

Oxford City Planning Committee

9th November 2021

Application number: 21/02053/FUL
Decision due by 9th November 2021
Extension of time 18th November 2021

Proposal Erection of extensions to the front and rear and external alterations throughout, including the installation of cladding and new glazing. Provision of dedicated foot/cycle access from Botley Road, cycle parking, erection of substation, external lighting, hard and soft landscaping, external loading bay, means of enclosure (including car park barriers) and associated works to enable the use of the building within Use Class E (Commercial, Business and Service) for research and development.

Site address Unit 1 And Unit 2, Botley Road, Oxford, Oxfordshire – see **Appendix 1** for site plan

Ward Osney And St. Thomas Ward

Case officer James Paterson

Agent: Mr Andrew Winter **Applicant:** GO Spires PropCo Ltd

Reason at Committee This is a major planning application.

1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

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

- the satisfactory completion of a legal agreement (or unilateral undertaking) 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
- the receipt of comments from the Environment Agency.

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

- decide whether the application needs to be referred back to the committee on receipt of a response from the Environment Agency; and
- 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 (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
- following the completion of the section 106 legal agreement (or unilateral undertaking) referred to above issue the planning permission.

2. EXECUTIVE SUMMARY

- 2.1. This report considers the erection of extensions to the front and rear of the existing commercial units following the amalgamation of the units; the amalgamation of the units does not need planning permission and does not form part of this application. Other external alterations are proposed throughout the extended units, including the installation of cladding, plant, flues and new glazing. Planning permission is also sought to improve existing access to the site through the provision of a dedicated foot/cycle access from Botley Road. Other external changes to site would include cycle parking, the erection of a new electrical substation, external lighting, hard and soft landscaping, the formation of a new external loading bay to the rear, new means of enclosure to the front car park and rear service yard as well as other minor associated works to enable the use of the building within Use Class E (Commercial, Business and Service) for research and development. The change of use itself no longer requires planning permission following amendments to the Town and Country Planning (Use Classes) Order 1987 and the abolition of Use Class A and the introduction of Use Class E, which both the existing and proposed use fall under.

3. LEGAL AGREEMENT

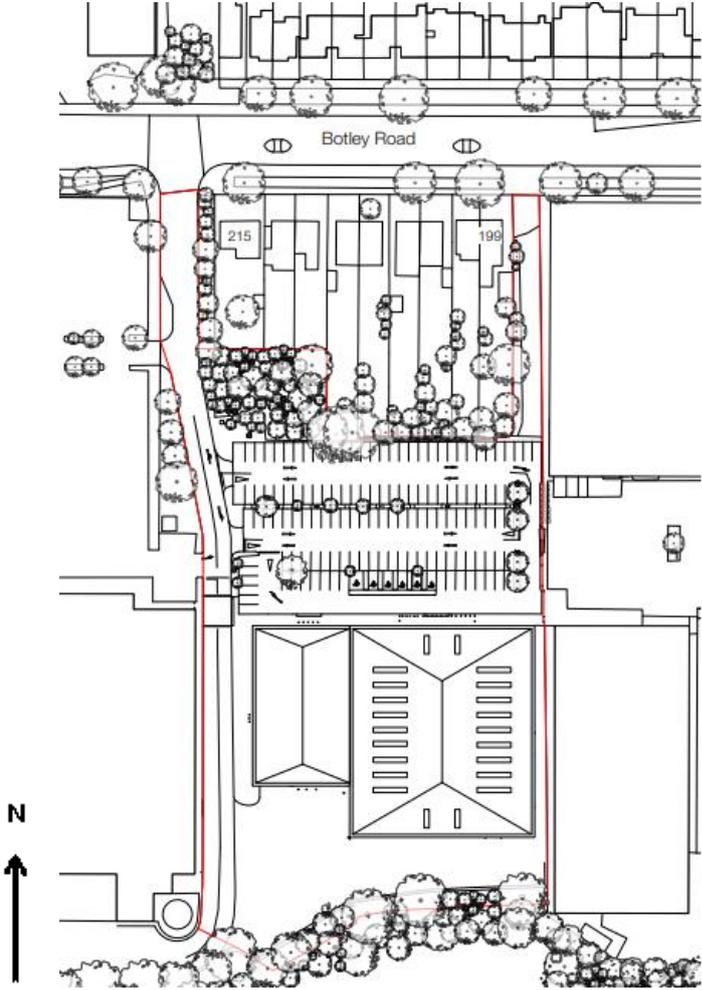
- 3.1. This application is recommended for approval subject to the prior completion of a unilateral undertaking or an agreement made pursuant to section 106 of the Town and Country Planning Act 1990 between the applicant and Oxfordshire County Council to cover the payment of a fee for monitoring the travel plan required by condition 14. This would be the sum of £1,446.00.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

- 5.1. The site is located within the Botley Road retail park on the western city approach to the south of Botley Road and near to the junction with Seacourt Park and Ride. The application site consists of two large vacant Class E retail units, formerly occupied by Oak Furniture Land and Argos. The former unit is has an internal floor space of 1,334m² while the other unit has 2,306m².
- 5.2. The site is surrounded by commercial premises to the north-east, west and east; these are exclusively in use in a retail capacity. There are a number of residential dwellings along Botley Road to the north of the site; these are set approximately 86m from the existing building. To the south of the site lies Hinskey Meadow, a large area of undeveloped land which forms part of Oxford’s green belt and is an important area of public amenity.
- 5.3. The site is exclusively served by 140 car parking spaces to the front of the unit, including 6 disabled spaces, as well as a number of Sheffield cycle stands. Access to the site is currently achieved from Botley Road via a small unnamed road which serves as shared access to the other retail units to the west, although it is possible to access the site via Lamarsh Road by driving through numerous car parks. Pedestrian and cycle access to the site is limited to having to move through the various surrounding car parks with no bespoke segregated access.
- 5.4. See location plan below:



6. PROPOSAL

- 6.1. The application proposes the erection of extensions to the front and rear of the existing units following the amalgamation of the units; the amalgamation of the two units does not need planning permission and does not form part of this application. The two storey front extension would extend for the width of the amalgamated unit and would have a flat roof, the top of which would be 11.3m in height from ground level; the extension would also extend 5.8m beyond the existing front building line. The front extension would have a high quality concrete finish on the vertical supporting structures while the rest of the extension would either be glazed or feature dark grey corrugated metal panelling or grey brickwork. The extension would feature a colonnade for most of its width with the ground floor being set back from the first floor.
- 6.2. The two storey rear extension would extend from the rear of the smaller existing unit and the side of the existing larger unit. It would have a width of 24.2m and a maximum depth of 20m, although part of the extension would only extend as far as the rear building line of the larger existing retail unit. This extension would have a maximum height of 8.5m in would be finished in grey metal panelling and grey brickwork for the most part.
- 6.3. Other external alterations are proposed throughout the extended units. This includes the application of corrugated metal cladding to the external elevations of the unit as well as the application of grey paint to the existing brickwork to match the materials of the extensions and to therefore give the extended unit a uniform appearance. Alterations to the fenestration is proposed throughout, although this is largely limited to the installation of additional black metal framed windows. New mechanical plant is proposed at roof level as are new extraction flues; a greater amount of extraction is proposed than is typical for such a building due to its proposed use as research and development laboratory space which will likely require specialist equipment and additional extraction.
- 6.4. The existing rear service yard would be reduced in size due to the proposed extension and the giving over of some of this space to a new rear garden. It is intended to service the building with smaller vehicles than the HGVs that serviced the existing retail units. The service yard would be enclosed by metal fencing and would house waste storage facilities as well as a nitrogen tank, which would be installed as per the requirements of the Health and Safety Executive.
- 6.5. Planning permission is also sought to improve existing access to the site through the provision of a dedicated foot/cycle access from Botley Road. The current access is somewhat informal at present and consists of paving slabs atop gravel. It is proposed to resurface the path and increase its width to include an area of scrub to the west of the existing. This would then be used as the main pedestrian and cycle access to the site connecting onto the existing pedestrian and cycle routes on Botley Road.

- 6.6. Other external changes to site would include secure and covered cycle parking in the north east corner of the building; associated wash and changing facilities would be located within the building with access to this being possible through the cycle store. Hard and soft landscaping is proposed to the rear of the building, to create amenity space for future users of the building as well as assist with drainage. Landscaping is also proposed to the front of the building to improve the visual appearance of the car park. The existing small enclave of vegetation in the north-west corner of the site would remain in situ. A new electrical substation is also proposed in the north-east corner of the car park, external lighting is also proposed, notably bollard lighting on the proposed cycle/ pedestrian route, although final details have not been submitted. Alterations to the car park also include new barriers to the west entrance while landscaping is proposed on the east boundary to prevent access from this side.
- 6.7. The proposed development is required in order to enable the use of the amalgamated units within Use Class E (Commercial, Business and Service) for research and development purposes. The use of the building for research and development purposes no longer requires planning permission following amendments to the Use Class Order in September 2020 (which brought about a single use class for retail and office use, named 'Use Class E') which both the previous lawful use of the building and the proposed use fall under.

7. RELEVANT PLANNING HISTORY

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

<p>87/00762/NOY - Demolition of garage & showroom. 124,728 sq. ft of non-food retail, including garden centre of 4,200 sq. ft, with 550 car spaces & access to Botley Rd. Extension of light industrial premises by 800 sq. ft (duplicate application, revised). PER 5th June 1989.</p> <p>92/01183/NOY - Outline application (seeking approval for siting, means of access and external appearance) for one 30,000 square feet non-food retail unit plans plus car parking (186 spaces) and service area accessed from Botley Road. PER 22nd July 1993.</p> <p>93/01209/NFY - Erection of building to provide non-food retail floor space (35,500 sq. ft./3,298sq.m.) divided into 2 units, 142 parking spaces for customers, 9 staff parking spaces and service yard (scheme B)(amended plans). PER 26th January 1994.</p> <p>98/01455/NO - Rear extension to retail warehouse (Comet) for 464 sq. m non-food retail floor-space (including details of siting & use of existing means of access). Use of car park & service yard. Relocation of fire exit from side to rear of Argos (Unit 1, Botley Road). PER 1st April 2000.</p> <p>07/01846/CPU - Certificate of lawfulness in respect of completion of installation of mezzanine floors.. PER 25th September 2007.</p> <p>08/00768/ADV - Display of 2 x internally illuminated fascia signs. 1 x non</p>

illuminated box sign and 1 x non illuminated projecting sign (retrospective).. PER 18th June 2008.

20/01327/ADV - Display of 3 no. Internally illuminated fascia signs, 15 no. non-illuminated fascia sign. 5 no non-illuminated post signs.. PER 28th August 2020.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:
Design	130-136	DH1, DH7		
Commercial	84-91	V1, V8		
Natural environment	174-188	G2, G7, G8		
Transport	104-113	M1, M2, M3, M4, M5		
Environmental	153-169	RE1, RE2, RE3, RE4, RE5, RE6, RE7, RE8, RE9 H14	Energy Statement TAN	
Miscellaneous	7-12	S1		

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 24th August 2021 and an advertisement was published in The Oxford Times newspaper on 19th August 2021.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. No objection, conditions required relating to the need for a travel plan, visibility splays on the proposed cycle/ pedestrian route, a car parking plan and a construction management plan.

Oxfordshire County Council (Lead Local Flood Authority)

9.3. No objection, conditions required relating to a detailed surface water drainage scheme and a requiring the recording of the various drainage systems installed prior to first occupation of the approved development.

Thames Water Utilities Limited

9.4. No objection, informative required.

Environment Agency

9.5. No comment received.

Thames Valley Police

9.6. No objection but additional safety measures required on the proposed cycle/ pedestrian route to ensure it is secure by design; this includes new fencing and gates access.

Public representations

9.7. No local people commented on this application.

Officer response

9.8. Officers have considered carefully the comments to these proposals. Officers have considered the issues that have been raised; this is set out in the officer's report. Planning officers are satisfied that all the relevant bodies have been consulted.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of Development
- ii. Design
- iii. Neighbouring Amenity
- iv. Transport
- v. Flooding and Drainage
- vi. Ecology
- vii. Trees
- viii. Air Quality
- ix. Noise
- x. Land Quality
- xi. Health
- xii. Sustainability

i. Principle of development

10.2. Following amendments to the Town and Country Planning (Use Classes) Order 1987, planning permission is no longer required to change the use of the units from retail to an office use, as both uses are now within Use Class E.

Planning officers also note that since the change of does not need permission then the change of use of the site to the proposed employment-based use is acceptable in principle.

- 10.3. Policy V1 of the Oxford Local Plan 2036 states that proposals for development of town centres uses outside a centre must demonstrate compliance with the 'sequential test'. Furthermore, planning applications for retail and leisure development outside centres which are 350m² (gross) or more, must be accompanied by an 'impact assessment' and as part of such an assessment, demonstrate with evidence that there will be no adverse impact on the vitality and viability of the existing centres, and that good accessibility is available for walking, cycling and public transport.
- 10.4. The proposed use is not for a retail or leisure use, with the use being proposed as office and research and development space, which is not covered by Policy V1. However, due to the introduction of Class E, planning permission would not be needed to change the use of the proposed enlarged building to a retail use. Planning officers have therefore considered Policy V1 for the sake of completeness. The proposed development would increase the internal floor space of the amalgamated commercial unit from 3,641m² to 3,989m². This would fall below the 350m² threshold set out by Policy V1 for triggering the need for a retail impact assessment since, if the proposed use were for retail or leisure, the increase in floor space would be by 348m². Therefore there is no objection to the proposed development in principle, when considering Policy V1, although Condition 18 has been included to ensure that no food sales take place on the site, in accordance with the existing condition on the site, in order to ensure that the proposed use cannot be changed into a supermarket or similar out of town retail use that would be contrary to the retail hierarchy and requirements of Policy V1.
- 10.5. Policy V8 of the Oxford Local Plan 2036 states that planning applications (except householder applications) must be supported by information demonstrating that the proposed developer has explored existing capacity (and opportunities for extending it) with the appropriate utility providers. Planning permission will not be granted where there is insufficient evidence on utilities capacity to support the development and that the capacity will be delivered to meet the needs of the development. The siting and appearance of utilities infrastructure should be designed to minimise impacts on amenity and to be as unobtrusive as possible
- 10.6. The proposal includes an intensification of the use of the site as well as a change of use to a research and development use which, although the change of use does not require planning permission, does mean that additional utilities are required to support the new use. Thames Water have indicated that they do not have concerns about the capacity for water utilities on the site; the proposal is therefore acceptable in this regard.
- 10.7. A new electrical substation is proposed as part of this application to support the proposed use of the site. While planning officers approached the relevant statutory consultee for comment, no comment was received with regard to the need for a new substation and its siting. Therefore planning officers accept the

new substation in principle and consider that this element of the proposal is acceptable.

- 10.8. Policy RE2 states that planning permission will only be granted where development proposals make efficient use of land. Development proposals must make best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford. The development proposal must have a density appropriate for the proposed use proposed, with an appropriate scale and massing, maximise the appropriate density with a built form and site layout appropriate to the capacity of the site.
- 10.9. The application site is in a sustainable location for an employment use as it is well served by several modes of sustainable transport including the nearby park and ride, cycle routes, train station in addition to there being frequent local and regional bus services. This site would therefore be suitable for an employment based use, such as is proposed, and officers consider that the intensification of use of the site is acceptable in principle.
- 10.10. Planning officers understand the delicate balance between overdevelopment of the site and making an efficient use of the available land. A comprehensive assessment of all of these issues can be found in the following sections of this report; however, in summary, planning officers consider that the proposal maximises the efficiency of the proposed land use in a manner compatible with the site. Indeed, the proposed enlarged building would not be of a dissimilar scale and appearance to the character of the surrounding retail park. Planning officers therefore consider that the proposal would not lead to an overdevelopment of the site and would represent a scale of development that is compatible with its surroundings and therefore would accord with Policy RE2.

ii. Design

- 10.11. 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. Proposals must be designed to meet the key design objectives and principles for delivering high quality development, set out in Appendix 6.1.
- 10.12. While the application site is visible from Botley Road, it lies within an existing retail park which features large, monolithic, warehouse-like units of no architectural merit; the wider site is therefore is not particularly sensitive in terms of its appearance at present. However, it is noted that the Council has recently begun considering the wider opportunities for redevelopment and regeneration of the Botley Road and it is possible that this work may feed into a masterplanning exercise that involves the application site and wider area in the future. The design and external appearance of the building has therefore been carefully considered by officers on this basis even though this site has come forward in advance of any emerging policy or guidance relating to the wider regeneration of the area.

- 10.13. The design approach has sought to modernise the appearance of the existing building and provide a high quality and attractive finish, despite the site's location within a retail park, to contrast with the unremarkable built style of the surrounding retail warehouses found around the site.
- 10.14. The character of the area is shaped by the surrounding retail warehouses which are fairly uniform in appearance and draw on the same vernacular and material, typical of such buildings in the 1990's. The commercial units are all served by extensive car parks which do not contribute to the aesthetic of the area and represent a poor use of land.
- 10.15. The proposal includes the extension of the unit to the front and rear as well as altering the external finish of the existing building in order to create a coherent finish for the enlarged commercial unit. Planning officers consider that the additions to the unit would be proportionate in size and would not overdevelop the site; they would be well-designed so as to sit comfortably on the site and enhance the appearance of the existing retail unit by adding visual interest to the building and modernising its appearance. Following the submission of a materials study, planning officers are satisfied that the proposed material palette would be high quality and ensure that the enlarged building would be of satisfactory visual appearance.
- 10.16. Following comments from planning officers, revised plans were submitted which now show the proposed extraction equipment and flues concentrated towards the centre of the building to reduce their visual prominence, which officers now consider is acceptable.
- 10.17. The proposal includes a modest landscaping scheme to both the front and rear of the site. The proposed landscaping would provide a high quality area of amenity to the rear for occupiers of the commercial unit to enjoy while also softening the appearance of the building to views from the park to the rear of the site. Furthermore, the landscaping to the front of the site would serve to soften the appearance of the car park and break up the hard surfacing with greenery.
- 10.18. The proposed cycle/pedestrian route is considered to be desirable in terms of providing segregated access to the site. The existing arrangement would entail cyclists and pedestrians either having to travel on the road or through various car parks which is not only dangerous but is counter to the principles of good design. However, planning officers note that the proposed route introduces problems of its own in terms of whether it would be secure by design. The path would not benefit from a high degree of natural surveillance, only being overlooked by 199 Botley Road and a number of houses on the opposite side of the street and not at all by the Curry's retail unit which has no windows on this side. Furthermore, while bollard lighting is proposed, such lighting does not provide sufficient light at the right height to aid facial recognition, which could increase the fear of crime on this route. Members should be aware that the Thames Valley Police Crime Prevention Design Advisor has raised concerns about these issues and considers that gated access at either side of the route, column lighting (fitted with diffusers to limit light spill onto residential houses), the relocation of the electrical substation and new fencing to the side

of the path would be needed to minimise the potential anti-social behaviour issues that the proposal could give rise to.

10.19. Planning officers have very carefully considered these concerns, given they come directly from the Thames Valley Police Crime Prevention Design Advisor. Planning officers consider that this route is an integral part of the proposed development and not only represents important benefits of the proposal in terms of permeability but also in terms of offering cyclists and pedestrians safe access to the site away from vehicles. Following the submission of the 'Foot / Cycleway Supplement' by the applicant, planning officers are of the view that the proposed route is largely acceptable as it has been presented. Officers are of the view that gated access would discourage the use of this access and lead to a sense of enclosure to users, which would increase fear of crime and reduce the permeability of the site. Furthermore, the new route would be much wider than the existing route and very straight so views from Botley Road would allow a degree of surveillance. This is particularly important as the existing route is an informal, narrow and unlit route into the retail park that is open to the public and this proposed is seeking a betterment of the existing arrangement and officers consider that improving this route would be a positive outcome in design terms, rather than essentially closing the route off. However, officers agree that greater consideration needs to be given to the lighting of this area in order to reduce the fear of crime insofar as is reasonably possible and have included condition 15 to this effect.

10.20. Policy DH7 of the Oxford Local Plan 2036 states that permission will only be granted where outdoor needs are properly accommodated, including refuse and recycling storage. Bins should be provided in accordance with Oxford City Council's Technical Advice Note on bin storage.

10.21. Planning officers consider that the proposed external servicing features are sufficient to accommodate the future needs of the site. The service yard is sufficient to meet the needs of the proposed use while the building can also be safely serviced from the front, should the need arise. Planning officers also consider that the proposed nitrogen storage meets the relevant safety requirements, insofar as planning is concerned.

10.22. Considering the above, the proposal is acceptable in terms of design and Policies DH1 and DH7.

iii. Impact on neighbouring amenity

10.23. Policy H14 of the Oxford Local Plan 2036 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. Policy H14 sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to habitable rooms of the neighbouring dwellings.

10.24. Policy RE7 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that ensures that standards of amenity are

protected. This includes the amenity of communities, occupiers and neighbours is protected in addition to not having unacceptable unaddressed transport impacts and provides mitigation measures where necessary.

Daylight and Overbearing

10.25. The building itself is not near to any dwellings or sensitive land uses and therefore would not give rise to unacceptable amenity impacts in terms of daylight or overbearing.

Privacy

10.26. It is considered that there would be sufficient distance between the front windows of the enlarged building and the internal rooms and outdoor amenity spaces associated with the dwellings to the north of the site, which are the only sensitive land uses visible from the enlarged unit that is proposed, to ensure that there is no loss of privacy to these neighbours. Although the proposals include a front extension, the distance between the front of the building and the dwellings in question would remain vast due to the intervening car park that is proposed to be largely retained. The distance to the rear gardens of these properties from the front windows of the proposed development would be a minimum of 40m while the dwellings themselves would be no closer than 80m.

10.27. While the proposed pedestrian and cycle route would be wider than the existing informal pathway and would therefore be closer to the windows of 199 Botley Road, planning officers are satisfied that the proposed path would not give rise to unacceptable amenity impacts in terms of noise, overlooking or light pollution, subject to final details as per condition 15.

10.28. Having considered the above, the proposal is acceptable in terms of neighbouring amenity and Policies H14 and RE7.

iv. Transport

Transport sustainability

10.29. Policy M1 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport.

10.30. 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.

- 10.31. The proposed development would only entail a modest intensification of an existing use, given that the increase in floorspace would be 348m². The site is in a sustainable location with good access being available by public transport and active travel. Furthermore, planning officers note that construction is currently underway on the Botley Road Highway Scheme which should deliver further sustainable transport improvements, which will directly benefit this site.
- 10.32. When entering the site by car from the west, there is a turning lane which allows the free flow of traffic along the main carriageway eastwards; the retail park junction is a simple priority junction with right and left turn lanes. All traffic has to give way to pedestrians and cyclists who have priority over the junction, along Botley Road. The amalgamated unit the subject of this application does not currently have good connectivity to the pedestrian network which stops approximately 30 metres from the site access, along the retail park access road and on the opposite side of that road.
- 10.33. The applicant has provided accident data for the local area which does not point to a particular location where accidents are more likely. A large number of the accidents involve cyclists which is likely due to the ambiguous nature of priority at the junctions, although this issue should be partly remedied as part of the Botley Road Highway Improvement Scheme and should lead to a reduction in accidents. The creation of a dedicated and improved pedestrian cycle route to this site could decrease the conflict with other road users and potentially benefit highway safety.
- 10.34. The applicant has undertaken a trip generation assessment using the TRICS database which is the generally accepted method of predicting development traffic. The assessment has been created using the correct parameters and relevant locations. This shows that the existing site has 78 multi-modal 2-way trips in the AM peak hour and 76 in the PM peak hour. Of those numbers, 40 are car drivers in the AM peak with 39 in the PM peak. For the proposed development, the applicant has calculated the trip rates using a 50/50 split of Research and Development (R&D) and office space, although have stated they expect it to be a higher percentage of R&D uses on site. This assessment shows 86 2-way trips in the AM peak hour and 84 trips in the PM peak hour, of these, there will likely be 44 and 43 car trips in the AM and PM peak hours respectively. At pre-application stage, it was requested by the Highways Authority that sensitivity testing was undertaken which shows a higher percentage of office space (60%) which would likely result in higher car trips. This has been undertaken and shows 48 car trips in the AM peak hour and 47 in the PM peak hour. The assessment undertaken is considered robust, even with the higher percentage of office space the increase in vehicular trips is only likely to be around 8. It is not considered that this will create a severe impact and as such, no objection is raised by the Highways Authority on these grounds.
- 10.35. Planning officers therefore consider that the proposal adequately prioritises sustainable modes of transport, as per Policy M1, and would not give rise to transport impacts that would necessitate a full Transport Assessment, although a travel plan and a construction traffic management plan have been required via conditions 14 and 16.

Car Parking

- 10.36. Policy M3 of the Oxford Local Plan 2036 states that in Controlled Parking Zones or employer-linked housing areas where occupants do not have an operational need for a car where development is located within a 400m walk to frequent 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. In all other locations, M3 states that planning permission will only be granted where the relevant maximum standards set out in Appendix 7.3 are complied with.
- 10.37. Policy M4 of the Oxford Local Plan 2036 states that 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.
- 10.38. 93 car parking bays would be provided on site including 5 disabled bays and 23 electric vehicle charging bays, this is a 47 space reduction from the 140 spaces currently in situ. Planning officers note that the proposed use of the building does not need planning permission and the intensification of the use of the site is slight and so welcome the steps taken to reduce the number of car parking spaces. Entry to the parking area and its use would be enforced by a controlled barrier which is considered sufficient to preclude uncontrolled commuter parking or overspill parking from the other retail parks.
- 10.39. It is noted that the Highways Authority have requested a car parking plan in order to ensure the spaces meet the relevant standards in terms of their size. However, it is noted that the existing bays are only 10cm too narrow and 20cm too short to meet the relevant standards. Furthermore, the retained parking spaces are all existing and are not proposed to be altered, with the exception of the new disabled bays which would comply with the relevant standards. Therefore, officers consider that this requirement is not necessary or proportionate to the development being proposed.
- 10.40. 25% of spaces would be supplied with electric vehicle charging points which is considered acceptable. Planning officers are of the view that additional spaces could likely be adapted to accommodate electric vehicle parking, should the need arise.
- 10.41. The proposal therefore meets the requirements of Policies M3 and M4 and is acceptable in terms of car parking.

Cycle parking

- 10.42. Policy M5 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that complies with or exceeds the minimum bicycle parking provision as set out in Appendix 7.47.3. Bicycle parking should be, well designed and well-located, convenient, secure, covered (where possible enclosed) and provide level, unobstructed external access to the street. Bicycle parking should be designed to accommodate an appropriate amount of parking for the needs of disabled people, bicycle trailers and cargo bicycles, as well as and facilities for electric charging infrastructure.

- 10.43. There is currently no cycle parking on site, although it is possible to park a bicycle at nearby retail units. The proposal includes a new pedestrian/cycle link between the site and Botley Road which although as mentioned in the 'design' section of this report requires further thought in terms of lighting and visibility is welcomed from a transport perspective. Planning officers note the comments received by the Highways Authority and note that further detail is also required in relation to the pedestrian and cycle route as to visibility splays, signage and priority. This has been captured via condition 15.
- 10.44. 80 cycle spaces are to be provided on site as part of this application with 60 spaces being within the covered and secure cycle store to the front of the building. 20 further spaces would be provided to visitors as part of the development in the form of Sheffield stands. This is considered acceptable and officers note that the cycle parking is located in such a way that cyclists can easily access and use the parking. It is noted that the Highway Authority have requested covered visitor parking in order to protect electric cycles from the elements; however, planning officers are of the view that a large cycle shelter in this location would detract from the appearance of the site and visitors with electric cycles could reasonably ask the occupiers of the building to store their cycle in the covered shelter.
- 10.45. The proposal is therefore acceptable in terms of cycle parking and Policy M5.

v. Flooding and Drainage

- 10.46. Policy RE3 of the Oxford Local Plan 2036 states that planning permission will not be granted for development in Flood zone 3b except where it is for water-compatible uses or essential infrastructure; or where it is on previously developed land and it will represent an improvement for the existing situation in terms of flood risk. Minor householder extensions may be permitted in Flood Zone 3b, as they have a lower risk of increasing flooding. Proposals for this type of development will be assessed on a case by case basis, taking into account the effect on flood risk on and off site. Development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.
- 10.47. 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 and reduce the existing rate of run-off on previously developed sites. Surface water runoff should be managed as close to its source as possible, in line with the drainage hierarchy outlined in the policy. Applicants must demonstrate that they have had regard to the SuDS Design and Evaluation Guide SPD/ TAN for minor development and Oxfordshire County Council guidance for major development.
- 10.48. The application site lies within a Flood Zone 3 area, which means that it is at high risk of flooding; although EA modelling data indicates that the ground floor of the building itself is not at risk of flooding. Furthermore, a comprehensive flood risk assessment has been submitted, as have the

relevant drainage strategies, which demonstrate that, while the footprint of the building would be an increase over the existing, the flood risk on the site would be a betterment over the existing arrangement.

10.49. The Environment Agency have been consulted by planning officers and while they raised concerns via email in September 2021, subsequent information was submitted by the applicant which, in the view of planning officers, addresses these concerns. However, no formal comment has been received by the EA and planning officers therefore consider the application acceptable in flooding and drainage terms, subject to conditions 21 and 22, having received comments from the Lead Local Flood Authority, subject to a consultation response from the EA where they confirm that they raise no objection to the application.

10.50. Therefore, subject to the receipt of a comment from the EA confirming they raise no objection and subject to conditions 21 and 22, the proposal is acceptable in terms of flooding and drainage and therefore Policies RE3 and RE4.

vi. Ecology

10.51. Policy G2 of Oxford Local Plan 2036 states that important species and habitats will be expected to be protected from harm, unless the harm can be appropriately mitigated. It also outlines that, where there is opportunity, it will be expected to enhance Oxford's biodiversity. This includes taking opportunities to include features beneficial to biodiversity within new developments throughout Oxford.

10.52. Having reviewed the Preliminary Ecological Appraisal Report (July 2021) and Technical Briefing Note (July 2021), produced by Aspect Ecology, planning officers are am satisfied that the potential presence of protected habitats and species has been given due regard. Planning officers also welcome the retention of the undeveloped enclave in the north-west corner of the site, in ecological terms.

10.53. However, planning officers have included condition 11 which requires a scheme of ecological enhancement measures to be submitted for approval to the Council and then implemented in order to ensure a net gain of biodiversity on the site following this development.

10.54. Subject to condition 11, the proposal is acceptable in terms of ecology and Policy G2.

vii. Trees

10.55. Policy G7 of the Oxford Local Plan 2036 states that planning permission will not be granted where development would result in the loss of green infrastructure features such as hedgerows, trees or woodland, where this would have a significant adverse impact upon public amenity or ecological

interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated. Planning permission will not be granted for development resulting in the loss or deterioration of ancient woodland or ancient or veteran trees except in wholly exceptional circumstances.

10.56. Policy G8 of the Oxford Local Plan 2036 states that development proposals affecting existing Green Infrastructure features should demonstrate how these have been incorporated within the design of the new development where appropriate. This applies to protected and unprotected Green Infrastructure features, such as hedgerows, trees and small public green spaces

10.57. An 'Area' designation Tree Preservation Order applies to a riparian semi-natural tree belt along the southern boundary of the site (City of Oxford (Botley Road) Tree Preservation Order 1974 (74/00007/WE)); this covers trees mostly outside of the site, but also includes some which appear to fall within the red line of the proposed development.

10.58. The design of the proposed scheme does not require the loss of any existing trees from the site or have indirect adverse implications for any off-site trees within the zone of development influence. The site includes access roads and parking bays at the frontage where there are a number of individual and groups of trees, some are design-planted and others appear to be self-seeded. The overall quality of the tree stock at the front of the site is quite low/poor. This is an artefact of hard surfaces and poor original provision of tree pit design.

10.59. An arboricultural study has identified potential risk implications associated with proposed works within the root protection areas of retained trees; however, these works will result in net gains in soft landscape within four retained trees Root Protection Areas and only an increase in hard surfaces for one retained tree, designated T23 in the submitted documents. These implications are in general positive and considered acceptable.

10.60. A preliminary tree protection drawing appended to the arboricultural study demonstrates the deliverability of proposed tree protection measures; these can be secured by conditions. There appears to be an opportunity to provide enhancements to the appearance of the site through landscape improvements, in particular replacement tree planting within the car parking area; therefore planning officers have included conditions for landscape and hard surface details accordingly which are considered reasonable and proportionate.

10.61. The application is therefore acceptable in terms of trees and green infrastructure, and therefore Policies G7 and G7, subject to conditions for tree protection measures and landscaping details, as per conditions 4-10.

viii. Air Quality

10.62. Policy RE6 of the Oxford Local Plan 2036 states that planning applications for major proposals (10 or more dwellings or 1000 square metres) which would

carry a risk of exposing individuals to unacceptable levels of air pollution must be accompanied by an Air Quality Assessment (AQA). Where the Air Quality Assessment indicates that a development would cause harm to air quality, planning permission will not be granted unless specific measures are proposed and secured to mitigate those impacts.

- 10.63. The submitted baseline assessment shows that the Application Site is located within the Oxford citywide Air Quality Management Area (AQMA), declared by Oxford City Council (OCC) for exceedances of the annual mean NO₂ air quality objective (AQO). Analysis of DEFRA's urban background maps and of all pollutant concentrations at monitoring locations in the surrounding area of the application Site, show clear compliance with the annual mean NO₂ AQO. The results indicate that concentrations at proposed receptor locations within the Site boundary are well below relevant air quality objectives for NO₂, PM₁₀ and PM_{2.5} concentrations.
- 10.64. The submitted documents show that the proposal would not have an adverse impact on the air quality in and around the site. However, planning officers have concerns about dust and other pollutants that may result from the construction phase of the development and have therefore required a Construction Environmental Management Plan by condition.
- 10.65. Therefore, subject to condition 12, the proposal is acceptable in terms of air quality and Policy RE6.

ix. Noise

- 10.66. Policy RE8 of the Oxford Local Plan 2036 states that planning permission will only be granted for development proposals which manage noise to safeguard or improve amenity, health, and quality of life. Planning permission will also not be granted for development that will generate unacceptable noise and vibration impacts. Planning permission will not be granted for development sensitive to noise in locations which experience high levels of noise, unless it can be demonstrated, through a noise assessment, that appropriate attenuation measures will be provided to ensure an acceptable level of amenity for end users and to prevent harm to the continued operation of existing uses.
- 10.67. It is noted that the nearest dwellings to the site would be 80m from the enlarged building and the retail park, in which the site is situated, does not contain any sensitive uses. Having considered this and the submitted documentation, it is considered that any plant equipment associated with the proposed development would not give rise to unacceptable noise or nuisance.
- 10.68. Furthermore, the intensification of the use of the site is modest and it is also expected that the proposed new cycle and pedestrian access to the site would not generate a significant amount of noise, especially when considered against the background noise of Botley Road. Therefore officers do not have concerns in terms of noise due to the use of the site.

10.69. The proposal is therefore acceptable in terms of noise and nuisance and Policy RE8.

x. Land Quality

10.70. Policy RE9 of the Oxford Local Plan 2036 states that planning applications where proposals would be affected by contamination or where contamination may present a risk to the surrounding environment, must be accompanied by a report which fulfils the relevant criteria set out in the policy. Where mitigation measures are needed, these will be required as a condition of any planning permission.

10.71. The site has been subject to historical contaminative uses including as a printing works and stationery factory. There is also evidence of earth movement works to the south of the site. These historical activities could give rise to potential ground contamination risks that may affect site users or the surrounding environment.

10.72. It is apparent that the existing building structure on site has been in place for some time (early 1990's) and planning officers cannot locate any evidence that any site investigation or remediation works have occurred as part of any previous planning permission.

10.73. A contamination report has been submitted which indicates that contamination risks at the site for a proposed commercial end-use are likely to be low. No significant soil, groundwater or ground gas contamination was identified, apart from the presence of asbestos in one made ground soil sample. This means there remains a slight risk to construction workers from potential asbestos contamination within made ground at the site which must be managed through appropriate site health and safety controls, materials management and a careful watching brief approach during groundworks at the site. Planning officers therefore recommend that the condition 17 is included on any permission to ensure that any unexpected contamination, including asbestos that may be encountered during development is managed appropriately.

10.74. Subject to condition 17, planning officers consider that the proposal is acceptable in terms of land quality and Policy RE9.

xiii. Health

10.75. Policy RE5 of the Oxford Local Plan 2036 states that planning applications for major proposals, the Council will require a Health Impact Assessment to be submitted, which should include details of implementation and monitoring. This must provide the information outlined in the template provided at Appendix 4

10.76. The proposal includes a Health Impact Assessment and planning officers are content that, subject to its implementation, the proposal would be acceptable in this regard.

10.77. Subject to condition 19, the proposal is acceptable in terms of public health and Policy RE5.

xiv. Sustainability

10.78. Policy RE1 of the Oxford Local Plan 2036 states that planning permission will only be granted for non-residential development proposals that meet BREEAM excellent standard (or recognised equivalent assessment methodology) in addition to the following reductions in carbon emissions which are also required. Planning permission will only be granted for development proposals of 1,000m² or more which achieve at least a 40% reduction in the carbon emissions compared with a 2013 Building Regulations (or future equivalent legislation) compliant base case . This reduction is to be secured through on-site renewables and other low carbon technologies and/ or energy efficiency measures. The requirement will increase from 31 March 2026 to at least a 50% reduction in carbon emissions

10.79. The supporting text of the policy states that the BREEAM standards will be applied to non-residential developments including conversions, extensions and changes of use.

10.80. The proposed development is not of sufficient size to trigger the requirements of Policy RE1 in terms of BREEAM standards or energy efficiency. However, the proposal does entail the conversion and extension of an existing unit and officers have therefore applied the BREEAM standards. The submitted BREEAM assessment states that the proposal would be BREEAM 'very good' which planning officers welcome and consider it sufficient to meet the objectives of the policy.

10.81. Subject to condition 20 requiring the implementation of the proposed sustainability measures, the proposal is acceptable in term of sustainability and Policy RE1 of the Oxford Local Plan (2036).

11. CONCLUSION

11.1. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 of the report subject to written confirmation that the EA does not object to the proposed development and subject also to the completion of a legal agreement or unilateral undertaking as referred to in section 3 of this report.

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

11.3. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes it clear that it is a material consideration in the

determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver sustainable development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.

- 11.4. Therefore 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.
- 11.5. In summary, the proposed development would be an acceptable addition to the site. The proposal is suitable in terms of local planning policy and complies with the relevant policies of the Oxford Local Plan 2036.
- 11.6. Therefore officers consider that the development accords with the development plan as a whole.

Material consideration

- 11.7. The principal material considerations which arise are addressed above, and follow the analysis set out in earlier sections of this report.
- 11.8. National Planning Policy: the NPPF has a presumption in favour of sustainable development.
- 11.9. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where 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.
- 11.10. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, paragraph 11 is clear that planning permission should be granted without delay.
- 11.11. Officers would advise members that, having considered the application carefully, the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework and relevant policies of the Oxford Local Plan 2036 when considered as a whole. There are no material considerations that would outweigh these policies.
- 11.12. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 below and the matters referred to in paragraph 11.1 above.

12. CONDITIONS

Time Limit

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

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

Approved Plans

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

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

Materials

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

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

Tree Protection Plan

- 4 The development shall be carried out in strict accordance with the tree protection measures contained within the planning application details presented in Aspect Arboriculture AIA (July 2021: 10990_AIA.001 Rev B) 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 2036.

Arboricultural Method Statement

- 5 No development, including demolition and enabling works, shall take place until a detailed statement (the Arboricultural Method Statement (AMS)) has been submitted to and approved in writing by the Local Planning Authority. The AMS shall detail any access pruning proposals, and shall set out the methods of any workings or other forms of ingress into the Root Protection Areas (RPAs) or Construction Exclusion Zones (CEZs) of retained trees. Such details shall take account of the need to avoid damage to the branches, stems and roots of retained trees, through impacts, excavations, 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 beforehand by the Local Planning Authority.

Reason: To protect retained trees during construction in accordance with Policies G7, G8 and DH1 of the Oxford Local Plan 2036.

Arboricultural Monitoring Programme

- 6 Development, including demolition and enabling works, shall not begin until details of an Arboricultural Monitoring Programme (AMP) have been submitted to and approved in writing by the Local Planning Authority (LPA). The AMP shall include a schedule of a monitoring and reporting programme of all on-site supervision and checks of compliance with the details of the submitted Tree Protection Plan, prepared by Aspect Arboriculture AIA (July 2021: 10990_AIA.001 Rev B), and/or the Arboricultural Method Statement required by condition 5, as approved in writing by the Local Planning Authority. The AMP shall include details of an appropriate Arboricultural Clerk of Works (ACoW) who shall conduct such monitoring and supervision, and a written and photographic record shall be submitted to the LPA at scheduled intervals in accordance with the approved AMP.

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

Landscape Plan

- 7 A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority prior to first occupation or first use of the development hereby approved. The plan shall show details of treatment of paved areas, and areas to be grassed or finished in a similar manner, existing retained trees and proposed new tree, shrub and hedge planting. The landscape plan shall include a schedule detailing plant numbers, sizes and nursery stock types. The approved landscape plan shall be implemented in its entirety with six months of first occupation of the approved development.

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

Landscaping – Hard Surfaces

- 8 Prior to the undertaking of all new hard surfaces, details of the design of all new hard surfaces and a method statement for their construction shall first have been submitted to and approved in writing by the Local Planning Authority and the hard surfaces shall be constructed in accordance with the approved details unless otherwise agreed in writing beforehand by the Local Planning Authority.

The details shall take into account the need to avoid any excavation within the Root Protection Area of any retained tree and where appropriate the Local Planning Authority will expect "no-dig" techniques to be used, which require

hard surfaces to be constructed on top of existing soil levels in accordance with the current British Standard 5837: "Trees in Relation to Design, Demolition and Construction - Recommendations".

Reason: To avoid damage to the roots of retained trees in accordance with Policies G7, G8 and DH1 of the Oxford Local Plan 2036.

Landscape Management Plan

- 9 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, other than small, privately owned domestic gardens, shall be submitted to, and approved in writing by, the Local Planning Authority. The landscape management plan shall be carried out as approved 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 2036.

Landscape Plan - Reinstatement

- 10 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 2036.

Ecology

- 11 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 a net gain in biodiversity will be achieved. The scheme shall include details of landscape planting of known benefit to wildlife and artificial roost features, including specifications and locations of bat and bird boxes. A minimum of two dedicated swift boxes shall be provided. Works shall only take place in accordance with the approved scheme of ecological enhancements

Reason: To comply with the requirements of the National Planning Policy Framework and Policy G2 of the Oxford Local Plan 2036.

Construction Environmental Management Plan

- 12 No development shall take place until (as a minimum) the complete list of site specific dust mitigation measures and recommendations that are identified on page 37 of the Air Quality Assessment that was submitted with this application are included in the site's Construction Environmental Management Plan (CEMP) and until the CEMP has been submitted to and approved in writing by the Local Planning Authority. 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 Oxford Local Plan 2036.

Electric Vehicle Charging

- 13 Prior to the first occupation of the development hereby approved, 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:

- Location of EV charging points;
- The amount of electric car charging points shall cover at least 25% of the amount of permitted parking
- 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 approved details before the development is first in operation and shall remain in place thereafter.

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

Travel Plan

- 14 Prior to first occupation of the development a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall then be updated within 3 months of occupation. Operation of the development hereby permitted shall only take place in accordance with the approved travel plan.

Reason: To promote sustainable modes of transport, in accordance with Policy M1 of the Oxford Local Plan 2036.

Pedestrian/ Cycle Route

- 15 Prior to occupation of the unit visibility splays measuring 2m by 2m shall be provided to each side of the new pedestrian/cycle access on Botley Road. Furthermore, details of the lighting and signage along the route shall also be submitted to and approved in writing by the Local Planning Authority.

Development shall only take place in accordance with the approved details and the approved lighting and signage shall be installed prior to the first occupation of the development hereby permitted.

The cycle parking hereby approved shall be installed prior to first occupation of the approved development and retained thereafter.

Reason: In the interest of highway safety and ensuring the proposed route is secure by design, in accordance with Policies M1 and DH1 of the Oxford Local Plan 2036

Construction Traffic Management Plan

16 A Construction Traffic Management Plan (CTMP) shall be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority prior to commencement of works. The CTMP should follow Oxfordshire County Council's template if possible. This shall 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

Development shall only take place in accordance with the approved CTMP.

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 M1 of the Oxford Local Plan 2036.

Land Quality

17 A watching brief shall be undertaken throughout the course of the development to identify any unexpected contamination and manage potential asbestos contamination risks. 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 2036.

No Food Sales

- 18 Notwithstanding the Town and County Planning (Use Classes) Order 1987 (as amended) (or any order revoking and re-enacting that Order) (with or without modification), the development hereby permitted excludes the use of the premises for the sale of food products, other than food products ancillary to the use of the site as office and laboratory space.

Reason: To ensure the proposed development does not contravene the retail hierarchy, in accordance with Policy V1 of the Oxford Local Plan 2036.

Health Impact Assessment

- 19 The development hereby approved shall only take place in accordance with the recommendations of the submitted 'Health Impact Assessment', prepared by Barton Wilmore and dated June 2021.

Reason: To ensure the proposed development incorporates the principles of health communities, in accordance with Policy RE5 of the Oxford Local Plan 2036.

Sustainability

- 20 The development hereby approved shall only take place in accordance with the recommendations of the submitted 'BREEAM Statement', prepared by Hilson Moran and dated June 2021, and the submitted 'Sustainability Statement', prepared by Hilson Moran and dated 13 July 2021.

Reason: To ensure the proposed development incorporates sustainable design, in accordance with Policy RE1 of the Oxford Local Plan 2036.

Drainage

- 21 Construction shall not begin until a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- A compliance report to demonstrate how the scheme complies with the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire";

- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Comprehensive infiltration testing across the site to BRE DG 365 (if applicable)
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details.
- Consent for any connections into third party drainage systems

Reason: To ensure flood risk and water run-off is managed appropriately, as per Policies RE3 and RE4 of the Oxford Local Plan 2036.

Drainage - Recording

- 22 Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- (a) As built plans in both .pdf and .shp file format;
- (b) Photographs to document each key stage of the drainage system when installed on site;
- (c) Photographs to document the completed installation of the drainage structures on site;
- (d) The name and contact details of any appointed management company information.

Reason: To ensure flood risk and water run-off is managed appropriately, as per Policies RE3 and RE4 of the Oxford Local Plan 2036.

INFORMATIVES :-

- 1 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.
- 2 Thames Water will aim to provide customers with a minimum pressure of 10m

head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

- 3 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 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.
- 4 If unexpected contamination is found to be present on the application site, an appropriate specialist company and Oxford City Council should be informed and an investigation undertaken to determine the nature and extent of the contamination and any need for remediation. If topsoil material is imported to the site the developer should obtain certification from the topsoil provider to ensure that the material is appropriate for the proposed end use.

Please note that the responsibility to properly address contaminated land issues, irrespective of any involvement by this Authority, lies with the owner/developer of the site.

- 5 If work is required to take place on the public highway to create the proposed pedestrian/cycle access, a Section 278 Agreement will be required prior to implementation.

13. APPENDICES

- **Appendix 1** – Site location plan

14. HUMAN RIGHTS ACT 1998

- 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

- 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.