

Agenda Item 3

Planning Review Committee

11th November 2021

Application number: 21/01185/FUL

Decision due by 28th July 2021

Extension of time

Proposal Demolition of twelve buildings (including main accommodation Blocks C, F, G, H, J, K, L and M) and erection of twelve buildings to provide student accommodation, with ancillary communal and social facilities and associated administrative building (Class C2). Erection of children's nursery (Class E). Alterations to car parking, installation of cycle parking structures and associated landscaping works, including reorganisation of existing footpaths and cycle ways, drainage features and ancillary development. Installation of a waste compactor unit and alterations to an existing road to enable access.

Site address Site Of Blocks C F G H J K L And M, Clive Booth Hall, John Garne Way, Oxford

Ward Headington Hill And Northway Ward

Case officer Clare Gray

Agent: Mr Jon Alsop **Applicant:** c/o Agent

Reason at Committee The application has been called in to Planning Review Committee by Councillors Upton, Rowley, Cook, Hollingsworth, Brown, Munkonge, Diggins, Fry, Pressell, Tidball, Aziz, Turner, and Rehman

1. RECOMMENDATION

1.1. The Planning Review Committee is recommended to:

1.1.1. **Resolve to approve the application** 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;
- complete 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
- issue the planning permission

2. EXECUTIVE SUMMARY

- 2.1. At the Oxford City Planning Committee on the 12th October 2021, Members resolved to refuse planning permission for the redevelopment of the Clive Booth Student Village.
- 2.2. The minutes of the meeting show that during the meeting the Committee explored the following points in discussion with officers
- The potential impact of the development on the local community infrastructure due to demands on local health services;
 - The impact on the local network of roads and footpaths from increased numbers of cars, pedestrians, and cyclists;
 - The proposed developments 'green' credentials in response to climate change and its impact on the environment and bio-diversity;
 - The height and scale of the development and the level of harm it would have on the various Designated Heritage Assets and the process for determining 'levels of harm'
 - The benefit of purpose built student accommodation releasing private homes back into the general market and the affordability of purpose built accommodation over private rented accommodation.
- 2.3. Having voted to refuse the application, members debated the reasons for refusal of the application. In doing so, Members determined that they were not persuaded that the application before them had moved far enough to address the concerns of local residents or mitigate the reasons for refusal identified in the previously refused scheme. They considered that the siting, scale, and density of development before them would have a detrimental impact on the environment and on the local community infrastructure. They considered the loss of the trees and canopy cover too significant. Furthermore they were not convinced that the scheme would deliver a public benefit in terms of creating additionality in the housing market as a result of students moving out of the private rental sector into university accommodation.

2.4. In considering these matters, officers advised the committee that there had a number of these issues had been addressed as part of the sites allocation for development within the Oxford Local Plan 2036, and that the scheme was considered to be policy compliant with the previous reasons for refusal of the former scheme addressed.

2.5. Notwithstanding this advice the committee resolved to refuse the application for the same reasons as the previously refused scheme (18/02587/FUL) which were as follows

- 1) *The proposed development by reason of its siting, scale, density, and height would appear as a strident and consequently intrusive and incongruous intervention on the prominent wooded hillside that makes a significant contribution to the character and appearance of the Headington Hill Conservation Area, and the setting of Central Conservation Area, resulting in harm to the character and appearance of the area and the significance of these designated heritage assets. It would also have an adverse impact on the setting of the John Garne Way allotments and views from the allotments back towards the wooded hillside that makes an important contribution to the character and appearance of the Headington Hill Conservation Area. Moreover the resultant harm has not been sufficiently mitigated by a careful design or adequately justified. The identified public benefits would not outweigh the less than substantial harm to designated heritage assets that would arise from the development contrary to paragraph 196 of the NPPF. The proposal therefore fails to comply with the governments planning policies in the NPPF, the policies DH1, DH2 and DH3 of the Oxford Local Plan 2036 and policies CIP1, CIP2, CIP3 and GSP4 of the Headington Neighbourhood Plan, and therefore fails to discharge the statutory duty set out within Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990*
- 2) *The proposed development by reason of its size, scale, and siting would result in the loss of significant trees within the site that contribute to its distinctive sylvan character and position within the Eastern Hills. Further, the proposed mitigation planting would fail to offset the loss of these trees in the short to medium term. Consequently the development would have a significant adverse impact upon public amenity of the site and its setting within the hillside contrary to policy G7 of the Oxford Local Plan 2036*
- 3) *That having regards to the reasons listed above, the public benefits of the proposal, in particular the releasing of houses back to the private rental market would not be sufficient to outweigh the less than substantial harm caused by this development to the local area including to the significance of a number of designated heritage assets, and therefore would not meet the test set out in paragraph 202 of the NPPF, or constitute sufficient material considerations that would outweigh policies DH1, DH2, DH3 and G7, of the Oxford Local Plan 2036, and policies CIP1, CIP2, CIP3 and GSP4 of the Headington Neighbourhood Plan.*

2.6. The decision of the Oxford City Planning Committee has subsequently been called-in to the Planning Review Committee by Councillors Upton, Rowley, Cook,

Hollingsworth, Brown, Munkonge, Diggins, Fry, Pressell, Tidball, Aziz, Turner, and Rehman for the following reasons:

- *There was a lack of clarity about the reasons for refusal given by members at the meeting. Although some of the reasons given by members were genuine concerns they were not relevant to a planning decision, or were answered in the report. Some of the reasons given by members were valid. However, they need to be balanced against the importance of complying with our planning policy document, the Local Plan.*
- *There was a concern that the committee did not give sufficient weight to the Local Plan in the discussion, or that members appreciated that this site has been allocated for a minimum of 500 extra student rooms. Thus, a lack of understanding of the Local Plan and how much significance to attach to it meant that the objections raised were not properly weighed against it.*
- *If the decision is to be refused, it has to be challenge proof, and at present this does not appear to be the case.*

2.7. A copy of the officer's committee report to the Oxford City Planning Committee is included in **appendix 1** of this cover report. This is a comprehensive report that contains a full assessment of how the proposal accords with policies of the development plan when considered as a whole, and that the range of material considerations supported the grant of planning permission.

2.8. The report also includes a full assessment of how the scheme would also accord with the aims and objectives of the National Planning Policy Framework, in particular the impact upon the significance on designated heritage assets, thereby constituting sustainable development, which, given conformity with the development plan as a whole, means that in accordance with paragraph 11 the proposal should be approved without delay. It also sets out that there are not any material considerations that would outweigh the compliance with these national and local plan policies.

3. LEGAL AGREEMENT

3.1. This application is recommended for approval subject to a legal agreement to secure the public realm improvements, to be considered by members under reference 21/01368/FUL and 21/01369/LBC or any other public realm scheme which comprises new footpaths from south of the Clive Booth Student Village, and south of Cuckoo Lane on the Headington Hill Hall campus to and alterations to the listed wall. The legal agreement will need to ensure these footpaths if approved, are provided prior to the occupation of the development subject to this application, along with management controls to upkeep and maintain this space in perpetuity.

3.2. The agreement would also require the developer to enter into a Section 278 legal agreement with Oxfordshire County Council to secure the delivery of an uncontrolled refuge in the vicinity of John Garne Way on Marston Road. This is to be delivered prior to first occupation of the student bedrooms. The S278 agreement will need to also secure Travel Plan monitoring for the student village

and separately for the nursery.

- 3.3. The S106 agreement will also need to secure the 30 year management of the habitat creation, given the length of the period required for management.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for CIL charge of £3,329,981.92

5. PLANNING MATERIAL CONSIDERATIONS

5.1. The committee report in **appendix 1** provides a comprehensive assessment of the proposal against national and local development plan policy.

5.2. The intention of this report is not to repeat what is set out in the report, but to expand on a number of points arising from the call-in to Planning Review Committee in order to assist members in their decision making process.

5.3. The primary reason for calling the application into the Planning Review Committee was that members of the Oxford City Planning Committee did not give sufficient weight to the policies of the development plan in reaching their decision.

5.4. As a starting point for decision making, Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning applications have to be determined in accordance with the policies of the development plan unless there are material considerations that indicate otherwise.

5.5. The National Planning Policy Framework makes clear in paragraph 38 that Local Planning Authorities should approach decisions on proposed development in a positive and creative way. It goes on to state in paragraph 11, that when taking decisions Local Planning Authorities should apply a presumption in favour of sustainable development, which for decision making means; approving development proposals that accord with an up-to-date development plan without delay. It also states in paragraph 12 that this presumption does not change the statutory status of the development plan as the starting point for decision-making.

5.6. In this case, the Oxford Local Plan 2036 is the primary development plan document in the determination of this application. The development plan was adopted by Full Council on the 8th June 2020 following an examination in public which found the policies contained within it to be sound. As such the policies within this plan have to be given significant weight in the determination of the application, with the NPPF clearly explaining that there is a requirement for members to approve development proposals that accord with the policies of this up-to-date development without delay.

a. Principle of Development

5.7. The principle of encouraging academic institutions such as Oxford Brookes to develop their own sites for purpose built student accommodation to and thus for

the University to meet their own needs is a key part of the Oxford Local Plan 2036's strategy with regards to housing delivery. This approach is embedded in the Local Plan where policy H8 restricts student accommodation onto existing University sites or campuses; in the city or District centre or on an allocated site.

- 5.8. The officers' committee report provides a full assessment of the principle of development in paragraphs 10.8 – 10.28 (**appendix 1**). The report specifically sets out the policy context with regards to the redevelopment of this site and particularly has regard to the material change in policy context since the previous scheme for student accommodation was refused. The Clive Booth Student Village site is now allocated for student housing in the Local Plan under SP17 and is considered a critical site as part of the Council's wider housing delivery requirements. Officers advised in the officer's report and at the Committee meeting that members need to be aware that this change in policy context will have significant weight in the determination of this application.
- 5.9. The allocation of this site for student accommodation, was a key part of demonstrating to the Local Plan Inspector that the plan would respond to the needs of the university to satisfy the thresholds set in Policy H9, and to ensure that there were sufficient sites across the allocation to deliver residential accommodation. It is important to stress that without the allocation it is likely that the overall approach to housing delivery set out in the Local Plan would not have been found sound.
- 5.10. The site allocation policy requires the redevelopment of the site to deliver a minimum of 200 homes, which equates to 500 student rooms. This minimum number was also included in the development plan policy that sets the number of students that Oxford Brookes University is expected to have living in non-university accommodation. Policy H9 states that they are expected to ensure that the number of students in non-university accommodation does not exceed 4000 students, and that this will be increased to 4500 by April 2023 if a scheme for 500 student rooms has not been provided.
- 5.11. Crucially the requirement that this site will deliver a minimum of 500 student rooms is critical to meeting Oxford's housing needs and the total number of housing needing to come forward in the plan period as stated in policy H1. Moreover, the expectation that the site will deliver a minimum number of homes, helped provide the Inspector examining the Local Plan with certainty that the Council could achieve the overall housing requirement through the life of the plan set out. Therefore the ability of this site to deliver a minimum of 500 student rooms is a key element in Oxford meeting its housing needs.
- 5.12. As a result, officers would advise members that the redevelopment of this existing campus site for an additional 573 student rooms complies with policy SP17 of the Local Plan. Through complying with this policy, Oxford Brookes University not only meets their own needs for being able to develop their own sites for housing but crucially it releases pressure on the housing market and assists the delivery of Oxford's housing strategy to deliver 10884 homes over the plan period. This is a significant material consideration and accord with policies S1, H1, H8, H9, and SP17 of the Oxford Local Plan 2036, as well as the

guidance in the NPPF. This compliance would have significant weight in the determination of the application.

b. Impact on Heritage Assets and Landscape and Visual Impact

- 5.13. The first two reasons for refusal of the previous scheme (18/02587/FUL) and included by the Oxford City Planning Committee on this application, primarily related to concerns that the size, scale, and density of the development in this hillside location would have an adverse impact on the significance of the Headington Hill Conservation Area when considered against short range views around the site, including from and to John Garne Way allotments, and also long range views from the city centre. It also considered that the size, scale, and siting of the development would result in a significant loss of trees from the hillside which would not be mitigated by succession planting and therefore having an adverse impact on the amenity of the site and hillside setting.
- 5.14. Although there was limited discussion during the Oxford City Planning Committee meeting on these specific reasons for refusal with respect to the current scheme, members decided that the amended scheme had not addressed these previous reasons for refusal.
- 5.15. The officers committee report contains a detailed assessment of the Design and Landscape Impact of this revised scheme; impact on Designated Heritage Assets; and also on trees in paragraphs 10.31-10.189 (**appendix 1**). The assessment in the report also makes clear how the revised scheme has addressed the reasons for refusal and accords with the relevant development plan policies.
- 5.16. This cover report does not seek to rehearse the detailed assessment contained within the officer's committee report, but would make clear that it is important to consider that the current scheme has been allocated for development within the current local plan, and importantly with a need to deliver a minimum of 500 student rooms in addition to the existing accommodation on the site. Whilst the allocation does not mean that any form of development should be accepted, it is inevitable that delivering a development that achieves the minimum number of units on this site will result in some change to the character of the site and the surrounding local context.
- 5.17. The current revised scheme has sought to address the previous reasons for refusal attached to application 18/02587/FUL, and the extent of changes made in this revised scheme should not be underestimated. The officers' report concludes that the scale of the changes from the refused scheme when taken together would result in a higher quality development proposal that is more sympathetic to its sensitive hillside context and constitute a more balanced response in delivering development on this allocated site, than the previous scheme offered. The harm arising from the scheme is assessed by your officers as being towards the lower end of less than substantial harm to the various designated heritage assets than the previous scheme, and this harm has been mitigated by the design approach and also landscape strategy. It should be noted that this view was also supported by Historic England, who are a statutory consultee for developments that impact on designated heritage assets. They

also concluded that the proposal would satisfy the aims and objectives of the NPPF with respect to heritage issues.

5.18. It is for these reasons that officers consider the revised scheme has addressed the first two reasons for refusal of the previous scheme (18/02587/FUL) and would accord with the policies contained within these reasons rather than conflict with them as concluded by the Oxford City Planning Committee.

c. Public Benefits

5.19. The third reason for refusal of the previous scheme (18/02587/FUL), which was also included by the Oxford City Planning Committee on this application relates to the test set out in the NPPF and in policy DH3 of the Local Plan. The NPPF sets out in paragraph 202 that where a development proposal will lead to less than substantial harm to the significance of a designated heritage assets, this harm should be weighed against the public benefits of the proposal including where appropriate securing its optimum viable use.

5.20. In this case the committee was not convinced that the public benefits of the scheme as listed in the officer's report, in particular the releasing of houses back to the general housing market as a result of purpose built student accommodation, would outweigh this harm.

5.21. The officer's report provides a full assessment of the public benefits of the proposal and how this has been weighted against the lower end of less than substantial harm that has been identified in paragraphs 10.126 to 10.155 (**appendix 1**)

5.22. It is important to bear in mind that the conclusions reached by officers was that in comparison to the previously refused scheme the revised design was considered to result in a lesser degree of less than substantial harm but would deliver a higher level of public benefit which would cumulatively outweigh this harm. Although the Oxford City Planning Committee did not agree with this assessment, their concerns focussed on the weight of benefit arising from the release of general market housing from the delivering of purpose built accommodation, rather than cumulatively considering the entire scale of benefits listed in the report.

5.23. While the committee were not convinced that the provision of purpose built accommodation would actually create additionality in the housing market through the release of private rented accommodation, it would be difficult to support this as a reason for refusing the scheme. The benefit of providing purpose built student accommodation on the general housing market is a long standing principle that has underpinned the way in which the Council has managed the impact that the student population within the city has placed on the city's housing stock over the years. The principle of this is also embedded in the Housing Delivery Test which has been established nationally by Central Government and was also accepted by the Inspector in the Examination of the Oxford Local Plan 2036 in allocating this site as part of the Council's 5 year housing land supply.

Therefore it is a significant public benefit and material consideration that needs to be given proper weight in the balancing act of assessing this application.

5.24. In addition to this, the officers' report also lists a number of other public benefits that would be associated with the scheme. These include the ability of Oxford Brookes University to provide more affordable accommodation and thereby making university education more affordable for students from lower socio-economic backgrounds; provide a better quality of accommodation for students along with greater pastoral care; create a more sustainable campus allowing better ease of movement reducing pressure on the wider city network from the movement of students to peripheral sites; improved safety of the footpaths and lanes surrounding the site; improved accessibility through the site for those with mobility issues; and ongoing provision of the nursery for staff and wider community.

5.25. The scheme would also achieve other benefits through delivering a scheme that significantly exceeds the Oxford Local Plan 2036 policy thresholds relating to bio-diversity net gain and also energy efficiency. In terms of bio-diversity net gain the scheme would achieve 11.87%, which is in excess of the 5% policy threshold. The sustainability credentials of the development would provide for a carbon reduction in excess of 70% which would exceed the 40% minimum target.

5.26. When taken together this higher scale of public benefits associated with the development would outweigh the lower level of less than substantial harm from the scheme in its own right, and certainly when compared to the previously refused scheme (18/02587/FUL) so as to mean that the previous reason for refusal has been addressed and could not reasonably be attributed to this development.

d. Other Matters

5.27. Impact on Local Community Infrastructure: Members of the Committee raised concerns that the proposed development would have an adverse impact on local community infrastructure due to the increase number of students placing pressure on local health services.

5.28. This was not taken forward by the committee as a reason for refusal on the application, but for the avoidance of doubt it would be worthwhile setting out for members why this would not be a material reason to refuse the application.

5.29. In considering all of the site allocations to be included within the Oxford Local Plan 2036 regard was had to the impact the housing need identified within the local plan period would have on facilities such as local health services. The relevant stakeholders, such as the Oxfordshire Clinical Commissioning Group, were consulted as part of the local plan process and they did not raise any capacity issues from the allocations as a result. Therefore it should be taken that the delivery of an allocated site would not give rise to any adverse impacts on these services. Furthermore if there were infrastructure requirements that hadn't been accounted for, the Inspector wouldn't have found the allocation policy sound.

5.30. In addition to this, it is also important to bear in mind that although the development would increase the number of student rooms within the student village, this does not mean that there would be a corresponding increase in student admissions at the university. The data provided by the university as part of their annual monitoring to the Council shows that the overall numbers at Oxford Brookes have remained static over the last few years, and in fact they are 1,200 lower than they were a decade earlier. Similarly it is also important to bear in mind that the students that would be housed in the accommodation are already living within the city anyway, taking up general market housing. Therefore, the salient point here is that increasing the accommodation is not directly increasing student numbers overall. The proposal is just concentrating those existing students that would be in Oxford, onto one site. So on that basis it would be incredibly difficult to defend a reason for refusal on additional pressure on local health services.

5.31. Impact on Local Road Network and Footpaths: Members of the Committee also raised concerns that the proposed development would have an adverse impact on local network of roads and footpaths from increased numbers of cars, pedestrians, and cyclists although this did not form a reason for refusal.

5.32. For the avoidance of doubt the officers' report contains a section on the highway impacts of the proposal in paragraphs 10.190 – 10.220. The report makes clear that that the NPPF explicitly states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

5.33. The Local Highways Authority have raised no objection to the development on highway grounds. The proposal would not generate significant volumes of traffic despite the number of students living within the site. It is an established policy that students of academic institutions are not allowed to bring cars into the city, and this is currently the case for residents of the Clive Booth Student Village. The pick-up and drop off at the start and end of term for students would be managed in such a way to reduce the impact on the local network as is also the case currently. The other facilities on the site such as the nursery are also not expected to give rise to significant traffic generation.

5.34. With respect to walking and cycling, the intention of redeveloping the site is to provide a more sustainable campus with direct access from the site through to Headington Hill Hall and the teaching facilities at Gypsy Lane for students which is to be supported. This could not reasonably be considered to create significant adverse impact on the surrounding footpaths and would represent the kind of sustainable means of travel that the local plan is looking to encourage.

6. CONCLUSION

6.1. As set out in Section 11 of the committee report (**appendix 1**) officers would advise members that having considered the application carefully including all representations made with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and policies of the Oxford Local Plan 2036, when

considered as a whole, and that there are no material considerations that would outweigh these policies.

6.2. As a result of this compliance, officers would conclude that Paragraph 11 of the NPPF is engaged which states that Local Planning Authorities should approve a scheme that accords with the development plan without delay.

6.3. Therefore it is recommended that the Committee resolve to grant planning permission for the development proposed subject to the recommendation set out in Section 1 of this report.

7. CONDITIONS

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

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

2 The development referred to shall be constructed strictly in complete accordance with the specifications in the application and the submitted plans.

Reason: To control the extent of the development and to accord with policies SP17 and S1 of the adopted Local Plan 2036

3 Samples of the exterior materials to be used on the elevations and hard landscape surfaces, shall be submitted to, and approved in writing by the Local Planning Authority before the start of work above ground levels on the site and only the approved materials shall be used.

Reason: In the interests of the visual appearance of the Headington Hill Conservation Area in which it stands in accordance with policies DH1, DH3 of the Adopted Oxford Local Plan 2036 and policy CIP4 of the Headington Neighbourhood Plan.

4 The development hereby permitted shall not be brought into use until a detailed Lighting Strategy with technical specifications and lighting contour plans has been submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall include the following:

-Details of the external lighting of the development in particular architectural lighting of the buildings

-Details of the impact of the lighting upon views into the site from within the city

- A lighting design strategy for biodiversity for buildings, features and areas to be lit. No lighting shall be directed towards the existing woodland.

- Street lighting design for Cuckoo Lane arrival glade

All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy, and these shall be maintained thereafter in accordance with the approved strategy. Under no circumstances

shall any other external lighting be installed without prior written consent from the local planning authority.

Reason: In the interests of safety, visual amenity and to comply with the requirements of the NPPF, the Conservation of Habitats and Species Regulations 2017, Wildlife and Countryside Act 1981 (as amended) in accordance with policies DH1, DH3, RE7 and G2 of the adopted Oxford Local Plan 2036 and policies CIP1 and CIP2 of the Headington Neighbourhood Plan

- 5 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas and each phase of the development, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

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

- 6 The landscaping proposals as approved for each phase of the development by the Local Planning Authority shall be carried out upon substantial completion of the development within that phase, and be completed not later than the first planting season after substantial completion.

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

- 7 Any plant, tree or shrub that dies, is removed or fails to establish within 5 years of its first planting, shall be replaced within the next planting season in accordance with details that shall be first submitted to and approved in writing by the Local Planning Authority.

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

- 8 Prior to the start of any work on site including site clearance, 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. Works shall only be carried in accordance with the approved details.

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

- 9 Prior to the start of any work on site, 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.

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

- 10 Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction- Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

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

- 11 The development shall be carried out in strict accordance with the approved tree protection measures contained within the planning application details and drawing nos. 8986-D1-AMS to 8986-D5-AMS, unless otherwise first agreed in writing by the Local Planning Authority.

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

- 12 A detailed Arboricultural Method Statement setting out the methods of working within the Root Protection Areas of retained trees shall be submitted to and approved in writing by the Local Planning Authority (LPA) before any works on site begin. Such details shall 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 of the approved Arboricultural Method Statement unless otherwise first agreed in writing by the LPA.

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

- 13 A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority before development starts. The plan shall include a survey of existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner. The development shall only be carried out in accordance with the approved details.

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

- 14 Development, including demolition and enabling works, shall not begin until details of an Arboricultural Monitoring Programme (AMP) has been submitted to and approved in writing by the Local Planning Authority. The AMP shall include a schedule of all on-site supervision and checks of compliance with details of the Tree Protection Plan and/or Arboriculture Method Statement, as approved by the Local Planning Authority. The AMP should include details of an appropriate Arboricultural Clerk of Works (ACoW) appointed by the applicant who shall be present at key stages during each demolition and construction phase to oversee work; a photographic record shall be submitted to the LPA at scheduled intervals in accordance with the approved AMP. The development shall only be carried out in accordance with the approved AMP

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

- 15 The development shall be carried out in accordance with the approved phasing plan. Prior to the occupation of each phase, details of the provision of cycle parking spaces, car parking and internal and external bin storage for each phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the occupation of each phase.

Reason: To control the extent of the development and to ensure that adequate car, bin and cycle parking is being provided for each phase and to accord with policy DH7 of the adopted Local Plan.

- 16 Prior to the occupation of the first phase of the development, a plan showing how a minimum of 677 cycle parking spaces will be provided across both phases shall be submitted to and approved in writing prior to the first occupation of any development in the first phases or any phase. The development will be provided in accordance with the approved plan, and permanently so retained for cycle parking thereafter

Reason: To ensure that sufficient cycle parking comes forward to ensure there is adequate infrastructure for cycle parking to accord with policy M5 of the adopted Local Plan 2036.

17 Prior to the occupation of the 2nd phase of development, a plan showing the provision and details for 368 cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority, indicating the stands and any enclosures. Should the Travel Plan monitoring indicate the need for additional cycle parking spaces, the additional cycle space provision approved under this condition shall be provided within 6months of the date required by the Local Planning Authority.

Reason: To control the extent of development and to manage the future demands for cycle parking and its infrastructure in accordance with policies DH7 and M5 of the adopted Local Plan 2036.

18 Prior to first occupation of the development a Delivery and Servicing Management Plan, including contact details for staff responsible for delivery management and details of the servicing and delivery vehicles to be used, shall be submitted to and approved in writing by the Local Planning Authority and provided to the Highway Authority. The development shall be carried out in accordance with the approved details thereafter.

Reason: In the interests of highway safety and to mitigate the impact of delivery and service vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times and to comply with guidance in the NPPF

19 Development shall not commence until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development and Integral Engineering Design Flood Risk Assessment and Drainage Strategy April 2021, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also 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;
- SuDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan for SuDS 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
- Phasing
- Detailed drainage layout with pipe numbers
- Sizing of attenuation
- Discharge rates
- Discharge volumes

Reason: To control drainage and flooding and to ensure compliance with policies RE3 and RE4 of the adopted Local Plan 2036

- 20 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 accord with Section 21 of the Flood and Water Management Act 2010 and to accord with policy RE4 of the adopted Local Plan 2036

- 21 Prior to the first occupation of the accommodation, a Student Accommodation Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include the tenancy agreement under which the student accommodation shall be occupied and which shall include a clause restricting students resident at the premises (other than those registered disabled) from bringing or keeping a motor vehicle in the city. The Plan shall also set out control measures for ensuring that the movement of vehicles associated with the transport of student belongings at the start and end of each term are appropriately staggered to prevent any adverse impacts on the operation of the highway. The study bedrooms shall only be let on tenancies which include that clause or any alternative approved in writing by the local planning authority. The development shall be implemented and managed in accordance with the approved management plan in perpetuity

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality and in accordance with policies H8 and SP17 of the adopted Local Plan 2036.

- 22 Notwithstanding the submitted Travel Plan, a revised and updated travel plan which addresses both the site specific needs and impact of the hereby approved Clive Booth Student Village as well as the wider traffic impacts and movements across all of Oxford Brookes sites, and a separate Travel Plan for

the nursery, shall be submitted to and approved in writing by the Local Planning Authority before first occupation of the site. The approved Travel Plan shall be implemented on first occupation of the site and adhered to thereafter.

Reason: To encourage the use of sustainable modes of transport and to comply with guidance within the NPPF, M2 of the adopted Local Plan 2036 and TRP3 of Headington Neighbourhood Plan

- 23 A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. The CTMP should follow Oxfordshire County Council's template if possible. This should identify;
- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
 - Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
 - Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
 - Contact details for the Site Supervisor responsible for on-site works,
 - Travel initiatives for site related worker vehicles,
 - Parking provision for site related worker vehicles,
 - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
 - Engagement with local residents

The CTMP shall be adhered to at all times during construction of the development hereby permitted

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 and to accord with guidance within the NPPF and policy M2 of the adopted Local Plan 2036

- 24 No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities;
 - b) Identification of "biodiversity protection zones", in respect of protected and notable species and habitats;
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on biodiversity during construction (may be provided as a set of method statements) and biosecurity protocols;
 - d) The location and timing of sensitive works to avoid harm to biodiversity features;
 - e) Contingency/emergence measures for accidents and unexpected events, along with remedial measures;

- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of a qualified ecological clerk of works (ECoW) or similarly competent person, and times and activities during construction when they need to be present to oversee works; and
- h) Use of protective fences, exclusion barriers and warning signs;

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.

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

- 25 Ecological surveys shall be considered valid for no longer than one year. Should work not commence within a year of surveys, updated surveys must be undertaken and the results submitted to and approved in writing by the Local Planning Authority. Should ecological conditions have changed, an updated biodiversity impact assessment metric shall be undertaken and provided to the Local Planning Authority to ensure the approved net gain in biodiversity is achieved.

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

- 26 A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the occupation of the first phase of the development.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed within the scheme;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule;
- g) Details of the body or organization responsible for implementation of the plan; and
- h) Ongoing monitoring and remedial measures.

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

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

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026 and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

- 27 No development shall take place (including ground works and vegetation clearance) until a European Protected Species Mitigation Licence has been granted by Natural England. Details of any required mitigation in respect of bats shall be agreed with Natural England. A copy of the licence shall be provided to the Local Planning Authority before any development takes place.

Reason: To protect bats in accordance with the requirements of the Conservation of Species and Habitats Regulations 2017 (as amended) and to comply with policy G2 of the adopted Local Plan 2036.

- 28 No more than 6 months prior to commencement of any works, a badger walkover shall be undertaken. Should any new badger activity be recorded within the site, full surveys and a badger mitigation strategy will be produced and submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the mitigation measures within the mitigation strategy as approved. If necessary, a licence shall be obtained from Natural England for works to proceed lawfully.

Reason: To comply with the requirements of the Protection of Badgers Act 1992 and to comply with policy G2 of the adopted Local Plan 2036

- 29 Prior to the commencement of development, a detailed scheme of ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme will include specifications and locations of landscape planting of known benefit to wildlife, including nectar resources for invertebrates. Details shall be provided of artificial roost features, including bird and bat boxes, and a minimum of 20 dedicated swift boxes. Other features, such as hedgehog domes and invertebrate houses shall be included. Any new fencing will include gaps suitable for the safe passage of hedgehogs. The development shall be carried out in accordance with the approved plans prior to the occupation of each phase of development.

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

30 Prior to the occupation of each building hereby permitted, the bin storage for that building shall be provided and retained for the use of bin stores, unless otherwise first agreed in writing by the Local Planning Authority

Reason: To ensure there is adequate storage for bins and to comply with policy DH7 of the adopted Oxford Local Plan 2036

31 The development shall be carried out in accordance with the details of the sustainability measures as specified within the Energy Statement submitted 9th July 2021 and retained and managed thereafter unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To minimise carbon emissions in accordance with policy RE1 of the adopted Local Plan 2036.

32 No development shall take place until a Construction Environmental Management Plan (CEMP), containing the site specific dust mitigation measures identified for this development, has first been submitted to and approved in writing by the Local Planning Authority. The site specific dust mitigation measures that shall be included in the CEMP are described on pages 41-44 of the Environment Statement (Air Quality Appendix 10.9) that was submitted with the application. The development should be carried out in accordance with the approved details prior to the commencement of the development.

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 adopted Local Plan 2036

33 Prior to the commencement of development above ground, details of the Electric Vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- Location of electric vehicle charging point
- Provision of electric vehicle charging points to cover at least 25% of the amount of permitted non allocated parking of the development;
- Appropriate cable provision should also be installed to ensure that remaining parking is prepared for increased EV 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 occupied and shall remain in place thereafter.

Reason: To contribute to improving local air quality in accordance with policy RE6 of the adopted Local Plan 2036

34 Details of the day to day management of the student accommodation permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The details as approved shall be brought into effect upon first occupation of the development and shall remain in place at all times thereafter unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To avoid doubt and in order to insure the development is appropriately managed so as to protect the amenities of neighbouring occupiers, in accordance with policy H8 of the adopted Local Plan 2036

35 The student accommodation hereby permitted shall only be occupied by students in full time education on courses of an academic year or more. No occupation shall take place until details of the management controls applying to the accommodation, (which may include an on - site warden or other 24 hour supervision), shall have first been submitted to and approved in writing by the Local Planning Authority. There shall be no variation to the approved management controls without the prior written approval of the Local Planning Authority. The development shall be carried out in accordance with the approved details

Reason: In order to maintain the availability of appropriate student accommodation and controls on its management in the interests of amenity, in accordance with policy H8 of the adopted Local Plan 2036

36 The development hereby permitted shall only be used for student accommodation as specified in the submitted application throughout the academic year and for no other purpose without the prior written approval of the Local Planning Authority. During the summer break the permitted use may be extended to include accommodation for cultural and academic visitors and for conference and summer school delegates. The buildings shall be used for no other purpose without the prior written approval of the Local Planning Authority.

Reason: In order to make efficient use of the accommodation provided, in accordance with policy H8 of the adopted Local Plan 2036

37 Prior to the commencement of works above ground level, an application shall be made for Secured by Design Silver accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until the Council has acknowledged in writing that it has received written confirmation of SBD accreditation.

Reason: To ensure the appropriate physical security is provided across the development, to safeguard future residents and the buildings themselves from crime and antisocial behaviour and to comply with policy RE7 of the adopted Local Plan 2036.

38 Prior to the occupation of the development, details of the proposed management of the use of external spaces for events and occasions shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the management measures be put into effect prior to the commencement of each event or occasion.

Reason: To control the extent of activity and to ensure that the use of outdoor spaces in this manner does not unduly harm the amenity of neighbouring residents in accordance with policy RE7 of the adopted Local Plan 2036

39 The development shall not be occupied until any approved remedial works, including the installation of appropriate ground gas protection measures, have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

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

40 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 an investigation and risk assessment must be carried out by a competent person and in accordance with detail that have been 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 before the development (or relevant phase of development) is resumed or continued. 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 adopted Local Plan 2036.

41 No development shall be occupied until confirmation has been submitted to and approved in writing by the Local Planning Authority that confirms either:-

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

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

Reason: Network reinforcement works may be required to accommodate the proposed development, and to accord with the requirements of RE4 of the adopted Local Plan 2036

42 No development shall be occupied until confirmation has been provided that either:-

1. all water network upgrades required to accommodate the additional flows to serve the development have been completed; or –
2. a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development, and to comply with the requirements of policy RE4 of the adopted Local Plan 2036

43 Prior to the first occupation of the development hereby permitted, details of the enclosures and gate to the waste compound hereby permitted, shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details

Reason: In the interests of visual amenity and to accord with policy DH1 of the adopted Local Plan 2036

44 The gated access from Marston Road to the waste compound shall be restricted for the use of access for waste only, and not used for any other use or purpose.

Reason: To control vehicular movement and use through the site and to accord with policy M2 of the adopted Local Plan 2036

45 Prior to the commencement of any development including demolition, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority to address noise impacts. The CEMP (noise) shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise and vibration and waste disposal resulting from the site preparation, groundwork and construction phases of the development. It should also include details of

- 2.5m solid site hoardings around the construction site perimeter to provide screening from ground level construction noise
- A management programme to inform the residents of the nearest

- noise sensitive properties of when the noisiest activities are likely to taken place and where possible arranging these activities for periods that are least likely to cause a disturbance
- Demonstration of how the construction programme across the various blocks is planned in order to minimise disruption due to noise

The development shall be carried out in accordance with the approved details unless otherwise first agreed in writing by the LPA

Reason: To safeguard neighbouring residential amenities and to limit the construction impact of the proposal and to accord with policies RE7 and RE8 of the adopted Local Plan 2036.

- 46 Prior to the commencement of work above ground, details of the proposed railings to the roof profile shall be submitted to and approved in writing by the Local Planning Authority. The railings shall be erected in accordance with the approved details.

Reason: In the interests of visual amenity and to comply with policy DH1 and DH3 of the adopted Local Plan 2036 and policies CIP3 and CIP4 of the Headington Neighbourhood Plan

- 47 Prior to the commencement of work above ground, details of all proposed signage around the site shall be submitted to and approved in writing by the Local Planning Authority. The signage shall be erected in accordance with the approved details.

Reason: In the interests of visual amenity and to comply with policy DH1 and DH3 of the adopted Local Plan 2036 and policies CIP3 and CIP4 of the Headington Neighbourhood Plan

- 48 Prior to the commencement of work above ground, a plan showing the location, and details of all proposed gates, railings and enclosures as well as all structures including bike stores shall be submitted to and approved in writing by the Local Planning Authority. The enclosures and structures shall be erected in accordance with the approved details.

Reason: In the interests of visual amenity and to comply with policy DH1 and DH3 of the adopted Local Plan 2036 and policies CIP3 and CIP4 of the Headington Neighbourhood Plan

- 49 Prior to the commencement of work above ground, details of the proposed brick courses and window reveals shall be submitted to and approved in writing by the Local Planning Authority. The elevations and reveals shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to comply with policy DH1 and DH3 of the adopted Local Plan 2036 and policies CIP3 and CIP4 of the Headington Neighbourhood Plan

- 50 Notwithstanding the submission of the Health Impact Assessment (HIA), further details of implementation and monitoring of the HIA will be submitted to and approved in writing to the Local Planning Authority prior to the first occupation of the development. The development will be carried out in accordance with the approved details.

Reason: In order to promote strong vibrant and healthy communities and to accord with policy RE5 of the adopted Local Plan 2036

- 51 Notwithstanding the submission of the Energy and Sustainability Statement, further details to set out that water efficiency specification will reach 110 litres per person per day will be submitted to and approved in writing to the Local Planning Authority prior to the first occupation of the development. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the opportunities for maximising water efficiency are secured and to comply with policy RE1 of the adopted Local Plan 2036

- 52 The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB _{L_{Aeq} 16 hrs} daytime and of more than 30 dB _{L_{Aeq} 8hrs} in bedrooms at night

Reason: In the interests of the health and wellbeing of neighbouring residents and occupiers/users of the application site subject to the development and to accord with policy RE8 of the adopted Local Plan

- 53 Prior to commencement of the development above ground, details shall be submitted to and approved in writing to the Local Planning Authority of an enhanced sound insulation value DnT,w of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/uses in adjoining dwellings, namely. The development shall be carried out in accordance with the approved details prior to occupation of the development and thereafter be permanently retained as approved.

Reason: In the interests of the health and wellbeing of neighbouring residents and occupiers/users of the application site subject to the development and to accord with policy RE8 of the adopted Local Plan

8. APPENDICES

- **Appendix 1 – Oxford City Planning Committee Report**

9. HUMAN RIGHTS ACT 1998

9.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to [approve/refuse] 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.

10. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

10.1. 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/refuse] planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.