented according to details laid out in the approved Energy Statement to achieve the target performance.

Reason: To ensure compliance with Policy RE1 of the Oxford Local Plan 2036.

9 Energy Efficiency -CHP

Notwithstanding condition 8 above, further details of the Combined Heat and Power (CHP) plant for each phase of development shall be submitted to and approved in writing by the Local Planning Authority prior to its installation within each Phase. Only the approved details shall be implemented unless otherwise agreed in writing by the Local Planning Authority and they shall be thereafter retained.

Reason: To ensure compliance with Policy RE1 of the Oxford Local Plan 2036.

10 Drainage Strategy

Notwithstanding the submitted Drainage Strategy prior to the commencement of development excluding demolition and enabling works an amended Drainage Strategy shall be submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. The amended Drainage Strategy shall include details of on and/or off site drainage works and sustainable drainage measures as set out in the submitted Flood Risk Assessment by BJB Consulting ref: 2091/FR01 Rev A dated August 2016 and as amended in the Scheme Amendments Report Appendices F, G and H).

It shall include the following plans, calculations and drainage details:

- o Discharge Rates
- o Discharge Volumes
- o Sizing of features - attenuation volume
- o Infiltration in accordance with BRE365
- o Detailed drainage layout with pipe numbers
- o SUDS measures: BluRoofs, green roofs, rainwater harvesting)
- o Network drainage calculations
- o Phasing

No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

The drainage infrastructure shall be constructed in accordance with the approved details prior to occupation and thereafter retained.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community in accordance with Policies RE3 and RE4 of the Oxford Local Plan 2036.

11 Sustainable Drainage Maintenance Plan

Prior to first occupation of the development excluding demolition and enabling works as set out on the approved phasing Plan, a Sustainable Drainage (SUDs) Maintenance Plan (SDMP) shall be submitted to and approved in writing by the Local Planning Authority. The SDMP must be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics and 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 in perpetuity. The approved SDMP shall be implemented prior to occupation of each phase and shall thereafter be maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development is maintained in perpetuity and to avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policies RE3 and RE4 of the Oxford Local Plan 2036.

12 Piling Method Statement

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling shall be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure; and to prevent and minimise the potential for damage to subsurface water infrastructure in accordance with Policy RE7 of the Oxford Local Plan 2036.

13 Landscape Plan

Notwithstanding the submitted Landscape Strategy and associated landscape plan(s) and Public Realm Strategy, within 6 months of the commencement of development of Phase 1 of the development a Tree Canopy Cover Assessment and detailed landscape plan including species, planting schedule and details of tree pits within the hard landscape shall be submitted to and approved in writing by the Local Planning Authority. The plans shall show in detail all proposed tree and shrub planting including treatment of gardens, living walls and roofs, raised planters and areas to be grassed or finished in a similar manner for the benefit of biodiversity. Details of proposed tree pits shall take into account the hard landscape including raised planters and any change in proposed tree species and/or agreed hard surfacing materials. Only the approved details shall be implemented.

Reason: In the interests of visual amenity in accordance with Policies G7, G8 and DH3 of the Oxford Local Plan 2036.

14 Landscape Planting

The landscaping proposals as approved by the Local Planning Authority pursuant to condition 13 above shall be carried out in the first planting season following substantial completion of the development as a whole or each phase of development if this is after 1st April. Otherwise the planting shall be completed by the 1st April of the year in which the development is substantially completed. All soft landscape planting (tree and shrubs) that fail to be established within three years shall be replaced, the details of which shall be first approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Policies G7 and G8 of the Oxford Local Plan 2036.

15 Landscape Management Plan

Within 6 months of the commencement of development a Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The landscaping as approved and implemented under conditions 13 and 14 shall be maintained in strict accordance with the approved Landscape Management Plan at all times thereafter.

Reason: To ensure the visual and amenity benefits of the landscaping are maintained in accordance with Policies G7, G8 and DH1 of the Oxford Local Plan 2036.

16 Arboricultural Method Statement

Notwithstanding the submitted Preliminary Arboricultural Method Statement by Hayden's Arboricultural Consultants, a revised Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The AMS shall set out the methods of working within the Root Protection Areas of retained trees and include details that take account of the need to avoid damage to tree roots through excavation, ground skimming, vehicle compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with the approved AMS unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect retained trees during construction in accordance with Policies G7 and G8 of the Oxford Local Plan 2036.

17 Tree Roots and Hard Surfaces

Prior to the commencement of development excluding enabling works and demolition, details of the design of all new hard surfaces and a method statement for their construction shall be submitted to and approved in writing by the Local Planning Authority. Details shall take into account the need to avoid any excavation within the rooting area of any retained tree and where appropriate the Local Planning Authority will expect "no-dig" techniques to be used, which might require hard surfaces to be constructed on top of existing soil levels using treated timber edging and pegs to retain the built up material. The development shall be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid damage to the roots of retained trees in accordance with Policies G7 and G8 of the Oxford Local Plan 2036.

18 Tree Roots and Underground Services

Prior to the commencement of the development excluding demolition and enabling works, details of the location of all underground services and soakaways shall be submitted to and approved in writing by the Local Planning Authority (LPA). The location of underground services and

soakaways shall take account of the need to avoid excavation within the Root Protection Areas (RPA) of retained trees as defined in the British Standard 5837:2012- 'Trees in relation to design, demolition and construction-Recommendations. Works shall only be carried in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid damage to the roots of retained trees in accordance with Policies G7 and G8 of the Oxford Local Plan 2036.

19 Boundary Treatment

Notwithstanding the submitted plans, further plans showing details of the proposed boundary treatment and entrance gates for Site A shall be submitted to and approved in writing prior to commencement of Phase 2 (Site A) of the development. Only the approved details shall be implemented prior to occupation of Phase 2 (Site A) unless otherwise agreed in writing by the Local Planning Authority and thereafter retained.

Reason: To give further consideration to these details and the character and appearance of the street scene and Conservation Area within which it stands in accordance with Policies DH1, DH3 and RE7 of the Oxford Local Plan 2036.

20 Travel Plans

Notwithstanding the submitted Travel Plans, prior to first occupation of any part of the development a revised Hotel Travel Plan and revised Residential Travel Plan for all residential elements of development shall be submitted to and approved in writing by the local planning authority in consultation with the local Highway Authority. The plans shall incorporate comments made by the local Highway Authority at application stage and shall include Travel Information Packs for staff and residents. The whole development shall be occupied in strict accordance with the approved Travel Plans and the Travel Information Packs shall be provided to every resident on first occupation of their residential unit and to each member of Hotel Staff. Information shall be included on the hotel website and during booking for visitors who maybe staying or visiting the Hotel. The Travel Plan may be updated from time to time as may be necessary and these updated Travel Plans shall be re-distributed to all residents and Hotel staff and visitors accordingly. The whole development shall be occupied in accordance with the approved Travel Plans thereafter.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Policies M1 and M2 of the Oxford Local Plan 2036.

21 Road Construction, Surface and Layout

Prior to the commencement of the development hereby approved, full detailed specification of Between Towns Road, Barns Road and Hockmore Street including construction, surfacing, layout incorporating additional cycle lanes and cycle priority at junctions, drainage and road markings, shall be submitted

to and be approved in writing by the Local Planning Authority. The proposed infrastructure should be designed in accordance with LTN 1/20 and thereafter the development shall be constructed in accordance with the approved details.

Reason: In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development in accordance with Policies DH1, M1 and M2 of the Oxford Local Plan 2036 and to comply with Government guidance contained within the National Planning Policy Framework.

22 Residential Cycle Parking Provision

Prior to the first occupation of the development hereby permitted, details of the covered cycle parking facilities for Sites A, D and F shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented prior to first occupation and thereafter be permanently retained and maintained for the parking of cycles in connection with Sites A, D and F of the development.

Reason: To ensure adequate and satisfactory cycle provision in accordance with Policies DH7 and M5 of the Oxford Local Plan 2036.

23 Hotel Cycle Parking Provision

Prior to first occupation of the hotel hereby permitted, covered cycle parking facilities shall be provided for the hotel in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented prior to first occupation and shall be permanently retained and maintained for the parking of cycles in connection with the hotel.

Reason: Reason: To ensure adequate and satisfactory bin and cycle provision in accordance with Policies DH7 and M5 of the Oxford Local Plan 2036.

24 Car Parking Signage/Guidance System

Prior to the commencement of the development hereby approved, full specification details of car parking signage/guidance shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of Phase 1 of the development.

Reason: In the interest of highway safety and to mitigate the impact of the development on the surrounding network in accordance with Policies M1 and M2 of the Oxford Local Plan 2036.

25 Swept Path Analysis

Prior to the commencement of development a swept path analysis shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that a 12.5m public transport vehicle can safely and easily make a U-turn when using the Between Towns Road bus turning area. The bus turning area shall be constructed in accordance with the approved details.

Reason: In the interest of highway safety and in accordance with Policies M1 and M2 of the Oxford Local Plan 2036.

26 Disabled Car parking

Prior to the commencement of the development hereby approved, a plan showing car parking provision for disabled vehicles to be accommodated within Site D for residential, hotel and commercial uses shall be submitted to and approved in writing by the Local Planning Authority. The parking spaces shall be laid out, surfaced, drained and completed in accordance with the approved details prior to occupation of Site D and shall be retained for the parking of disabled vehicles at all times thereafter.

Reason: In the interests of highway safety and to ensure the provision of off-street car parking in accordance with Policies M1 and M3 of the Oxford Local Plan 2036.

27 Public Realm

Notwithstanding the submitted Public Realm Strategy (PRS), prior to commencement of development excluding demolition and enabling works further details of the following public realm items shall be submitted to and approved in writing by the Local Planning Authority:

- Revised overall hard and soft landscape PRS Plan incorporating details agreed under condition 22 and S278 with the County Council, including public cycle parking and car parking;
- Details of the finalised street furniture and child's play furniture;
- Details of Wayfinding;
- Details of revised Totem including location, height and appearance;
- Details of the bank for the bus turning circle;

A programme for implementation of the PRS shall be submitted to and approved in writing by the Local planning Authority. Only the approved details shall be implemented and thereafter retained unless otherwise agreed in writing.

Reason: To give further consideration to this in interest of the character and appearance of the public realm within the Primary District Shopping Centre and the Conservation Area in accordance with Policies DH1, DH3 and RE7 of the Oxford Local Plan 2036.

28 Contamination Watching Brief

Throughout the course of the development, a watching brief for the identification of unexpected contamination shall be undertaken by a suitably competent person. Any unexpected contamination that is found during the course of construction of the approved development shall be reported immediately to the local planning authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local

planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

NOTE: The responsibility to properly address contaminated land issues, irrespective of any involvement by this Authority, lies with the owner/developer of the site.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with the requirements of policy RE 9 of the Oxford Local Plan 2036.

29 Contamination Phased Risk Assessment

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

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

30 Validation Report

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 safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with the requirements of policy RE 9 of the Oxford Local Plan 2036.

- 31 Architectural Recording
No demolition shall take place until an appropriate programme of architectural recording of the Castle Multi-Car Park to be demolished by measurement, drawing and photography to Historic England Level 1 Historic Building Survey has been secured and implemented in accordance with a Written Scheme of Investigation, which has been submitted to, and approved in writing by, the Local Planning Authority. Two copies of the archive of record documents shall be submitted to the Local Planning Authority prior to demolition for deposit in its own archives and those of the Sites and Monuments Record.

Reason: To preserve by record the heritage assets that would be affected by the works hereby granted consent/permission in accordance with policies DH3 and DH4 of the Oxford Local Plan 2036.

- 32 Restrict Use (commercial) Site D
The two ground floor commercial Units in Site D hereby permitted shall be confined to Use Classes A1(shop), A3(restaurant and café) and A4 (Drinking Establishments) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and shall be used for no other purposes. The units shall not be subdivided or combined into one without the prior written approval of the Local Planning Authority.

Reason: The Local Planning Authority considers that changes to the use and number or size of unit should be subject of further consideration to safeguard appropriate uses within the Primary District Shopping Centre, residential amenities, appearance, impact on the highway in terms of traffic generation and safety, and parking provision in accordance with Policies DH1, V1 and V4 of the Oxford Local Plan 2036.

- 33 Shop Fronts
Notwithstanding the submitted plans, further detailed plans of the shop fronts of the two commercial units in Site D shall be submitted to and approved in writing prior to commencement of that relevant Phase of the development in accordance with the approved Phasing Plan. Only the approved details shall be implemented and shall be retained thereafter.

Reason: To give further consideration to these details to safeguard the appearance of the area in accordance with Policies DH1, DH6 and V1 of the Oxford Local Plan 2036.

- 34 Bin storage
Notwithstanding the submitted plans, further details of the external bin storage for Site F and internal storage for commercial waste refuse in Units 1 and 2 in Site D shall be submitted to and agreed in writing by the Local Planning Authority prior to construction of both Sites. Only the approved details shall be implemented prior to occupation and shall thereafter be retained.

Reason: To ensure appropriate and adequate provision and to safeguard residential amenities in accordance with Policies DH1 and DH7 of the Oxford Local Plan 2036.

35 Community Employment Plan
(i): No commencement of development shall take place until a scheme to promote local training and employment as part of the implementation and operation of the construction phase of the development has been submitted to and approved in writing by the local planning authority. Amendments to the approved scheme may be agreed in writing from time to time by the local planning authority. The scheme shall be implemented and monitored in accordance with approved details at all times during this phase.

(ii): Within 12 months of commencement of development, a scheme to promote local training and employment as part of the implementation of the operational phase of development shall be submitted to and approved in writing by the local planning authority. Amendments to the approved scheme may be agreed in writing from time to time by the local planning authority. The scheme shall be implemented and monitored in accordance with approved details at all times thereafter.

Reason: To promote opportunities for local training and employment, in accordance with the principles embodied in the NPPF.

36 Electric Vehicle Infrastructure
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 details shall include the following provision:

Residential:

- o At least 1 charging point per unit (house with dedicated parking); or
- o At least 1 charging point per 10 spaces (unallocated parking, i.e. flat development).
- o Appropriate cable provision to prepare for increased demand in future years.

Commercial:

- o The amount of electric car charging points should cover at least 10% of the amount of permitted parking of the commercial development
- o Appropriate cable provision to prepare for increased demand in future years.

The electric vehicle infrastructure shall be formed and laid out in accordance with these details before each phase of the development is first occupied and shall remain in place thereafter.

Reason: To contribute to improving local air quality and enable the provision of low emission vehicle infrastructure in accordance with Policies RE6, RE7 and M4 of the Oxford Local Plan 2036.

37 Ventilation (Car Park)
Prior to the commencement of development, details of the type of ventilation system to be installed in the underground car park at site A shall be submitted

to and approved in writing by the Local Planning Authority. The details of the type of ventilation including natural ventilation where appropriate to be installed shall comply with the requirements found in the Building Regulations guidelines part F criteria paragraph 2.19 for carbon monoxide. The development shall be constructed in accordance with the approved details and thereafter retained.

Reason: In the interests of residential amenities and air quality in accordance with Policies RE6, RE7 and M4 of the Oxford Local Plan 2036.

38 Procurement Contracts

In procuring contracts for works for the construction of the proposed development where available at least one locally based contractor shall be invited to tender for the work involved in each case.

Reason: To promote opportunities for local employment in accordance with the principles embodied in the NPPF.

39 Noise (internal)

Prior to commencement of development excluding enabling works a scheme of noise attenuation measures for the new building shall be submitted to and approved in writing by the Local Planning Authority. The measures shall include insulation and glazing and appropriate ventilation measures where necessary that demonstrate they would achieve noise building insulation performance levels in bedrooms of no more than 30dB(A) LAeqT between the hours of 23.00 and 07.00 with the method of background ventilation (window or trickle ventilator) open. The building shall be constructed in accordance with the approved measures and thereafter retained;

Reason: To safeguard the amenities of existing and future occupiers of properties in accordance with Policies DH1, RE7 and RE8 of the Oxford Local Plan 2036.

40 Noise

No occupation shall take place until a report has been submitted to and approved in writing by the Local Planning Authority that demonstrates that internal noise levels of no more than 30dB(A) LAeqT between the hours of 23.00 and 07.00 and 35dB LAeq,T between the hours of 07.00 and 23.00 are not exceeded within bedrooms as a result of environmental noise (including commercial and transport noise) with the method of background ventilation (window or trickle ventilator) open. The report shall include the results of testing to be carried out after completion but prior to occupation to show the criteria has been met. There shall be no variation to the approved scheme unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To safeguard the amenities of existing and future occupiers of properties in accordance with policies DH1, RE7 and RE8 of the Oxford Local Plan 2036.

- 41 Mechanical Plant
No occupation of individual buildings or units (commercial or residential) shall take place until details of the proposed mechanical plant to serve that part of the development, including anticipated sound attenuation measures, has been submitted to and approved in writing by the local planning authority. Rating noise shall meet requirements of BS4142:14 and therefore limits shall be no more than 10 decibels below the prevailing background noise level, expressed as dB90 at the closest residential receptor. The details as approved shall be incorporated into the development and retained at all times thereafter.

Reason: In the interests of amenity in accordance with policies DH1, RE7 and RE8 of the Oxford Local Plan 2036.

- 42 Treatment odour/ fumes
No occupation of commercial Units 1 and 2 in Site D shall occur until details of a scheme for the treatment of cooking fumes and odours before their emission to the atmosphere has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented prior to occupation. The approved measures shall include the use of grease filters and/ or other specialist filtering and deodorising equipment that shall be serviced and maintained in accordance with the manufacturer's recommendations.

Reason: In the interests of residential amenity in accordance with Policies DH1 and RE7 of the Oxford Local Plan 2036.

- 43 CCTV
No occupation of the development shall take place until details of a scheme of CCTV, including links to city wide systems, has been submitted to and approved in writing by the local planning authority and implemented on site. Amendments to the scheme may be agreed in writing from time to time by the local planning authority. The scheme as approved shall be retained at all times.

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

- 44 External Lighting Scheme.
Notwithstanding the submitted Lighting Strategy, other than those parts of the development which shall remain in use during construction works, no occupation of any part of the approved development shall take place until a scheme of street lighting including details of the type and location of equipment and level of illumination has been submitted to and approved in writing by the local planning authority and brought into operation. Amendments to the approved details may be agreed in writing from time to time by the local planning authority. The development shall be carried out in accordance with the approved details.

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

- 45 Public Art Strategy
Within 6 months of the commencement of development a phased public art strategy shall be submitted to and approved in writing by the Local Planning Authority (LPA) as follows:-

Phase 1:

The strategy shall include details of the competition brief for artwork within the public realm of Between Towns Road to be agreed in writing by the Local Planning Authority prior to issue. Note: this should not be exclusively tied to incidental child's play and street furniture.

Phase 2:

Details of the successful competition artist and their public art proposal including form materials, location and timescales for implementation shall be agreed in writing by the LPA prior to commissioning.

Phase 3:

The commissioned public art shall be installed within the agreed timescale for implementation, which may be varied as necessary with the agreement in writing of the LPA and shall thereafter be retained unless otherwise agreed in writing by the LPA.

Reason: To give further consideration to the matter in the interest of public amenity and in order to comply with DH1 of the Oxford Local Plan 2036.

- 46 Phasing Plan
The development shall be constructed in accordance with the approved Phasing Plan Drawing No. 2002 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid doubt.

- 47 Residential Management Plan
Prior to first occupation of any residential unit within either phase of the development, a Residential Management Plan (RMP) that details how deliveries and parking for visitors to the units will be managed in perpetuity shall be submitted to and approved in writing by the Local Planning Authority. This document may be updated from time to time with the agreement in writing of the Local Planning Authority as may be necessary and each unit shall be given a copy of the RMP on first occupation and updated versions thereafter. The RMP shall be monitored and enforced by the Applicant, or successor in title, and/ or Management group at all times thereafter.

Reason: In the interest of neighbouring residential amenity and highway safety in accordance with Policies DH1, M1, M2 and RE7 of the Oxford Local Plan 2036.

- 48 Car Parks Management Regime

Prior to the demolition of the Castle Multi-storey Car Park, details of a Car Parks Management Regime (CPMR) to secure parking arrangements for the John Bunyan Church and ArkT Centre within the other multi-storey car parks in the Templars Square shopping Centre shall be submitted to and approved in writing by the Local Planning Authority. This document may be updated from time to time with the agreement in writing of the Local Planning Authority as may be necessary. The CPMR shall be monitored and enforced by the Applicant, or successor in title, and/ or Management group at all times thereafter.

Reason: Because the Applicant agreed to do so in the interest of neighbouring amenity and highway safety in accordance with Policies DH1, M1, M2 and RE7 of the Oxford Local Plan 2036.

49 Privacy (louvered screen)

The vertical louvered screen system on balconies on Blocks A1 and A2 facing onto No.1 Beauchamp Lane as shown on plans 12928-0622-P-01, 12928-0612-P-01 and 12928-0611-P-01 shall be retained at all times thereafter.

Reason: To safeguard privacy in the interest of neighbouring residential amenities in accordance with Policies DH1, H14 and RE7 of the Oxford Local Plan 2036.

50 Privacy (screening)

Notwithstanding the submitted and approved plans, further details of planting or other measures along the western balcony edge of Unit 55 in Block A1 facing No.1 Beauchamp Lane as shown on revised plan 0615-P-01 so as to permanently prevent overlooking shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of Phase 2 of the development in accordance with the approved phased construction plan. The approved details shall be implemented prior to first occupation of that unit and thereafter retained at all times.

Reason: To safeguard privacy in the interest of public amenity in accordance with Policies DH1, H14 and RE7 of the Oxford Local Plan 2036.

INFORMATIVES:

- 1 The archaeological recording should take the form of trial trenching followed by further mitigation by redesign or recording as appropriate. The archaeological investigation should be undertaken by a professionally qualified archaeologist working to a brief issued by the City Council.
- 2 Vegetation clearance outside the bird nesting season:
Scrub, trees and buildings on site offer suitable habitat for nesting birds. All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended). Removal of vegetation and demolition of buildings shall be undertaken outside of the bird nesting season. This is weather dependent but generally extends between March and

August inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation or buildings shall not be removed until the fledglings have left the nest.

- 3 There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at the site.

Thames Water requests that the applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing the site remediation. Ground water permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

- 4 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.

There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information

- 5 There should be an appropriate public consultation on the improvements to the John Allen public park.

- 6 Ward councillors and the public should be given the opportunity to comment on the Construction Environmental Management Plan (conditions 7) details prior to their agreement with the Local Planning Authority.
- 7 Your attention is drawn to the attached note relating to demolition and the requirements of The Building Act 1984.
- 8 Oxford City Council strongly encourages that when this permission is implemented, all building works and the management of the development site are carried out in accordance with the Code of Considerate Practice promoted by the Considerate Contractors scheme. Details of the scheme are available from

Considerate Contractors Scheme
PO Box 75
Ware
Hertfordshire
SG12 9UY

01920 485959
0800 7831423

enquiries@ccscheme.org.uk
www.considerateconstructorsscheme.org.uk

- 9 The applicant is requested to submit to the City Council's Environmental Health Service an application for prior consent under section 61 (1) of the Control of pollution Act 1974 for works of construction on the site.
- 10 To avoid doubt public art shall mean works of adornment or decoration to the development or its surroundings, whether freestanding or otherwise, which can be viewed and enjoyed by the public at large, other than hard or soft landscaping measures.
- 11 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
- 12 In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive

discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.

- 13 The local planning authority has taken into account the contents of an accompanying Environmental Statement submitted under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 in determining the planning application.

13. APPENDICES

- **Appendix 1** – Proposed Site Plan
- **Appendix 2** - Committee Report to EAPC, July 2017 (without appendices)
- **Appendix 3** – Delegated Officers Report, March 2020

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.