

**Oxford City Planning Committee**

October 2021

**Application number:** 21/01449/FUL

**Decision due by** 23rd August 2021

**Extension of time** 31<sup>st</sup> October 2021

**Proposal** Full planning permission for 134 dwellings (use class C3), informal open space including community pavilion, seating and children's play areas, hard and soft landscape and sustainable drainage areas, access, associated roads and infrastructure, car and cycle parking, bin storage, pumping station, substation and associated engineering works.

**Site address** Land South West Of St Frideswide Farm, Banbury Road, Oxford, Oxfordshire – see **Appendix 1** for site plan

**Ward** Wolvercote Ward

**Case officer** Felicity Byrne

**Agent:** Miss Rebecca Bacon      **Applicant:** Croudace Homes Limited

**Reason at Committee** Major development

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## 1. RECOMMENDATION

1.1. The 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 and subject to:

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

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

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

obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning Services considers reasonably necessary; and

- complete the section 106 legal agreement referred to above and issue the planning permission.

## **2. EXECUTIVE SUMMARY**

2.1. This report considers the proposal for 134 residential units (flats and houses) on an allocated site that lies to the north of the City centre on the edge of the city's administrative boundary. Officers consider that the proposed development would provide high quality design both in appearance and place-making that would contribute towards meeting housing need in Oxford. 50% affordable housing of an appropriate mix would be provided together with an appropriate mix of private sale housing. Self-build plots would also be provided giving purchaser opportunity to design and build their own homes. The development would have an appropriate relationship to its context and future housing development adjoining the site. It would provide good connectivity that would encourage sustainable modes of transport and facilitates future cycle lane road improvements along the A4165. The development would provide in excess of 10% public open space. Existing hedgerows would be kept, any loss of trees or vegetation would be supplemented and adequately mitigated by new tree planting and the comprehensive high quality landscape scheme. Impact on surrounding Green Belt would be adequately mitigated through improvements to facilities at Cutteslowe Park secured via a legal agreement.

2.2. There would be no harm to any identified protected species and off-setting to meet biodiversity net gain can be secured by legal agreement. The development would be of sustainable design and construction principles achieving in excess of 40% carbon reduction requirement. Car parking would be low (one space per unit) with 3 shared car club spaces and adequate cycle parking would be provided across the site. There would be no harm to the highway network as a result of traffic generation. The development would accommodate improvements to cycle lanes along the A4165 and further financial contribution agreed to other highway improvements and the Public Right of Way enhancements and mitigation measures. There would be no adverse flood risk & drainage, land contamination or air quality impact. Subject to appropriately worded conditions and s106 legal agreement, the development would accord with all policies in the local plan, neighbourhood plan and NPPF.

## **3. LEGAL AGREEMENT**

3.1. This application is subject to a legal agreement to cover:

- Provision of affordable housing
- Provision of five self-build dwellings
- Provision of on-site publicly accessible open space including play areas and community gazebo

- Management of on-site publicly accessible open space and SuDS
- Provision of pedestrian and cycle access to tennis club boundary
- Provision of pedestrian and cycle access to eastern boundary and northern boundary and improvements to the A4165 Oxford Road
- Requirement to enter into a S278 with the County Council
- Contribution towards Green Belt mitigation measures
- Contribution towards replacement floodlights for the Hockey Club
- Biodiversity Net Gain off-setting
- Contributions to the County Council towards Highway works, Travel Plan Monitoring and Public Rights of Way improvements.

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

4.1. The proposal is liable for CIL amounting to £2,019,274.40.

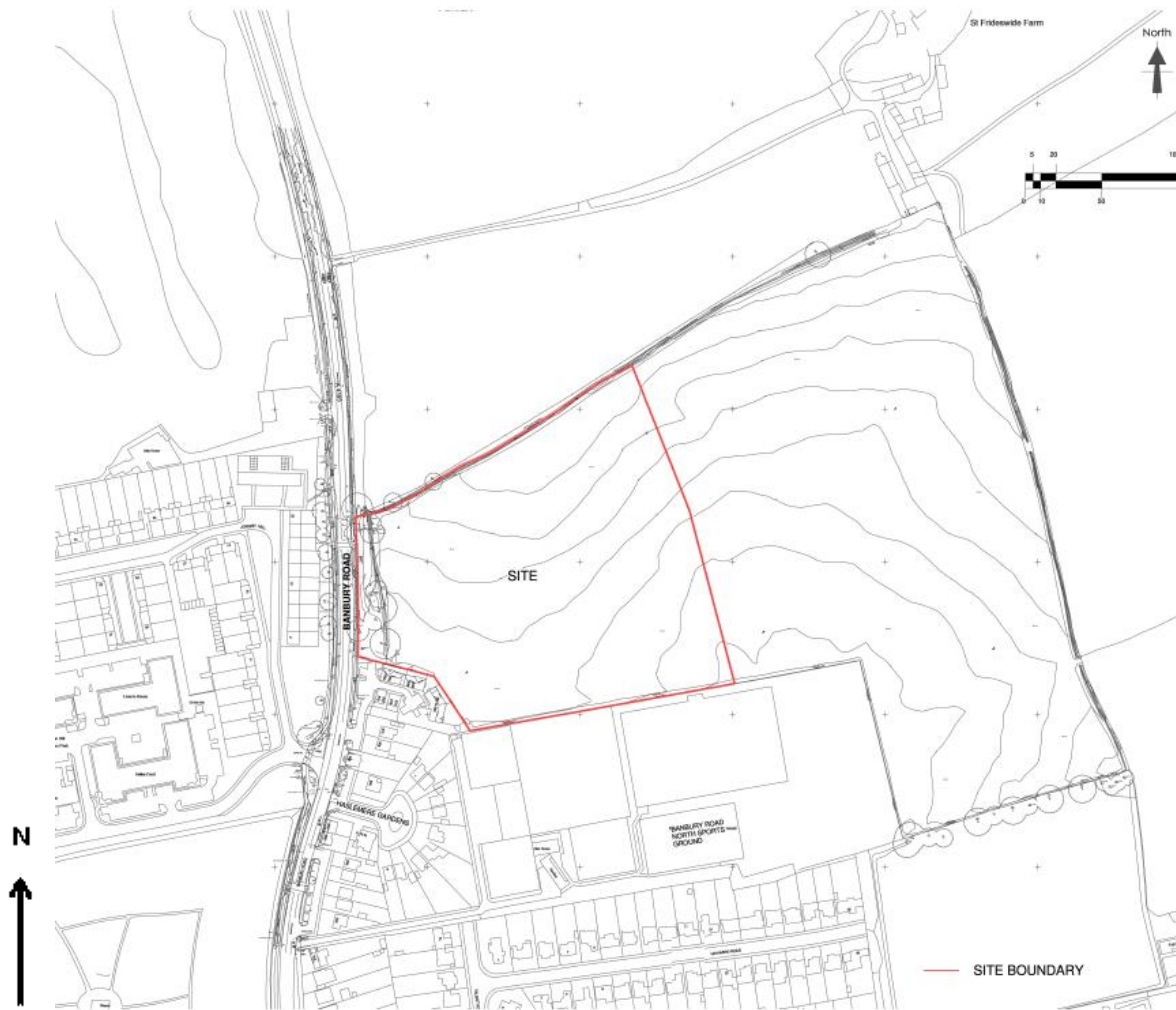
#### **5. SITE AND SURROUNDINGS**

5.1. The site is an allocated site in the new Oxford Local Plan 2036 under policy SP24 and comprises a large open field within St Frideswide Farm located on the northern most edge of the City Council Boundary. It lies on the eastern side of the A4165 Oxford Road between Oxford and Kidlington and there are good public transport links to both. The site was formerly in the Green Belt but has been taken out following allocation in the newly adopted Oxford Local Plan 2036 (OLP36). The surrounding open fields of the farm lie within Cherwell District Council and have been allocated for residential development and also removed from the Green Belt.

5.2. The site is bounded by trees and hedgerow along the Oxford Road (west boundary) and hedges on north and south boundaries. The eastern boundary is open to the fields beyond. To the south-west corner of the site is existing housing, a WWII Pillbox. Directly south adjoining the site are existing sports facilities comprising the Tennis Club and tennis courts and the Hockey Club and pitches.

5.3. St Frideswide Farm itself, located to the north east, is listed Grade II\* and an associated wall further north of it is listed Grade II. Approximately 72m south of the site boundary is Turnpike Cottage, No.5 66 Banbury Road which is listed Grade II.

5.4. See Figure 1: Site Location Plan below:



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 Ordnance Survey 100019348

Fig. 1 Site Location Plan

## 6. PROPOSAL

6.1. The application proposes 134 dwellings; comprising 61 flats and 74 houses, see Figure 2 below showing proposed site layout. The development would be accessed via a new vehicular access onto the A4165 Oxford Road. The layout has been based on a garden village approach incorporating the 10% requirement for public open space with the central area of the development and extending towards the east boundary. It is proposed to retain the northern, southern and western boundary hedges and existing trees, except where they would be removed to facilitate the new vehicular access. A new hedge is proposed along the eastern boundary. A sustainable drainage attenuation pond is proposed in the north-east corner. It is proposed to retain the existing public permissible footpath along the northern boundary and create a new central footpath linking into the existing Public Right of Way (PRoW) footpath that extends north-eastwards towards Frideswide Farm. Three other pedestrian and/or cycle links are proposed in the north, east and southern boundaries. The central public open space with play area and community pavilion and orchard trees are proposed which is also linked to the eastern boundary by a green corridor.

6.2. A mix of houses and flats are proposed. To the west of the site would be 4 and 5 storey blocks of flats set back from the road frontage. Two further blocks of 3 storey flats would be sited in the south-eastern corner adjacent to the Hockey pitches and above some detached garages are single flat units, referred to as Flats Over Garages (FOGS). Elsewhere within the site are semi-detached and detached dwellings. Generally, car parking is proposed on plot in carport or garages for houses and in car parking court areas for the flats. One car parking space per unit is proposed together with three car club spaces.



Fig 2 showing proposed site layout.

**7. RELEVANT PLANNING HISTORY**

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

**8. RELEVANT PLANNING POLICY**

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans: <b>Wolvercote Neighbourhood Plan</b>
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<b>Design</b>	119-125, 126-136	DH1 - High quality design and placemaking DH2 - Views and building heights DH7 - External servicing features and stores RE1 - Sustainable design and construction RE2 - Efficient use of Land		Policy GBS3 – Playing Fields and Play Areas
<b>Conservation/Heritage</b>	189-208	DH3 - Designated heritage assets DH4 - Archaeological remains		
<b>Housing</b>	60-77	H1 - Scale of new housing provision H2 - Delivering affordable homes H4 - Mix of dwelling sizes H7 - Community-led housing/self-build housing H10 - Accessible and adaptable homes H14 - Privacy, daylight and sunlight H15 - Internal space standards H16 - Outdoor amenity space standards		BEC2 - Design Amenity  Policy BEC5 – Mix of Dwellings and less mainstream housing Policy CHS1 – Community Connectivity
<b>Commercial</b>	86-91			
<b>Natural environment</b>	91-101, 174-188	RE3 - Flood risk management G1 - Protection of Green/Blue Infrastructure		HEC1 Tree  GBS6 Green Space in Developments

		G2 - Protection of biodiversity geo-diversity G4 - Allotments and community food growing G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure		GBS5 – Biodiversity  Policy GBC1 – Wildlife Corridors
<b>Social and community</b>	92-103			Policy CHC1 – Community, Sports and Recreational Facilities
<b>Transport</b>	104-113	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development M3 - Motor vehicle parking M4 - Provision of electric charging points M5 - Bicycle Parking	Parking Standards SPD	CHS1 – Community Connectivity  CHS2 – Electric Vehicle Charging Points CHS3 – Safe Access Routes CHS4 – Travel Plans CHC2 – Walking and Cycling Infrastructure
<b>Environmental</b>	117-121, 152-169, 170-183	RE4 - Sustainable and foul drainage, surface RE5 - Health, wellbeing, and Health Impact Assessment RE6 - Air Quality RE8 - Noise and vibration RE9 - Land Quality	Energy Statement TAN	Policy BES2 – Air Pollution  Policy BES3 – Noise Pollution Policy BES4 – Drainage and Flooding
<b>Miscellaneous</b>	7-12	S1 - Sustainable development S2 - Developer contributions RE7 - Managing the impact of development V8 - Utilities	External Wall Insulation TAN,	

		SP24 - St Frideswide Farm		
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## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 15th June 2021 and an advertisement was published in The Oxford Times newspaper on 10th June 2021.

### **Statutory consultees**

#### Oxfordshire County Council (Highways Authority (HA))

9.2. Further to second round of consultation on submitted amended information and plans the HA raise no objection. Their comments are summarised as:

- Proposal seeks to develop existing agricultural land to provide 134 residential dwellings with associated infrastructure.
- Site is located on the eastern side of the A4165 Oxford Road and considered sustainable. The location benefits from a number of local amenities and transport links with further improvements planned in the area, the site is adjacent to the Cherwell Partial Review site PR6a.
- Trip generation has been derived using the TRICS database and census data, the assessment is considered correct and the subsequent distribution is therefore also considered realistic.
- The Kidlington, Cutteslowe and Wolvercote roundabouts along with the site access have been modelled using Arcady, Picady or LinSig junction models. The future years have been modelled taking into considered growth factors taken from TEMPRO, the site's traffic generation as discussed previously and committed development at PR6a and PR6b. The impact assessments show that although some of the junctions will be over capacity in future years, the impact from this development alone is small and unlikely to cause severe harm to the highway network.
- The applicant has stated that there will be 134 parking spaces on the site (plus 3 car-club bays), this level is acceptable. Following previous comments the layout is now considered acceptable.
- Cycle parking appears to be largely in line with the Oxford Local Plan 2036, however, further information on the form of cycle parking used within the flats is requested. The areas shown on the drawings appears restrictive and could make manoeuvring difficult, especially for cargo and e-bikes.
- The pedestrian/cycle links to the adjacent Hockey Club, Cutteslowe Park and PR6a strategic site are welcomed, however, it should be stated that Oxfordshire County Council are only in favour of cycle/pedestrian links and not vehicular connections, should these be proposed in the future.

9.3. Conditions should be imposed relating to cycle parking, Amended Travel Plan and an informative relating to street lighting relocation on Oxford Road.



- 9.4. Financial Contributions are sought towards Highways improvement works, the extension of the CPZ, Public Right of Way improvements/ mitigation measures, and Travel Plan Monitoring (set out in detail below).

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

- 9.5. No objection subject to conditions requiring a detailed surface water drainage scheme (SuDS) for the site and a record of the installed SuDS and site wide drainage scheme.

Thames Water Utilities Limited

- 9.6. With the information provided, Thames Water has been unable to determine the Foul water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for foul water drainage, but have been unable to do so in the time available and as such, Thames Water request that a condition be added to any planning permission requiring details of capacity or phasing plan.
- 9.7. Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. The developer should liaise with the Lead Local Flood Authority (LLFA) to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.
- 9.8. The application indicates that surface water will not be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the LLFA.
- 9.9. Thames Water are currently working with the Applicant to identify and deliver the off site water infrastructure needs to serve the development. Thames Water have identified that some capacity exists within the water network to serve 49 dwellings but beyond that upgrades to the water network will be required. Works are on-going to understand this in more detail and as such Thames Water feel it would be prudent for an appropriately worded planning condition to be attached to any approval to ensure development doesn't outpace the delivery of essential infrastructure.
- 9.10. The proposed development is located within 15m of a strategic water main. Thames Water request that a condition requiring details of a Piling Method Statement be added to any planning permission.

**Public Comments**

- 9.11. Two rounds of public consultation was undertaken and a total of 34 local people, including Councillors, and Harbord Road Area Residents' Association, Wolvercote Neighbourhood Forum Wolvercote Commoners Committee, Cyclox,

CPRE Oxford, Oxford Civic Society commented on this application from addresses in

- 59 Wolvercote Green,
- 516, 580 582, 592, 596, Banbury Rd,
- 85 Leafield Road
- 14, 18 , 26, 27 Harbord Road
- Attendee at St Antony's College
- 28 Polstead Road
- 28 Hayward Road
- St Frideswide Farm
- 122 Wytham St
- 53, 54 Observatory Street
- 37 Park Close
- 10 Sumerhill Road
- 38 Templar Road
- 8 Peacock Road
- 51 Five Mile Drive

9.12. In summary, the main points raised by Members of the Public were:

- Objection to development of this land for residential;
- Precedent for future similar development nearby;
- Erosion of green land; Oxford should stop expanding; Ecological/Environmental impact on remaining the Green Belt;
- Inappropriate development in the Green Belt, no exceptional circumstances provided for its release from the Green Belt. Brownfield sites should be used instead;
- The majority of the stock on the site should comprise affordable home ownership and starter homes;
- Gas boilers proposed is short sighted. Homes should be provided with heat pumps, or other zero carbon means of heating;
- Insufficient Electric charging points;
- Solar hot water cylinders not proposed to allow future residents to take advantage it; development is suitable for a district heating system; solar panels not shown;
- No planting schemes for the front of dwellings and excessive hard standing;
- Construction vehicles should come from the North along A4165 to avoid Cutteslowe roundabout;

- Development does not appear to integrate into Cherwell District Council development plans or the comprehensive masterplanning of the area; consequence for connectivity, energy sustainability, community facilities; traffic and utilities;
- No information of Green Belt compensatory measures;
- Concern regarding Thames Water comment on foul drainage capacity. It should not be left to condition;
- Water enters site from the watercourse to the north (within Cherwell District Council land) and therefore a risk of the attenuation basins being inadequate size;
- Not clear how the developer will address drainage issues given the adjacent fields and park are prone to flooding;
- Disappointing architecture with minimal window sizes that leave an excess of brick resulting in barrack like elevations; block plan and height hierarchy acceptable; flats offer little internal storage or wall space; Brick canopies around entrances is a poor technical solution;
- Overall the layout and block form of the dwellings proposed lacks any imagination and is incongruous;
- Green roofs would fit with the rural location;
- Stone materials would better respond to the edge of the park and the farmland identity;
- Careful consideration of material palette needed. A limited palette provides elegance and long term enjoyment of architecture. Too many materials creates visual noise and is less successful;
- Concerns regarding height, bulk and overbearing relationship of Block A to existing flats to southwest corner. Overlooking from window and balconies. Block A 17m at closest point to existing flats. No proper fencing shown between development and these flats leading to and loss of privacy and noise pollution; Buffer planting along the boundary with the flats should deter thieves; Existing residential amenity of flats seriously affected by increased noise and disturbance from the proposed car parking area; from people accessing Block A's cycle store and also people walking along footpath south of Block A, adjacent to their boundary;
- Four storey flats out of keeping and not the 'norm' in the area;
- Views from the north should be carefully considered; height and colour would have a negative impact;
- How will concreting an unspoilt piece of countryside increase biodiversity;
- The site is treasured and has offered rare breathing space during the Covid pandemic; Building on the green belt not in keeping with the government's "green agenda";
- Why are the housing projection assumptions figures considered credible?
- The plans do not include adequate tree planting to replace what is being

lost;

- All planting should be put in at early stages to mature in advance of occupation;
- Any construction temporary fencing should not cut out light to dwellings and reasonable hours of working and days ensured;
- Increased traffic on Banbury Road and detrimental impact;
- Bottle neck at access point on Banbury Rd and within site; Traffic Lights are needed;
- Visitor cycle parking should be provided;
- Reasonable sensitive layout of segregated and shared cycle paths on site;
- Cycle connectivity will only be successful if wider Cherwell PR6a pick up this connectivity; a separate high quality cycle route that links Kidlington and Oxford Parkway station with Oxford needed;
- Would like to see a formal cycle path from the southeast corner through to Cutteslowe Park to the cycle/pedestrian bridge and also from northern corner;
- A potential car access to the sports facilities does not encourage non-car modes of transport and raising suspicion this site will be re-developed for housing. The cycle/ pedestrian link through is welcomed;
- The proposed new short length of segregated cycle path is welcome but is unambitious and will add to the familiar pattern of start/stop cycle paths throughout Oxford;
- The Travel Plan should provide specific information on viable, direct safe routes to facilities;
- A straight primary road running through the site will encourage speeding; It should be a shared surface;
- Disabled visitor and visitor car parking spaces should be provided;
- The decision not to make the development a CPZ to prevent commuter parking is unwise and short sighted;
- How will parking along the pavements of the secondary roads be prevented?;
- Location of play area adjacent to the primary road is an unsuitable location for young people due to traffic and air pollution levels;
- Poor air quality made worse by development;
- Air Quality data is not representative of the current situation. The Assessment does not address minimisation or reduction of exposure to poor air quality or the possibility that NO<sub>x</sub> levels could exceed 200microgrammes per cubic metre more than 18 occasions per year;
- The use of Benson meteorological station to model the wind rose is methodologically inconsiderate given the distance;

- Dust mitigation measures do not consider health impact on nearby school's playing field and flats during construction;
- Where are the children living on the site going to school? Have the developers set aside funding to enable existing schools to accommodate the additional pupils?
- Impact on NHS, GP and emergency facilities; Provision of a new vehicular access to Cutteslowe Park instead of through Harbord Road;
- No decision should be taken until the judicial review of the Cherwell Local Plan has been determined;
- Supporting documents should be undertaken by independent consultants at developers expense;
- The site is firmly integrated into the agricultural and green landscape to the north and east; which will be lost forever;
- The North Oxford Golf Club will be replaced by new homes under the Cherwell Scheme;
- Adverse impact on biodiversity; no encouragement for wildlife;
- Inadequate distance between the footpaths along the northern edge of the development and the surrounding hedges to mitigate impact on birds; More space is needed for the hedge, particularly near the Banbury Road;
- An already unacceptable amount of lighting comes from the surrounding Oxford Hawks Hockey Club pitches. The level of lighting must be attenuated to mitigate impact on residents. The Developer has amended the blocks to mitigate but the floodlights should be replaced; New flood lights should be a LED solution with the most up to date luminaires to minimise impact;
- How was the percentage of approximately 40% social (and 10% shared ownership) was arrived at. How will provision be enforced?
- The nature of the houses to be built on the self-build plots is not specified;
- The EIA scoping decision has not taken into account the Cherwell District Council development and therefore the cumulative effect;
- Original ecological impact assessment has sections redacted. Why are birds and insects not assessed. The metric 2.0 has no references to the methodology for allocating scoring; Concerns about the accuracy of the Metric 2.0 and therefore ability to provide 5% biodiversity net gain;
- Trees should be protected by conditions;
- A single integrate environmental and social management plan needed to outline all mitigation measures, deadlines, responsible parties and criteria to deem each item closed or successfully implemented by the developer;
- Neither public open space seem to have any features designed to make them welcoming to existing residents;
- There are a number of badger setts in the area. While there may be no setts on the development site, it will form part of their foraging area,

including western boundary scrub. Replacement and mitigation in needed;

- There does not appear to be any strategy for mitigation of this habitat loss in the development plan or protected species, during and post construction;
- Two trees with bat roost potential should be retained;
- A lighting strategy for biodiversity should be included;
- Grey water recycling should be possible on this scale of development;
- The SuDS (sustainable drainage) needs further detail to maximise biodiversity and amenity;

### **Officer response**

9.13. The site is allocated for housing and its removal from the Green Belt was carefully considered during the Local Plan Review and agreed by the Inspector. Developer funding for CPZ, schools and NHS facilities comes under CIL. The percentage of approximately 40% social (and 10% shared ownership) is set out in the Oxford Local Plan Policy H4.

9.14. Comments in relation to the judicial review of the Cherwell Local Plan are not relevant or material to this application being a different Local Planning Authority. For information, the Judicial Review was not successful and site PR6a adjoining is therefore an allocated housing site. A new vehicular or cycle route across to Cutteslowe Park from the site would have to go across Cherwell District Council land and is outside the application site and district boundary.

9.15. Applicants are required to submit the relevant supporting documents which are assessed by the Local Planning Authority and statutory consultees.

## **10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- Principle of development
- Affordable Housing and Housing mix
- Green Belt
- Design and views
- Heritage
- Neighbouring amenity
- Flood Risk and Drainage
- Archaeology
- Biodiversity
- Landscape and Trees
- Sustainable Design and Construction

- Land Quality
- Air Quality

**a. Principle of development**

- 10.2. The National Planning Policy Framework (NPPF) 2021 sets out a presumption in favour of sustainable development, which should be approved without delay unless material considerations dictate otherwise. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions (para.119).
- 10.3. Policy S2 sets out that where appropriate the Council will seek to secure physical, social and green infrastructure measures to support new development by means of planning obligations, conditions, funding through the Council's Community Infrastructure Levy (CIL) or other mechanisms.
- 10.4. Provision will be made for at least 10,884 new homes to be built in Oxford over the plan period 2016-2036 as set out in Policy H1 of the OLP36. This will be achieved through Site Allocations; the efficient use and development of land/sites, including higher densities and building heights in appropriate locations; and ensuring that all new housing developments contribute to the creation and/or maintenance of mixed and balanced communities.
- 10.5. In accordance with Policy H1, the site is allocated for residential development under Policy SP24. It states that planning permission will be granted for residential development and a minimum of 125 homes must be delivered and other uses will be granted on their merits. 10% public open space must be provided with active frontages onto this space. A new hedgerow with native planting must be provided along the eastern boundary and compensatory improvements should be made to surrounding areas of the Green Belt to mitigate the impact. As part of this site allocation the land has been removed from the Green Belt.
- 10.6. The surrounding land to the north and east of the site falls within Cherwell District Council and has been allocated for housing within the newly adopted addendum to their Local Plan. The site is identified as PR6a in their plan and corresponds with further residential development on the opposite side of the Oxford Road known identified as PR6b. This site allocation means that site PR6a is also excluded from the Green Belt. Any development on Frideswide Farm should have regard to PR6a in terms of connectivity and integration as far as possible and practicable given that PR6a site is not within Oxford City Local Authority Boundary and the application site is also coming forward well in advance of PR6a. It should therefore be noted that the development and any public benefits or planning gains are tied to within the City Council boundary in this case. However, any opportunities arising are explored further in the report below.
- 10.7. The development has been designed at pre-application stage in consultation with City Council Officers, Oxford Design Review Panel and County Highways

Authority and Lead Local Flood Authority to respond to the opportunities and constraints of the site; These include, but are not restricted to, the site allocation requirements, such as retention of the existing field hedgerows and 10% public open space, but also the natural fall in the land for drainage and SUDs, impact of traffic noise and light spillage from the Hockey Club flood lights, protection of neighbours amenity, retention of existing trees, biodiversity and opportunities to connect through to the Tennis and Hockey club sites and the existing PROW. Overall it is considered that the masterplan for the site makes best and most efficient use of the land. These points are considered in more detail elsewhere in the report below.

- 10.8. The proposed development proposes 134 houses and flats, which is in excess of the minimum 125 residential units required by the site allocation SP24 and will contribute towards housing provision under Policy H1. The development is therefore considered acceptable in principle, subject to other materials considerations set out below.

#### **b. Green Belt**

- 10.9. Policy G1 ensures protection of green and blue infrastructure. Including Green Belt. The site was removed from the Green Belt as part of the site allocation process in the new Local Plan and in doing so compensatory improvements to the environmental quality and accessibility of remaining Green Belt land were set out in the Identification of Opportunities to Enhance the Beneficial Use of Green Belt Land Report (LUC, 2018) in accordance with the NPPF.. Policy SP24 requires compensatory improvements to be made to surrounding areas of the remaining Green Belt in accordance with the LUC Report.

- 10.10. In relation to this particular site the LUC report suggests, amongst other things, opportunities to enhance recreation provision at the nearby Cutteslowe Park. Officers have identified enhancements opportunities for the Cutteslowe Park Tennis Courts including resurfacing, relining and court lighting. These would improve outdoor sport and recreation facilities and consequently improved accessibility to and beneficial use of the Green Belt. The Applicant has agreed to contribute £100,000 towards these compensatory improvements. This could be secured by legal agreement and as such the development accords with Policies G1 and SP24 in this regard.

#### **c. Affordable Housing and Housing Mix**

- 10.11. Policy H2 of the Oxford Local Plan requires provision of affordable housing on sites of 10 or more units or sites which exceed 0.5 hectares. A minimum of 50% of units on a site should be provided as homes that are truly affordable in the context of the Oxford housing market (defined in the Glossary). At least 40% of the overall number of units on a site should be provided as on-site social rented dwellings (equivalent to 80% of the affordable housing). The remaining element of the affordable housing may be provided as intermediate forms of housing provided that they are affordable in the Oxford market. Policy H4 of the OLP requires that new developments of 25 or more units outside of the City Centre and District Centres provide a mix of dwelling sizes. This is only applicable to



the affordable housing element of developments and there is no mix requirement for market housing.

10.12. The proposals would provide a total of 67 units of affordable housing which is 50% of the 134 units proposed. 80% (54 units) of these would be social rent and 20% intermediate (13). The provision could be secured via a s106 legal agreement. The development therefore accords with Policy H2 of the OLP.

10.13. The mix of dwelling sizes for the affordable units is summarised below, this is summarised alongside the target mix required under Policy H4 of the OLP:

Required Numbers	Proposed Numbers
1 bed 20%-30%	19 x 1 bed - 28%
2 bed 30%-40%	22 x 2 bed - 33%
3 bed 20%-40%	18 x 3 bed - 27%
4 bed 8%-15%	8 x 4 bed - 12%

10.14. In relation to the market housing the mix has been informed by the Oxfordshire SHMA and knowledge of the Oxford housing market given the location of the site on the edge. It would provide 33% 4 bedroom homes, 37% 3 bedroom homes, 19% will be 2 bedroom homes, and 10% will be 1 bedroom homes.

10.15. Planning Committee should note that after 28<sup>th</sup> March 2022 any application providing affordable housing will be required to provide for First Homes. This would alter the required tenures of the affordable housing as proposed in the OLP. A minimum of 25% of all affordable housing units would need to be First Homes either on site or a financial contribution for provision elsewhere. Once a minimum of 25% of the affordable housing has been attributed to First Homes, social rented housing should be secured at the same percentage set out in Policy H2 of the Oxford Local Plan. This means that the 80% social rent would reduce to 75%. Therefore if Committee is minded to approve the application and the permission is not issued by 28 March 2022 the tenure and mix will need to be adjusted to meet this requirement and the wording of the S106 agreement to ensure compliance with the terms of First Homes set out by Government (including cap on cost at £250,000, local eligibility criteria and securing in perpetuity).

10.16. The above mix indicates compliance with the target housing mix and is considered to provide an appropriate balance of dwelling sizes in accordance with Policy H4 of the OLP and Policy BEC5 of the WNP.

#### **d. Self- Build**

10.17. On residential sites of 50 units or more, 5% of the site area developed for residential should be made available as self-build plots in accordance with Policy H7. H7 requires these plots to be within the 50% market housing on a site and should have services (water, foul drainage and electricity supply) to the boundary and access to the public highway. Plots should also have surface water

drainage, telecommunications services, and gas (or district heating) where available. A legal agreement will be used to ensure that if the self-build plots have not sold after 12 months of marketing, then dwellings should be built and brought forward in the normal way, in accordance with other policies including regarding affordable housing and housing mix.

10.18. The development proposes 5 self-build plots (6% of the total site area) along the eastern boundary (plots 26 – 30) within the market housing. The Applicant has confirmed that the plots would have with connections to water, foul drainage and electricity and also surface water drainage, telecommunications services, and gas. The plots would be marketed via an active local marketing campaign including targeted marketing to local community groups and roadside marketing boards for 12 months. Any unsold plots would revert to the Applicant to be developed in accordance with the plans submitted for these plots.

10.19. The submitted plans show that these plots would provide 3 bed dwellings with on-plot parking. The Applicant suggests that the self-build houses should also follow the following principles established in this application for plots 26-30:

- A maximum of 2 storeys
- Follow the line of the front building line set in the site plan (drawing no. 4201-BBA-SP-RL-DR-A10001)
- Up to one car parking space to be provided
- Cycle storage to be provided in line with Oxford City's minimum cycle parking standards

10.20. Officers agree with the above principles and these, together with ensuring the utilities, drainage and telecoms connections and marketing could be secured via a s106 legal agreement. Each plot once sold will be required to apply for full planning permission for the proposed self-build house. In this way the Council will be able to ensure appropriate design and appearance and other Local Plan Policy requirements such as internal and external space, landscaping, sustainable drainage, relationship to neighbouring properties etc. It is also considered acceptable in this case for the Applicant to construct the houses on any unsold plots, as shown on the submitted plans. Again this could be secured by via the s106 agreement. As such the development accords with Policy H7 of the OLP.

#### **e. Design and Views**

10.21. In relation to design the NPPF emphasises that high quality, beautiful and sustainable buildings are fundamental to achieving sustainable development and good design creates better places in which to live and work and helps make development acceptable to communities (para 126). New development should function well, be visually attractive, sympathetic to local character and history, establish or maintain a strong sense of place, optimise the potential of the site and create places that are safe, inclusive and accessible and which promote health and well-being (para 130). Policy DH1 of the OLP36 requires new development to be of high quality that creates or enhances local distinctiveness and that meets the key design objectives and principles set out in Appendix 6.1

of the OLP for delivering high quality development in a logical way that follows morphological layers and is inspired and informed by the unique opportunities and constraints of the site and its setting.

- 10.22. Policy RE2 seeks to ensure development proposals make efficient use of land making best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford. Development should be of an appropriate density for the use, scale (including heights and massing), built form and layout, and should explore opportunities for maximising density.
- 10.23. Policy RE5 states that the Council seeks to promote strong, vibrant and healthy communities and reduce health inequalities. Proposals that help to deliver these aims through the development of environments which encourage healthier day-to-day behaviours and are supported by local services and community networks to sustain health, social and cultural wellbeing will be supported. Developments must incorporate measures that will contribute to healthier communities and reduce health inequalities. A Health Impact Assessment must to be submitted for all major developments, which should include details of implementation and monitoring. This must provide the information outlined in the template provided at Appendix 4 of the OLP36.
- 10.24. Standards of amenity (the attractiveness of a place) are major factors in the health and quality of life of all those who live, work and visit Oxford. Policy RE7 is an all-encompassing policy covering different aspects to ensure a standard of amenity. Development should protect amenity, not result in unacceptable transport impacts affecting communities, occupiers and neighbours, and provide mitigation measures where necessary.
- 10.25. Site allocation Policy SP24 sets out requirements for the site including provision of a minimum of 125 dwellings, connection into the Public Right of Way (PRoW), retention of the north and southern hedge boundaries, creation of a new eastern hedge boundary.
- 10.26. Policy V8 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 utilities 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.
- 10.27. The development proposal has been reviewed twice by the Oxford Design Review Panel (ODRP). A lot of work has been done since both ODRP sessions in response to comments made. In particular, the proposal simplified to enable a clearer hierarchy of housing and infrastructure layout across the site.
- 10.28. The site is outside any of the protected view cones of Oxford as designated under Policy DH2. A Landscape Visual Impact Assessment has been submitted and demonstrates how the development would integrate with Oxford.

10.29. Policy GBS6 of the WNP recommends that new developments should include 15% public open space, of which 50% should be green space.

*Design:*

10.30. It is considered that the development responds well to site context and positively addresses the varied constraints and opportunities. The proposed development respects the scale and pattern of architectural built form within the local context, as well as providing a new gateway to future development within Cherwell District Council's site PR6a that surrounds it. It should be noted that this site is coming forward before PR6a and therefore this development sets up the relationship that PR6a will have to respond to. It should also be borne in mind that PR6a is not within the City Council boundary and therefore there are limitations to what can be achieved. Nevertheless the design has been considered in the full knowledge of future development here.

10.31. The development has been designed as a 'garden village' concept, to respond to the rural qualities of this edge of Oxford. The proposed retention of existing north and south hedgerows, most of the western boundary and landscaping, including green open spaces would result in a leafy garden settlement character. It has been laid out with a main central access road from the Oxford Road that would give clear sightlines through to the fields beyond, and eventually Cherwell PR6a housing site. Along this axis would be the main communal public open space, with orchard and pagoda/ seating area and central play area, and together with proposed street tree planting would provide a green corridor and visual link through the site beyond. Smaller side streets run perpendicular to the main axis, some shared surface and narrower width. The main axis road would terminate at the eastern boundary but provide a cycle lane and pedestrian footpath connection directly to the PRow and PR6a. Other connections for pedestrians and cyclists would be created along the southern boundary to the Tennis Club and Hockey Club and in the south west corner into PR6a, connected via several footpaths from the Oxford Road through the site, including retention of the existing northern permissible footpath. This also increases permeability, aids movement through the site and encourage use of sustainable modes of transport. It should be noted that the connection to the Tennis Club and Hockey Club is at their request and they favoured a vehicular connection owing to the traffic congestion that occurs at peak times. However the County Council Highways has objected to vehicular access but supported cycle and pedestrian connections (see transport section below). The connection is therefore put in place should the Clubs decide to re-develop their site in future.

10.32. The simple grid layout and hierarchy of housing with the taller blocks of flats fronting onto the Oxford Road and lower residential properties to the outer edges of the site would provide good legibility and mitigate the impact of the development in the wider views from the surrounding area. A mix of housing types, including 1 and 2 bed blocks of flats, 1 bed Flats above Garages (FOG's) and 1, 2 and 3 bed houses are proposed in a contemporary architectural response to the architecture of Oxford. House plot sizes range from approximately 5m to 14m wide and approximately 16m to 28m long, with gardens lengths ranging approximately 6m to 17m long. Proposed materials are mainly red and buff brick with render and stone or re-constituted stone detailing.

In terms of height and massing, the tallest four storey blocks of flats (Blocks B and D) would front Oxford Road and 3 storey Blocks C and E return along the new access road. B and D would be set back approximately 14m to 18m from the Oxford Road with existing trees retained along with new tree and shrub planting. Block A is positioned south of Blocks B and D and two/ three storey in height. Three storey corner plots and two storey houses would face onto the public open spaces and main axis road on the northern half of the site, with 2 storey houses and FOGS on the smaller side streets on the southern half of the site. The exception to this are two further two/ three storey blocks of flats (Blocks F and G) in the south east corner parallel to the Hockey Club pitches. These have been located and designed in this part of the site to specifically respond to the impact of light spillage from current floodlighting on the hockey pitches. These are two storey with an element of three storey set back with rooms in the pitched roof. It is considered that the layout, height, and massing of the development is appropriate.

10.33. In terms of amenity provision for the development would provide 16.6 % open space in excess of the 10% public open space requirement and 50% would be green space under SP24 and Policy GBS6 of the WNP. The central linear park (approx. 18m by 148m) adjacent to the main access road would create a visual link through the site to the existing PRow and a green corridor. This is considered a strong design move creating a place that is attractive and inviting to both existing residents in the area and the new residents of the development. Various peripheral green spaces provide additional informal places to be enjoyed by all ages, and give the development a green character. Private balconies would be provided for all flats, in addition to the shared open space around them. Individual gardens would be provided for houses and FOGs. All units would be provided with bins, some individual or in collective points and covered cycle storage. Car parking for the flats to Oxford road would be created to the rear, accessed off the side roads. Elsewhere properties would have on plot integrated car ports and or parking spaces. These properties to the south of the public open spaces would have car parking within a rear car parking area and the FOGs would provide additional activity and security for these parking areas.

*Views:*

10.34. In relation to landscape character and views, a detailed visual landscape impact appraisal (LVIA) has been submitted. In summary, the appraisal demonstrates that whilst initially the change to the existing site character (open field) would be great, in the long-term the impact of the proposal would reduce as a result of the layout, scale of development and proposed retention and enhancement of the existing boundaries and new landscape planting and public open space. The development would maintain the existing 'green corridor' characteristics to Banbury Road and creating a transition to the more rural landscape to the north.

10.35. In relation to visual impacts any effects arising from the proposed development would be very geographically limited, largely to short sections of adjacent PRow, Oxford Road and urban areas immediately to the south. To the east, the proposed development has been designed as a new gateway to PR6a housing development. The LVIA concludes that there would be no material

effect on the character of the urban fringe of Oxford or the longer range views from the River terrace again due to layout, massing and landscaping proposed. In wider shorter range views the undulating land and mature tree cover means that the impact of the development would not be noticeable. Therefore the visual impact would only be felt in close proximity along the Oxford Road, adjoining boundaries, and walking along the PRow to the east. From Cutteslowe Park and the Tennis and Hockey Club the views would be glimpsed through existing tree and hedge planting. To the east PR6a housing would screen the development further in the landscape and thus the impact would be minor if not negligible in the long term. The most change would be experienced by residents to the south east corner adjoining the site, for which the magnitude of change would high at first given they look onto a field. However in the long term, the effect of the change would be reduced through maturing landscape planting proposed the overall.

- 10.36. Officers concur with the analysis and conclusions of the report. The development would be more visible from certain viewpoints, such as the PRow but this would change once the adjoining housing is built. In views along the Oxford Road the development would be screened and mitigated by existing trees and vegetation along the Oxford Road and along the southern and northern boundaries. The four storey flats would be sufficiently set back from the road frontage to mitigate any significant visual impact and the existing housing to the south along Banbury Road up to the site boundary would also provide a screen to the development. Views from Cutteslowe Park and the North Oxford Tennis and Hockey Club would be screened by the existing high boundary hedge.

#### *Summary*

- 10.37. Officers consider the development to be of high quality design that sensitively responds to the site and its surrounding context and has been designed with future development in Cherwell District Council in mind. It would create a strong relationship with the Oxford Road and create high quality spaces internally as well as externally. Height, massing and appearance is considered appropriate and consideration has been given to the site as a self-contained development but also designed to enable a strong relationship with the future adjoining PR6a Site. Public open space and overall landscaping has been well considered, making this inviting to both existing residents in the area and residents of the development. The design appropriately demonstrates good design for health and wellbeing and encouraging good choices for nearby and future residents. The proposed design is considered in accordance with Policies DH1, DH2, DH5 DH7, RE1, RE2, RE5 and M1, Policies BEC2, GBS3, GBS6 of the WNP and the NPPF.

#### **f. Heritage**

- 10.38. In relation to the historic environment the revised NPPF requires proposals to be based upon an informed analysis of the significance of all affected heritage assets. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

- 10.39. In considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 10.40. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
- 10.41. St Frideswide Farm itself, located to the north east, is listed Grade II\* and a wall to the north grade II listed. To the south of the site is Turnpike Cottage, an old toll house listed grade II. It is considered that due to the distance to both Frideswide Farm and Turnpike Cottage that there would be no harm caused to their significance or setting. As such the development would preserve their character, appearance and setting in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and Policy DH3 of the OLP.

#### **g. Residential Amenity**

- 10.42. Proposals for residential development should ensure that all affordable dwellings and 15% of general market dwellings on sites of 10 or more dwellings are constructed to the Category 2 standard as set out in the Building Regulations Approved Document M4. 5% of all dwellings for which the City Council is responsible for allocations or nominations on sites of more than 20 dwellings should be provided to Category 3 (wheelchair user) standards. Policy RE7 and H14 of the OLP seeks to ensure that development does not have an adverse impact on, amongst other things, neighbouring amenity including loss of privacy, overshadowing and overbearing impacts. Policy H15 ensures a good quality living accommodation is provided for new developments in accordance with National Spaces Standards. Policy H16 ensures dwellings have direct and convenient access to private open space: 1 and 2 bed flats should have a private balcony/ or shared garden; all houses should have an adequate sized private garden least equivalent in size to the original building footprint. Policy BEC2 of the WNP states that design of development should safeguard privacy by limiting overlooking.
- 10.43. The development would sit to the northeast of the existing 2 storey blocks of flats, Nos.572-596 Banbury Road, that adjacent to the southwest corner of the site. These flats have first floor balconies and gardens facing the development and currently unrestricted view of open countryside. Residents commented that the proposed development would result in an overbearing impact due to heights and proximity, loss of privacy as a result of windows and balconies overlooking, and noise and disturbance from proposed car parking, pedestrians walking along a new footpath and from new residents accessing Block A's cycle store. The Applicant has submitted amended plans to address points raised.

- 10.44. Officers acknowledge that this development would result in a major change to current views enjoyed by existing residents. It must be re-iterated that this is an allocated housing site and that change is therefore inevitable. In planning terms there is no right to a view. In response to residents' comments and in discussion with Officers, amended plans were submitted for Block A. This block is not parallel to the existing flats but angled away. It has been moved approximately 8m northeastwards so that it is a minimum distance of approximately 20m distance away increasing to approximately 22.4m away from the existing flats. This distance is considered appropriate for suburban residential developments such as this. Block A would be three storeys however it would read as two storeys with the third floor within the pitched roof, set back from the parapet edge of the building. As mentioned above the building is also angled away from the existing flats, which are 2 storey with a high pitched roof and are of a larger massing and height to other two storey houses and bungalows nearby. On the other side of the Oxford Road are tree storey blocks of flats accessed from Jordan Hill.
- 10.45. It is considered on balance that Block A would not appear unduly out of character or too high, given the relationship of the block and flats, the distance between them, and the set back of the third floor within the roof and other comparative three storey blocks of flats on Jordan Hill. Furthermore it is considered that it would not have an overbearing effect due to the distance between buildings and set back of the third floor and plans submitted demonstrate the building would not cut the 45 degree line from the flats. Block A also sits to the north of the existing flats so there would be no overshadowing. Block B, which sits north of Block A, is four storeys however due to its location and distance away would not result in overshadowing or overbearing effect and or loss of privacy.
- 10.46. In relation to overlooking from Block A to the existing flats, of the 5 windows at third floor (roof level) in Block A three would be obscure glazed secondary windows. The remaining two windows would be sole windows to bedrooms and would face the development. These would be set back by approximately 1.6m and 2.5m respectively behind the 1.2m high parapet which would restrict views out. Due to the position of the block these windows overlook the new car parking area and not directly face the flats. In taking all these points into consideration it is considered that there would not be a significant degree of overlooking or loss of privacy to the existing flats from the third floor windows.
- 10.47. At first floor amended plans show the windows with obscure glass to lower portions in order to restrict views but still provide good quality south facing sunlight into bedrooms and open plan sitting/dining/kitchen rooms. Balconies are proposed on the east and west elevations to these latter rooms and a further balcony to the central flat on the south elevation facing the existing flats. All balconies would have frosted glass balustrade. There would be a degree of overlooking from Block A's first floor windows and balconies. It is considered that the distance of approx. 20m between buildings, which is similar to back to back relationships found elsewhere within residential suburbs, and the proposed obscure glazing would help to mitigate this impact. There could be overlooking from the south facing balconies and it is considered that the proposed balustrade could be conditioned to be a minimum height of 1.2m and designed to



permanently obscure views through, e.g. obscure glazing, that would mitigate overlooking from these balconies. Subject to conditions therefore, it is considered that degree of overlooking would not be so significant to warrant refusal in this case.

10.48. In response to other comments from residents about footpath and activity, the amended plans show the proposed footpath moved away from the joint boundary. Landscape planting is proposed along the boundary to provide a wide buffer between existing and new residents. It is considered that there would be no significant disturbance and loss of amenity as a result. With regard to disturbance from people taking bicycles in and out of Block A's bike store, it is considered that this level of activity would provide good surveillance and activity in accordance with secure by design principles. Similarly the car parking proposed would provide activity and overlooking from existing and proposed flats would ensure security. In addition the parking is approximately 7m away from the joint boundary with new hedging and tree planting in between. The distance between new and existing buildings and buildings to parking is such that the level of activity would not result in a significant adverse impact and it is considered that the benefit of the activity would outweigh any disturbance that might occur in this case. It is considered that would be no adverse impact on existing amenities as a result.

10.49. In relation to amenity provision for the proposed occupiers, the development has been designed to provide adequate internal living accommodation in accordance with national space standards and wheelchair/disabled users in accordance with H14. In respect of Blocks F & G adjacent to the Hockey Club pitches and floodlights, a full light impact assessment was undertaken and the blocks specifically designed to mitigate the adverse impacts of these existing lights including high level kitchen windows and corridors facing the pitches. The windows would allow south facing light in to the flats and reduce floodlight when the lights are in use. In addition, the Applicant has also agreed to contribute a sum towards replacement of the floodlights with new more efficient lights in order to reduce light spillage to existing and new residents and biodiversity within the surrounding landscape. This contribution could be secured through as s106 legal agreement.

10.50. The development proposes large shared garden space around each of the blocks of flats and individual gardens for houses and FOG's. In addition there would be a large centrally located public open space for residents, a smaller public open space with the integrated SuDs pond in the northeast corner, and other child play facilities throughout. As such it accords with H15 and SP24.

10.51. In summary, any harm to existing amenity would be adequately mitigated through siting and design, secured by conditions and the degree of overlooking introduced is not significant to warrant refusal. Adequate internal and external amenity space would be provided. As such the development accords with Policies H14, H15, DH1 and RE7 of the OLP.

#### **h. Transport**

- 10.52. Policy M1 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. In accordance with policy M2, a Transport Assessment for major developments should assess the impact of the proposed development and include mitigation measures to ensure no unacceptable impact on highway safety and the road network and sustainable transport modes are prioritised and encouraged. A Travel Plan, Delivery and Service Management Plan and Construction Management Plan are required for a development of this type and size.
- 10.53. Policy M3 sets out the Council's policy for motor vehicle parking in areas outside Controlled Parking Zones (CPZ) of a maximum of one space per unit (regardless of size). Policy M4 requires Electric Vehicles charging points for all allocated parking and 25% of non-allocated parking. Policy M5 and Appendix 7.4 set out minimum cycle parking standards and shower facilities for development.
- 10.54. The site is located to the north of Oxford and on the eastern side of the A4165 Oxford Road. Immediately to the south is the area of Cutteslowe which benefits from a large green space (Cutteslowe Park), sports facilities (such as the cricket and hockey clubs), primary school and community centre. The surrounding area also benefits from a Controlled Parking Zone (CPZ) which restricts non-residents from parking in the area which would otherwise lead to safety issues and traffic congestion. The site itself is not within the CPZ. To the north of the site is Kidlington which has its own set of facilities along with Oxford Parkway train station and park & ride. There is an existing bus stop outside the site. The site is well located to make use of these local amenities via active forms of travel and is therefore considered sustainable.
- 10.55. To the north west of the site is a Public Right of Way (PRoW) No.229/8 which connects into a permissible path along the northern boundary hedge to the Oxford Road. The PRoW connects into a wider set of public footpaths around Frideswide Farm and the river valley to the east.
- 10.56. A detailed Transport Assessment (TA) has been submitted with the application. The County Council as Highway Authority HA has raised no objection to the development, subject to conditions and contributions to be secured via a s106 legal agreement.

#### Sustainable Infrastructure

- 10.57. The HA has highlighted that the area does not have adequate sustainable transport infrastructure along Oxford Road and the Kidlington and Cutteslowe Roundabouts are pinch points. They also highlight that there is further housing growth development coming forward, in particular allocated sites PR6a and PR6b within Cherwell District Council (1,360 dwellings in total). PR6a adjoins this site and Pr6B is almost opposite at the Golf Club. Improvements to bus, cycle and pedestrian travel will be funded by the planned growth and is essential to mitigate traffic impact. Of most relevance to this site is the sustainable corridor improvements along Oxford Road (from the Cutteslowe Roundabout up to the Kidlington Roundabout. Whilst the scheme is still being fully designed by the

County and funded through contributions, it will include dedicated cycle lanes and footways in both directions which will be in line with LTN 1/20, bus lanes (in both directions where possible) and further crossing points.

10.58. In order to mitigate the impact of this development and other planned future housing, it is essential that the site also connects into the County's planned infrastructure improvements along Oxford Road. In discussion with the HA the Applicant has agreed to widen the width of the cycle lane and footpath alongside the Oxford Road to facilitate the new dedicated cycle lane and bus lanes, and amended plans submitted. The Applicant has also agreed to pay a contribution of £614,792 towards bus and cycle lane improvements along the A4165 Oxford Road. This would enable sustainable transport routes from Cutteslowe roundabout right up to the Water Eaton Park and Ride and in relation to this site the improved provision would encourage healthy and active lifestyle choices and encourage modal shift away from the private car, particularly when considered against the minimum car parking standards and current network capacity.

10.59. The PrOW 229/8 would be extended across the site to the Oxford Road, alongside the linear green Park. It is welcomed and supported by the HA, who suggest a condition to agree the further detail the path's route, width, surface and furniture. The HA also advise that this urban extension would significantly impact on the path network in the vicinity. As such a contribution towards improvements and mitigation measures with a 5km distance from the site against the impact of the development has been requested. These include new or replacement structures like gates, bridges and seating, sub-surfacing and drainage to enable easier access, improved signing and protection measures such as anti-motorcycle barriers. New short links between existing rights of way would also be included. The sum of £55,000 has been agreed by the Applicant and would be secured via the S106 agreement.

10.60. As such the HA raise no objection in this respect and it is considered that the development would improve sustainable travel and accords with Policies M1 and M2 of the OLP and CHS1 and CHC2 of the WNP.

### Traffic Impact

10.61. A detailed assessment of traffic generation has been undertaken in this case, including recognised industry standard TRICS software, 2011 Census data. In assessing junction impact the TA uses TEMPRO growth factors (produced by the Department for Transport) and the proposed traffic generation for the proposed development site and the Cherwell Partial Review sites PR6a and PR6b. They have also used census data again to determine assignment of vehicular traffic on the network but have done their own reassignment of traffic travelling into Oxford city centre, this reduces car trips by 50% traveling into the city and reassigned it on the ring road. The TA has assessed and modelled the impact on the Kidlington, Cutteslowe and Wolvercote roundabouts along with the site access up to 2031. The TA estimates that there would be 141 trips in the AM peak hour (08:00-09:00) and 118 trips in the PM peak hour (17:00-18:00).

10.62. The HA advises that AM and PM trip generation assessment is considered a realistic figure when assessing against total population estimated from the site. The distribution on the network is also reasonable. They also advise that the impact from this development alone on the Cutteslowe roundabout would be small; a 1.1% increase in AM peak hour (busiest peak) by 2026 and unlikely to cause severe harm to the highway network. The impact on Kidlington and Wolvercote roundabout would also be negligible. By 2031, they comment that there is likely to be need for improvements to some of the junctions as a result of future planned housing at PR6a and PR6b and this additional development would have an impact on Cutteslowe and Wolvercote Roundabouts. Committee should note that this is outside the scope of this application and would need be addressed by those developments when they come forward. However, on the basis of the current proposal, the development would not have a severe impact and the HA raise no objection. As such it is considered that the development accords with Policies M1 and M2 of the OLP.

#### Cycle parking

10.63. The minimum cycle parking requirements set out under Policy M3 and Appendix 7 require 2 spaces per 1 and 2 bed unit and 3 for 3+ bed units. Further information and amended plans have been received. All houses have a minimum of 3 cycle parking spaces and FOG's 2 spaces. 44 spaces in double stacking cycle stands are provided in Block D & E (20 units) and 2 electric cycle/ other non-standard bike spaces. Vertical bike racks would be provided in Blocks F & G providing 20 spaces for 10 units in each block. The cycle parking provision therefore complies with Policy M3.

#### Car parking

10.64. As the site is not within a Controlled Parking Zone Policy M3 of the Oxford Local Plan 2036 states that for this site a maximum of 1 space should be provided per property and no visitor spaces provided. Car Club spaces must be provided up to a maximum of 0.02 of total units. Policy M4 requires electric vehicle (EV) charging provision for all allocated spaces and at least 25% of the non-allocated spaces.

10.65. The development proposes 134 parking spaces for 134 units either as on-plots car ports for houses and GOF's or on-street car parking areas for the flats in accordance with maximum parking standards. 3 car club spaces within the central area. In response to HA comments the integrated garages are now car ports and the layout and width of the streets improved to discourage informal parking. As such the HA raises no objection to the level of car parking. All allocated spaces and at least 25% of the non-allocated spaces would have EV charging points which could be secured by condition. The car parking and EV provision therefore complies with Policies M4 and M5 of the OLP and CHS2 of the WNP.

10.66. The County Council advise that in future the site will come under a CPZ which would ensure parking levels are effectively managed and prevent parking pressure from people who use the Water Eaton Park and Ride or the new

Cherwell developments. Whilst a contribution towards amending the CPZ was requested by the County Council, this comes under CIL.

10.67. A draft Travel Plan has been submitted for the development and the HA advises that it is acceptable in principle, but some amendments are required. This could be secured by condition requiring further submission and approval of the amended Travel Plan. The Applicant has agreed to pay £1,446 the County Council Travel Plan monitoring fee, which can be secured by the S106 agreement. As such the development accords with M2 of the OLP and CHS4 of the WNP.

#### **i. Flood Risk and Drainage**

10.68. Oxford City Council requires all developments to be drained using Sustainable Drainage Systems in accordance Policy RE3 and RE4 of the OLP36 and the NPPF for major developments. Developments should 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. Development should not have an adverse impact on groundwater flow.

10.69. A Flood Risk Assessment (FRA) accompanies this planning application due to the size of the site being over 1 hectare. Amended plans and drainage information has been submitted following initial consultation response from the County Council as Lead Local Flood Authority (LLFA) for major developments. The FRA demonstrates that the site is within Flood Zone 1 and is at a low risk of flooding from all potential sources of flooding. The accompanying ground investigation report indicates that infiltration is not possible on the site. Therefore, in accordance with the drainage hierarchy set out in Policy RE4, the next option would be to discharge into a surface water body. To maintain the required existing greenfield conditions, it is proposed to limit discharge to the unnamed watercourse at the northern boundary, which then track north eastwards into the River. This would be done via two attenuation basins in the north east corner of the site which are connected through a water pipe. In this way the existing greenfield run-off rate would be achieved. Increase permeable paving within the car parking areas surrounding the houses is also now proposed.

10.70. The LLFA raise no objection to the development subject to conditions requiring a detailed surface water drainage scheme for the site and evidence of the installation of the SuDs prior to occupation. It is considered that the new blue infrastructure attenuation ponds have been appropriately integrated into the wider landscape design for the site, forming part of the proposed public open space to the northeast corner alongside the children's play area. Subject to conditions set out above, the development accords with Policies RE3, RE4 and G8 of the OLP.

#### **j. Archaeology**

10.71. Policy DH4 states development proposals that affect archaeological features and deposits will be supported where they are designed to enhance or to better reveal the significance of the asset and will help secure a sustainable future for

it. Proposals which would or may affect archaeological remains or features which are designated as heritage assets will be considered against the policy approach in policy DH3 set out above. Archaeological remains or features which are equivalent in terms of their significance to a scheduled monument are given the same policy protection as designated heritage assets and considered against policy DH3. Proposals that will lead to harm to the significance of non-designed archaeological remains or features will be resisted unless a clear and convincing justification through public benefit can be demonstrated to outweigh that harm, having regard to the significance of the remains or feature and the extent of harm. Where harm to an archaeological asset has been convincingly justified and is unavoidable, mitigation should be agreed with Oxford City Council and should be proportionate to the significance of the asset and impact.

10.72. This site is of interest because of the potential for prehistoric and Roman activity. The site lies on the edge of the Wolvercote gravel terrace, adjacent to the Summertown - Radley gravel terrace which has produced extensive evidence for late Neolithic - early Bronze Age ritual and funerary monuments and for dispersed Iron Age and Roman settlement. The Wolvercote terrace has been less well studied, however two Late Neolithic-Bronze Age round barrows are located 280m to the north of the consultation site (County HER No's 1354 and 1354) and a Neolithic adze was recovered from nearby 16 Hayward Road (County HER No 6163). This area of Wolvercote is also notable for the discovery of nationally important Lower Palaeolithic remains in a brick pit, 600m to the west of the consultation site. A further six Palaeolithic implements were recovered 250m to the south west (County HER No 12912).

10.73. Pre-submission archaeological field evaluation (including geophysical survey and trial trenching) was undertaken in order to establish the character and extent of any significant archaeological remains in this location. A Desk Based Assessment (Wessex 2020) and Geophysical Survey (Wessex 2020) submitted with the application.

10.74. An archaeological geophysical survey identified a small number of anomalies of possible archaeological interest. A total of eleven evaluation trenches were excavated across the site, the majority of which targeted the geophysical anomalies previously identified. Of these only one contained a potential archaeological feature and elsewhere the anomalies were identified as natural features and remnants of a ridge and denuded furrow system. A good correlation was found between the results of the geophysical survey and the archaeological evaluation. The single long linear feature identified could have been associated with pre-historic landscape associated with a Iron Age settlement found to the east of the site within Cherwell District. However the feature was shallow and unfortunately no dating evidence was found. The land between the application site and the identified Iron Age settlement has been subject to robust trenching and there is no evidence for the settlement reaching any closer than 100m from the application site. Therefore, on balance, the available evidence suggests that any related settlement fades out well to the east of the current development site.

10.75. In conclusion therefore it is considered that the archaeological implications of the proposed development have been adequately demonstrated and no further

archaeological work is required in this case. As such the development accords with Policy DH4 of the OLP.

#### **k. Biodiversity**

10.76. OLP policy G2 states that development that results in a net loss of sites and species of ecological value will not be permitted. On sites where there are species and habitats of importance for biodiversity that do not meet criteria for individual protection, development will only be granted where a) there is an exceptional need for the new development and the need cannot be met by development on an alternative site with less biodiversity interest; and b) adequate onsite mitigation measures to achieve a net gain of biodiversity are proposed; and c) offsite compensation can be secured via legal obligation. Compensation and mitigation measures must offset the loss and achieve an overall net gain for biodiversity of 5% or more from the existing situation and for major development this should be demonstrated using a biodiversity calculator.

10.77. Policy GBS5 of the WNP states that development proposals which would result in significant harm to sites and/or species of ecological value would not be supported unless benefits of the development outweigh the loss of habitat or species. Mitigation for loss and compensation should be provided to an equivalent or high ecological value and net gain in biodiversity. Development that preserve, increase and enhance biodiversity by retaining wildlife corridors will be supported. Policy GBC1 states that provision of trees and shrubs in new development will be encouraged in order to reduce air pollution, increase habitat connectivity and mitigate against rising temperatures. Trees and hedges on verges must be retained, and street planting and their required maintenance should be an important part of new developments.

10.78. A preliminary ecological appraisal has been done to establish the sites baseline ecological value and further phase 2 protected species and habitat surveys for badgers, bats, reptiles and notable mammals. An updated Ecological Impact Assessment and Biodiversity Metric 3.0 calculator has also been submitted. The Applicant is seeking to achieve a 10% biodiversity net gain.

10.79. The Local Planning Authority in exercising any of their functions, has a legal duty to have regard to the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended), which identifies 4 main offences for development affecting European Protected Species (EPS):

1. Deliberate capture or killing or injuring of an EPS
2. Deliberate taking or destroying of EPS eggs
3. Deliberate disturbance of a EPS including in particular any disturbance which is likely
  - a) to impair their ability –
    - i) to survive, to breed or reproduce, or to rear or nurture their young, or
    - ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
  - b) to affect significantly the local distribution or abundance of the species to which they belong.

4. Damage or destruction of an EPS breeding site or resting place.

10.80. Officers are satisfied that European Protected Species are unlikely to be harmed as a result of the proposals. A number of ecological conditions would be required to ensure protected species and habitats are protected including protected species survey prior to commencement, a construction environmental management plan for biodiversity, a Landscape and Ecological Management Plan, and submission of a detailed scheme of ecological enhancements.

10.81. The EIA and Metric calculator submitted demonstrates that whilst tree and soft planting would provide some on-site biodiversity compensation and mitigation benefits, the development would result in a net loss of 0.91 habitat units and a net gain of 4.57 hedgerow units. The Applicant proposes to address the shortfall of habitat units and secure biodiversity net gain of 10% through biodiversity off-setting. This would require the Applicant paying a third party to deliver 1.77 habitat units on off-site land. This approach is acceptable in principle.

10.82. The Applicant has approached the Trust for Oxfordshire's Environment (TOE) as a local broker for biodiversity net gain schemes in Oxfordshire. TOE has provided written confirmation that schemes are available in the area close to Oxford. Officers are therefore satisfied that the off-setting could be achieved and this could be further secured via either appropriately worded conditions, conservation covenant or s106 legal agreement. It is therefore considered that the development would accord with Policies G2 of the OLP and GBS5 of the WSP and the NPPF.

#### **I. Landscaping and Trees**

10.83. Policy G7 protects against the loss of green infrastructure features such as hedgerows and trees. It must be demonstrated that their retention is not feasible and that their loss will be mitigated. Where tree retention is not feasible, any loss of tree canopy cover should be mitigated by the planting of new trees or introduction of additional tree cover (with consideration to the predicted future tree canopy on the site following development). Where loss of trees cannot be mitigated by tree planting onsite then it should be demonstrated that alternative proposals for new Green Infrastructure will mitigate the loss of trees, such as green/ brown roofs or walls. Policy G8 requires new development that affects green infrastructure to demonstrate how these have been incorporated within the design, including health and wellbeing and biodiversity enhancement. New usable public spaces or small parks should have a variety of uses, for example a nature area, seating, a playground and a kick-about area.

10.84. Policy GBS3 of the WNP states that all new developments of more than 10 dwellings must include provision for children's play areas that are safe. Policy GBS6 states that development proposal which increase public access green space and enhance biodiversity will be supported. Policy HEC1 states that tree planting and tree replacement should be a high priority on new developments. SP24 requires 10% new public open space and provision of a new native hedge along the eastern boundary. The supporting text states that retention of the existing hedgerows as part of the design where possible.



- 10.85. This is a greenfield site currently given to arable use. There is a permissive footpath which runs from the Banbury Road and which links to a PROW on the eastern field boundary. There is a substantial belt of low quality semi-natural wood-scrub along the western boundary with the Oxford Road, which has mature ash trees as its principal tree component with an understorey of scrub elm and hawthorn trees. It is considered that the ash trees in the western boundary are highly likely to be affected by Chalara ash-dieback disease in the near future.
- 10.86. The landscape design across the site includes provision for substantial numbers of new tree planting, which the tree canopy cover assessment study demonstrates will generate a 500% increase in canopy cover over 25 years (versus no development). Due to the probability of ash-dieback, it is proposed to remove all trees except one large ash along the western boundary and this approach is considered appropriate and acceptable in this case. The loss would be mitigated by a line of 6 specimen common limes to stand in an open grassed verge behind a native species hedge, which would provide a unifying element along the road as well as provide wildlife habitat value. The area would appear more open than as existing and would create a sense of place that is considered appropriate for the entrance of the development. The new frontage trees would also continue around and down the main access road, drawing one's eye into the site and beyond. These street trees would meet the Government's new requirement in the NPPF for such trees in new residential developments.
- 10.87. The species selection typologies are appropriate to the hierarchy of spaces. A revision in the design now includes for a greater prominence of native trees along the north boundary of the site around the attenuation pond. Where space is more constrained and unifying elements are needed closer to buildings and hard landscaping, cultivars and ornamentals become the focus, to good effect. An orchard in the central park together with a gazebo, seating and a play area would provide significant community benefit, as well as wildlife benefits from fruiting trees. Two further play areas are proposed to the north and southwest corners of the development. All the landscaping, child's play areas and seating/structures etc. would be in the first instance be managed and maintained by the Applicant and then transferred over to a new community group to continue. This could be secured by a s106 legal agreement.
- 10.88. In respect of the eastern boundary a native species hedge and fencing is proposed of plots 26-30, 36 and 37 (8 units). The purpose of a new hedge was to mitigate the impact of the development on the adjoining Green Belt, however PR6a is no longer within the Green Belt. Fencing is proposed along these property boundaries as it would afford immediate security and definition of the boundary, whereas the hedge would take time to establish. Furthermore in the likely event that other properties in PR6a back onto them, a fence would provide a clear definition of ownership. On balance therefore, given that PR6a is not Green Belt, it is considered that some fencing along the eastern boundary is acceptable in this case. Details of the boundary treatment and planting can be secured by condition.
- 10.89. Conditions securing the proposed tree, soft and hard landscaping, a Soil Resource Plan, an Arboricultural Method Statement, Tree Protection Plan and

an Arboricultural Monitoring Programme are recommended to ensure the high quality design and tree protection during construction.

10.90. Subject to conditions and a s106 agreement, it is considered that the development would provide a high quality landscape and tree planting in accordance with policies G7, G8 and DH1 of the OLP, GBS5, GBS6 and HEC1 of the WNP and the NPPF.

### **m. Sustainable Design and Construction**

10.91. Policy RE1 states that planning permission will only be granted where it can be demonstrated that sustainable design and construction principles have been incorporated. In respect of carbon emissions the policy requires for major residential developments at least a 40% reduction carbon emissions from a 2013 Building Regulations (or future equivalent legislation) compliant base case. This reduction could be secured through on-site renewable energy and other low carbon technologies and/ or energy efficiency measures. Proposals for new residential developments must also meet the higher water efficiency standards within the 2013 Building Regulations (or equivalent future legislation) Part G2 water consumption target of 110 litres per person per day. This is because Oxford is classified by the Environment Agency as being under serious water stress.

10.92. An updated Energy Statement has been submitted to demonstrate compliance with this policy for new-build residential developments and gas boilers are no longer proposed. The new dwellings would achieve high levels of energy efficiency, integrating passive and active design solutions which would reduce heat loss and heating loads, utilising energy efficient services, such as LED lighting and incorporating low and zero carbon technologies, including individual air source heat pumps (ASHP) providing heating and hot water and roof-mounted PV panels for electricity generation. Through these measures and the adoption of the proposed energy strategy, the development would exceed the minimum 40% carbon reduction beyond Building Regulations requirements achieving a reduction of 56.9%. A plan showing the approximate location of the PV panels has been submitted.

10.93. Water efficient fittings and flow restrictors would be used to reduce the consumption of potable water. The proposed flow rate criteria for dwellings at the development is outlined in Appendix B of the Energy Statement and achieves an internal water use of 105 litres per person per day. Homes would be flexible and adaptable to future occupier needs by virtue of all dwellings meeting or exceeding the Nationally Described Space Standards.

10.94. A Site Waste Management Plan has been prepared which sets out how waste will be minimised and how opportunities for recycling will be maximised, both during construction and operation. Sufficient internal and external space would be provided in order to ensure that the household waste produced from the development can be segregated (general waster, recyclable waste, garden waste and food). In certain areas bin collection points have been provided.

10.95. The proposals incorporate SuDS in the form of two attenuation basins which has been identified as the most appropriate form of sustainable drainage for the site. The attenuation basins have been designed to achieve a greenfield run off rate from the site, ensuring flood risk is not increased elsewhere.

10.96. It is considered that the development accords with the requirements of Policies RE1 of the OLP and BES4 of the WNP subject to conditions requiring construction of the development in accordance with the Energy Statement, further details of the proposed PV, and the Site Waste Management Plan.

#### **n. Land Quality**

10.97. Policy RE9 requires a land quality assessment report where proposals would be affected by contamination or where contamination may present a risk to the surrounding environment. The report should assess the nature and extent of contamination and the possible impacts it may have on the development and its future users, biodiversity, the natural and built environment; and set mitigation measures to allow the development to go ahead safely and without adverse effect.

10.98. Phase II Site Investigation and Risk Assessment Report accompany the application. The site has been in agricultural use for the last 150 years and there is no indication of any historical potentially contaminative use of the land. The investigation carried out at the site indicates that there are no significant contamination risks associated with the site with regards to human health, controlled waters and the surrounding environment. It is considered that no specific remedial measures are necessary based on the soil results submitted and the existing site soils are suitable for re-use on site. However in case of any unexpected contamination being encountered during development of the site, a watching brief condition should be imposed on any permission. As such the development accords with RE9 of the OLP.

#### **o. Air Quality**

10.99. Improving local air quality, mitigating the impact of development on air quality and reducing exposure to poor air quality across Oxford is key to safeguarding public health and the environment. The whole of the city was declared an Air Quality Management Area (AQMA) in September 2010. OLP Policy RE6 ensures that the impact of new development on air quality is mitigated and exposure to poor air quality is minimised or reduced for existing and new occupants. An Air Quality Assessment has been submitted as part of the planning application and reviewed along with other relevant application documents. Policy BES2 of the WNP reflects RE6 requiring development to identify current air quality and ways in which the potential impact of new development on the health and well-being of existing residents can be mitigated through both design, layout and construction. An unacceptable impact on air quality would not be supported.

10.100. The baseline assessment shows that the application Site is located currently on undeveloped land within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council (OCC) for

exceedances of the annual mean NO<sub>2</sub> air quality objective (AQO). However, analysis of DEFRA's urban background maps show current air pollutant concentrations to be below their relevant air quality objectives at that location. The application site is therefore considered suitable for its intended use.

10.101. The layout of the development would encourage sustainable modes of transport, reducing use of private vehicles, with a low level of car parking and Policy compliant provision of EV points. The development has also been designed to reduce potential impacts associated with poor air quality from the public highway, with the new residential housing blocks set-back from the public highway, with tree planting and soft landscaping providing a buffer between the public highway and the site. Provision of Photovoltaic panels would produce zero emissions, and the omission of gas boilers would further reduce any potential detrimental impacts on the health of local residents and future occupants of the development.

10.102. The group Cyclox has questioned in general, the baseline assessment made to the development's site (prior development) as well as the actual modelling results (with the development). In response Officers advise that Air Quality monitoring was not the only tool available to assess air quality baseline levels in the developments area: Analysis of DEFRA's urban background modelling maps also show current air pollutant concentrations to be below their relevant air quality objectives at that exact location. The site's nearest diffusion tube monitoring station is located at the traffic lights at Cutteslowe roundabout, which only lies 550m away from the application site, not 4.7 km to the south of the site as stated by Cylox. It covers traffic coming in to the city and therefore exposed to the same traffic flow levels of the future development site. This monitoring site has shown an annual mean NO<sub>2</sub> of 35 ug/m<sup>3</sup> in 2019 (which is below the annual mean limit value for NO<sub>2</sub>) and represents a worst case scenario in terms of exposure for that area. These traffic lights very often cause car idling and regular queues and therefore considered to over represent not under represent the situation.

10.103. In relation to Cyclox comments on the robustness of the air quality results, the air quality model clearly show the air quality impacts of the proposed development to be negligible at all the identified sensible receptors. The model verification shows that the modelling results vs monitoring data is within the 10% envelope set out and considered robust within Government guidance. In relation to OLP RE6, in this instance air quality is not minimised or reduced because the air quality impacts of the development are proved to be negligible. Lastly all modelled receptors predict NO<sub>2</sub> concentrations in all scenarios to be way below 60 µg/m<sup>3</sup> annual mean levels for road side sites. Therefore they are below the annual mean 60µg/m level of NO<sub>2</sub> per 1-hour objective set out in Government guidance.

10.104. It is considered that the AQA satisfactorily demonstrate that in relation to emissions from traffic associated with the scheme, proposed residents exposure would be below the annual average AQO for NO<sub>2</sub> and therefore acceptable in accordance with the AQMA. During construction there would be a high risk of exposure to dust and fine Particle Matter (PM) concentrations to existing residents and therefore mitigation measures have been suggested in the

AQA. Provided these measures are implemented and included within a dust management plan, the residual impacts are considered to be not significant. This could be secured by condition.

10.105. Subject to conditions, it is considered that the air quality levels for this development would be below current limit values for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> and as such it accords with Policy RE6 of the OLP and Policy BES2 of the WNP.

**p. Utilities**

10.106. A Preliminary Utilities Appraisal has been carried out and accompanies this planning application. It identified that a modelling exercise would need to be undertaken to determine the most cost-effective solution for providing water supply to the site. A foul water modelling exercise would also need to be completed. A foul water pumping station is included within the site layout to address capacity concerns over the foul sewer. Connections for gas and electricity have been identified and no reinforcement would be required. A new distribution substation would be required on site and this is included within the site layout. The location of the substation and foul water pumping station have been located to minimise impacts on amenity and be as unobtrusive as possible.

10.107. Thames Water has identified that some capacity exists within the existing water network to serve 49 dwellings but beyond that upgrades would be required and this could be secured by condition ensuring all upgrades have been completed prior to the occupation of the 49<sup>th</sup> dwelling or a development and infrastructure phasing plan has been agreed with them. In relation to waste water Thames Water advise that they have been unable able ascertain capacity and agree a position with the Applicant in the time available. They therefore request a Grampian condition requiring confirmation of sufficient capacity exists or a development and infrastructure phasing plan is agreed prior to commencement, and that all infrastructure network upgrades required are completed prior to occupation (of relevant phase). This is common practise and has been imposed on other developments elsewhere in the City. It is not therefore considered a reason to refuse the application in this case.

10.108. Thames Water also recognises this catchment is subject to high infiltration flows during certain groundwater conditions. However, they advise that the scale of the proposed development would not materially affect the sewer network and as such they have no objection. The LLFA has raise not objection to the development subject to further design details of the SuDS. Design of the SuDS should ensure there is no surcharge and cause flooding and appropriately deal with the high infiltration flows experienced on site. This can be ensured through the LLFA proposed condition.

10.109. It is considered that subject to conditions set out above the development accords with Policy V8 of the OLP.

**q. Planning obligations**

10.110. It is considered that the following matters should be secured through a section 106 legal agreement. Draft Heads of Terms are:

- Affordable housing– 50% affordable housing of which 80% of affordable homes to be social rented and 20% to be intermediate tenure;
- Five self-build dwellings: Plots 26-30; Timescale for advertisement/ Marketing of self-build plots for a period of one year and if not taken up then revert to Croudace to build out in accordance with approved plans (or as amended); Marketing Terms; Provision of services and infrastructure to the plots; Provision of parameters for new houses including maximum two storeys, front building line, provision of maximum one on-plot car parking space, cycle parking (in accordance with the OLP depending of number of bedrooms); Requirement to apply for full planning permission.
- Provision of on-site publicly accessible open space;
- Management of on-site publicly accessible open space and SuDS;
- Provision of pedestrian and cycle access to North Oxford Tennis Club boundary;
- Provision of pedestrian and cycle and emergency vehicular access to eastern boundary and pedestrian and cycle northern boundary, and improvements to A4165 Oxford Road;
- Requirement to enter into a S278 with the County Council for the site access and tie-in with existing pedestrian/cycle infrastructure;
- Contribution of £100,000 towards improvements to Cutteslowe Park Tennis Courts including resurfacing, relining and court lighting in order to mitigate the impact on the Green Belt from the development on this site;
- Contribution of £50,000 towards replacement floodlights for the North Oxford Hockey Club in order to mitigate the impact of light spillage on future occupiers;
- Contribution of £614,792 to the County Council towards Highway works;
- Contribution of £1,446 to the County Council towards Travel Plan Monitoring;
- Contribution of £55,000 to the County Council towards Public Rights of Way improvements;

10.111. The Applicant has confirmed agreement of the contributions and Officers seek delegated Authority the Head of Planning Services to finalise the wording and satisfactorily complete the agreement prior to issuing of the decision notice.

## **11. CONCLUSION**

11.1. The proposed development would provide 134 high quality design residential units on an allocated residential site that would contribute towards meeting housing need in Oxford. 50% affordable housing of an appropriate mix would be provided together with an appropriate mix of private sale housing. Self-build plots would also be provided giving purchaser opportunity to design and build their own homes. The development would have an appropriate relationship to its context and future housing development adjoining the site. It would provide

good connectivity that would encourage sustainable modes of transport and facilitates future cycle lane road improvements along the A4165. The development would provide in excess of 10% public open space. Existing hedgerows would be kept, any loss of trees or vegetation would be supplemented and adequately mitigated by new tree planting and the comprehensive high quality landscape scheme. Impact on surrounding Green Belt would be adequately mitigated through improvements to facilities at Cutteslowe Park secured via a legal agreement.

- 11.2. There would be no harm to any identified protected species and off-setting to meet biodiversity net gain can be secured through a section 106 agreement. The development would be of sustainable design and construction principles achieving in excess of 40% carbon reduction requirement. Car parking would be low (one space per unit) with 3 shared car club spaces and adequate cycle parking would be provided across the site. There would be no harm to the highway network as a result of traffic generation. The development would accommodate improvements to cycle lanes along the A4165 and further financial contribution agreed to other highway improvements and the Public Right of Way enhancements and mitigation measures. There would be no adverse flood risk & drainage, land contamination or air quality impact. Subject to appropriately worded conditions and s106 legal agreement, the development would accord with all policies in the local plan.
- 11.3. In terms of any material considerations which may outweigh these development plan policies, the NPPF has a presumption in favour of sustainable development. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted. Policy SR1 of the OLP 2036 repeats this.
- 11.4. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF and policy SR1 for the reasons set out within the report. Therefore in such circumstances, planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 11.5. 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 NPPF, and relevant policies of the Oxford Local Plan 2016-2036 and Wolvercote Neighbourhood Plan, when considered as a whole, and that there are no material considerations that would outweigh these policies.
- 11.6. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to confirmation and agreement of a biodiversity gain plan and the satisfactory completion (under authority delegated to the Head of Planning Services) of a legal agreement under section 106 of the

Town and Country Planning Act 1990 and other enabling powers and subject also to the conditions in section 12 below.

## 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.

### *Plans*

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

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy S1 of the Oxford Local Plan 2016-2036.

### *Materials*

3. Prior to the commencement of development excluding demolition and enabling works a schedule of materials together with samples and sample panels of the exterior materials to be used shall be submitted to and approved in writing by the Local Planning Authority before the start of work on the site above ground and only the approved materials shall be used unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure high quality development and in the interests of the visual appearance in accordance with policies DH1 of the Oxford Local Plan 2016-2036.

### *Transport*

Construction Environmental Management Plan (CEMP)

4. Notwithstanding the submitted Construction Environmental Management Plan (CEMP), no development shall take place until a revised CEMP is submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the following matters:-
  - the routing of construction and demolition vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
  - access arrangements and times of movement of construction and demolition vehicles (to minimise the impact on the surrounding highway network),
  - times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours of 07:30-09:30 or 16:00-18:00;
  - hours of working;
  - travel initiatives for site related worker vehicles;



- signage for construction traffic, pedestrians and other users of the site;
- piling methods (if employed) and controls on vibration;
- earthworks;
- hoardings and security fencing to the site;
- noise limits;
- control of emissions;
- Dust mitigation measures including the complete list of site specific dust mitigation measures and recommendations that are identified on Tables 7.1 and 7.2 (pages 41-42) of the Air Quality Assessment that was submitted with the application;
- waste management and disposal, and material re use;
- wheel cleaning / wash facilities to prevent prevention of mud / debris being deposited on public highway;
- contact details of the Project Manager and / or Site Supervisor;
- layout plan of the site;
- materials storage including any hazardous material storage and removal.
- Engagement with local residents and neighbours

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

Reason: In the interests of the amenities of neighbouring occupiers, in accordance with the results of the dust assessment and policies RE1, RE6, M1 and M2 of the Oxford Local Plan 2016-2036.

#### Means of Access

5. Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

Reason: In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

#### Travel Plan

6. Notwithstanding the submitted Travel Plan, prior to first occupation a Full Residential Travel Plan (updated within 3 months of occupation of 50% of the site) and a Residential Travel Information Pack shall be submitted to and approved by the Local Planning Authority. The Full Residential Travel Plan shall be complied with on first occupation of the development.

Reason: To promote sustainable modes of transport in accordance with policy M1 of the Oxford Local Plan 2016-2036.

#### Car parking

7. The car parking for the development hereby approved shall be implemented prior to occupation of each relevant block of flats or house in accordance with

the approved plan including the electric vehicle charging points (and relevant infrastructure) and shall be retained for those purposes at all times thereafter. The car club spaces shall be provided prior to first occupation of any residential unit on site and shall be thereafter retained solely for car club cars.

Reason: To ensure a reduction in car parking in accordance with M3 and M4 of the Oxford Local Plan 2016-2036.

#### Cycle Parking and bin storage (flats only)

8. Prior to the commencement of development, details of the cycle parking and bin storage for the flats, including dimensions and cycle stands, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be implemented and thereafter the areas shall be retained solely for the purpose of the parking of cycles and storage of bins.

Reason: To encourage the use of sustainable modes of transport in line with policies DH5, RE7, M3 and H14 of the Oxford Local Plan 2036.

#### Public Right of Way (PRoW)

9. Prior to commencement of development details of the connecting PRoW path's route as shown on the approved landscape plan including width, surface and furniture shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the approved details and thereafter retained.

Reason: To ensure clear wayfinding/path demarcation throughout the site and safety for users in accordance with M1 and M2 of the Oxford Local Plan 2036.

#### *Landscape & Trees*

##### Landscape Proposals: Implementation

10. The landscaping proposals as approved by the Local Planning Authority shall be carried out and completed no later than the first planting season after first occupation or first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

##### Landscape Proposals: Reinstatement

11. Any existing retained trees, or new trees or plants planted in accordance with the details of the approved landscape proposals that fail to establish, are removed, die or become seriously damaged or defective within a period of five years after first occupation or first use of the development hereby approved shall be replaced. They shall be replaced with others of a species, size and number as originally approved during the first available planting season unless otherwise agreed in writing by the Local Planning Authority.

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

#### Tree Protection Plan (TPP) & Arboricultural Method Statement (AMA)

12. No development, including demolition or enabling works, shall take place until a Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) has been submitted to, and approved in writing by, the Local Planning Authority. The TPP & AMS shall include such details as are appropriate to the circumstances for the protection of retained trees during development, and shall be in accordance with the current BS. 5837: "Trees in Relation to Design, Demolition and Construction – Recommendations" unless otherwise agreed in writing by the Local Planning Authority. The TPP & AMS shall detail any physical protective measures such as barrier fencing and/or ground protection materials, and any access pruning or other tree surgery proposals. Methods of any workings or other forms of ingress into the Root Protection Areas (RPAs) or Construction Exclusion Zones (CEZs) of retained trees shall be set out and described. 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 of the approved TPP&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 2016-2036.

*Arboricultural Monitoring Programme (Amp)*

13. 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. 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 Tree Protection Plan and/or Arboricultural Method Statement, as approved 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 2016-2036.

*Sustainable Design & Construction  
Energy Statement*

14. The development shall be undertaken in accordance with the principles and details within the Energy Statement Revision 2 by Tetra Tech unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure compliance with policy RE1 of the Oxford Local Plan 2016-2036.

*Photovoltaics*

15. Notwithstanding the approved Energy Statement, prior to commencement of development excluding site clearance and enabling works, further details of the Photovoltaics including size, number, location, design specification 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 and the approved details shall thereafter be retained.

Reason: To ensure compliance with policy RE1 of the Oxford Local Plan 2016-2036.

#### *Lighting*

16. Prior to commencement of development, details of lighting including details of new lighting fixtures on the exterior of the buildings and within the public realm including public open space and footpaths, luminance levels and colour temperatures, shall be submitted to, and approved in writing by, the Local Planning Authority before the relevant parts are installed and the works shall be carried out in accordance with the approved details only. The luminance shall take account of the impact on biodiversity.

Reason: To ensure a sympathetic appearance for the new work and in the interest of residential amenity, and in the interest of protected species in accordance with policies DH1, RE7 and G2 of the Adopted Oxford Local Plan 2036.

#### *Air Quality*

##### Electric Vehicle Charging

17. Prior to the commencement of development, details of the Electric Vehicle charging infrastructure that is expected to be installed on-site shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle infrastructure shall be formed, and laid out before the development is first occupied and shall remain in place thereafter.

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

#### *Drainage*

##### Drainage Strategy

18. Prior to the commencement of the development, a finalised drainage strategy for the site shall be submitted to and approved in writing by the Local Planning Authority. This shall take into account comments by the Lead Flood Authority and include Sustainable Drainage. The approved strategy shall be implemented within each phase of the development and thereafter retained.

Reason: To avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policy RE 2 of the Oxford Local Plan 2016-2036.

##### Sustainable Drainage (SUDs) Maintenance Plan (SDMP)

19. Prior to first occupation of each phase of the development as set out on the approved phasing plan, a Sustainable Drainage (SUDs) Maintenance Plan (SDMP) shall be submitted to and approved in writing by the Local Planning Authority. The SDMP must be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics and shall provide details of the frequency and types of maintenance for each individual

sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function in perpetuity. The approved SDMP shall be implemented prior to occupation of each phase and shall thereafter be maintained in accordance therewith unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development is maintained in perpetuity and to avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policy RE 2 of the Oxford Local Plan 2016-2036.

#### *Utilities*

##### Foul Water Capacity

20. No development shall be occupied until confirmation has been provided that either: 1. Foul water 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 Foul water network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development in order to avoid sewage flooding and/or potential pollution incidents in accordance with Policy RE of the Oxford Local Plan 2036.

##### Water network

21. There shall be no occupation beyond the 49th dwelling until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or- a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

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

##### Piling

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

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure of the Oxford Local Plan 2036.

#### *Land Quality*

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

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.

#### *Residential*

##### Boundary Treatment

24. Notwithstanding the submitted plans, a further details of the proposed boundary treatment for the residential dwellings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. Only the approved details shall be implemented prior to occupation of the dwellings and thereafter retained.

Reason: To give further consideration to these details and privacy for occupiers in accordance with Policies DH1, DH14 and RE7 of the Oxford Local Plan 2036.

##### Bin and Cycle store (Houses only)

25. The individual houses shall not be occupied until the bin store and cycle parking have been provided in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the cycle parking areas and bin storage.

Reason: To promote the use of cycles thereby reducing congestion on adjacent roads and to protect the amenity of adjacent dwellings in accordance with policies DH7, M3 and H14 of the Oxford Local Plan 2036.

##### Permitted Development

26. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no structure including additions to the dwelling house as defined in Classes A, B, C, D, E of Part 1 of Schedule 2 of the Order shall be

erected or undertaken without the prior written consent of the Local Planning Authority.

Reason: The Local Planning Authority considers that even minor changes in the design or enlargement of the development should be subject of further consideration to safeguard the appearance of the area in accordance with policy DH1 of the Oxford Local Plan 2036.

Car ports

27. Notwithstanding the provisions of the Town and Country Planning Act 1990, the car ports for dwellings shall be retained as car parking spaces at all times and shall not be converted into storage space or living accommodation without the prior approval in writing of the Local Planning Authority.

Reason: To avoid doubt and to ensure adequate car parking on plot and reduce on street parking pressure in future which may obstruct emergency vehicles or large service/ delivery vehicles in accordance with M5 of the Oxford Local Plan 2036.

### ***Biodiversity and Ecology***

Protected Species - Badger

28. No more than six months prior to commencement of any works on site, an update badger survey shall be undertaken, the results of which shall be submitted to the Local Planning Authority. Should any new badger activity be recorded within the site, full surveys and a badger mitigation strategy shall be produced and submitted to and approved in writing by the local planning authority. 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.

Construction Environmental Management Plan (Biodiversity)

29. 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/emergency 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 if required, 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 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: Protection of biodiversity and geo-diversity of the adopted Oxford Local Plan 2036.

#### Landscape and Ecological Management Plan (LEMP)

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

- a) Description and evaluation of features to be managed, both on- and off-site;
- 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 (including an annual work plan capable of being rolled forward over a five-year period);
- 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 will be implemented in accordance with the approved details.

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



### Ecological Enhancements

31. 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. 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 at the numbers specified in the Ecological Impact Assessment submitted in support of the planning application. 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 approved scheme shall be implemented prior to occupation and thereafter retained.

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.

## **13. APPENDICES**

- **Appendix 1** – Site block plan with plot numbering

## **14. HUMAN RIGHTS ACT 1998**

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

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

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

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