

## OXFORD CITY PLANNING COMMITTEE

8th March 2022

**Application number:** 21/03328/OUTFUL

**Decision due by** 4th March 2022

**Extension of time** 25th March 2022

**Proposal** Hybrid application: Full planning application for the demolition of the existing Northfield Hostel buildings and erection of 2no. 4 storey buildings to provide 51 dwellings (Use Class C3). Provision of new pedestrian and vehicular accesses, vehicular and bicycle parking, landscaping, amenity space, refuse storage and noise attenuation works. Outline planning application for the erection of up to 10 dwelling houses (Use Class C3) on former playing field to the east of the existing Northfield Hostel buildings. All matters reserved except scale and access.

**Site address** Northfield House, Sandy Lane West, Oxford, Oxfordshire – see **Appendix 1** for site plan

**Ward** Littlemore Ward

**Case officer** Jennifer Coppock

**Agent:** Mr Alban Henderson      **Applicant:** Mr Stuart Moran

**Reason at Committee** Major development

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## 1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 13 of this report and grant planning permission; subject to:

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

1.1.2. **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 hybrid proposal for a total of 61 residential units (51 flats on the former Northfield Hostel site submitted in full and up to 10 houses on the adjacent former playing field submitted in outline with all matters reserved except for scale and access). The site, which lies to the north of Sandy Lane West and immediately south of the Eastern by-pass (A4142), has been allocated for residential development within the Oxford Local Plan 2036. Officers consider that the proposed development would provide high quality design both in appearance and place-making that would contribute towards meeting the housing need in Oxford. The 51 units would be 100% affordable (84% of the whole site), providing an appropriate mix. The development would have an appropriate relationship with the site itself and the surrounding context. It would provide improved connectivity through highways works including a pedestrian crossing and marked advisory cycle lanes along Sandy Lane West that would encourage sustainable modes of transport. There would be no harm to the highway network as a result of traffic generation. The development would result in a net gain in tree canopy cover through new and retained soft landscaping.
- 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, achieving far in excess of the 40% carbon reduction requirement. Car parking would be low (16 spaces for the 51 flats including 1 shared car club space), with mitigation measures put in place to avoid over-spill parking within the surrounding area. Adequate cycle parking would be provided across the site, with details to be secured by condition. There would be no adverse flood risk & drainage, land contamination, noise pollution or air quality impact.
- 2.3. Subject to appropriately worded conditions and s106 legal agreement, the development would accord with all policies in the Oxford Local Plan 2036 and NPPF.

### **3. LEGAL AGREEMENT**

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

- Provision of affordable housing;
- Contribution towards the placement of double yellow lines within the immediately surrounding area;
- Contribution to provide a real time bus shelter screen;
- Contribution towards the expansion of household waste and recycling centres;
- Biodiversity net-gain offsetting.
- Public accessibility of pocket park.

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

4.1. The proposal is liable for CIL to the amount of £646,940.74.

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

- 5.1. The application site comprises the former site of Northfield Hostel (a vacant two storey pitched roof building) and dis-used sports pitch, accessed off Bampton Close, a residential cul de sac. The site is bound by the Eastern by-pass to the north and Sandy Lane West to the south.
- 5.2. The hostel site is largely bound and characterised by mature trees to the north, east, south and west which provide a buffer between the current buildings onsite and the surrounding roads. Mature trees also partly form the boundary of the sports pitch, however there are a number of gaps in coverage fronting Bampton Close and the Eastern by-pass.
- 5.3. The site contains no listed buildings or other designated heritage assets, and does not lie within, or near to, a Conservation Area. Furthermore, the existing buildings on site are not considered to be of historic or architectural interest.
- 5.4. Surrounding land uses include a single storey Cadet hut to the west, a low-rise residential cul-de-sac of two storey dwelling houses to the east. Nuffield Business Park lies to the south on the opposite side of Sandy Lane West, consisting of one and two storey commercial buildings.
- 5.5. The site lies within flood zone 1 (lowest probability of flooding). The site is not subject to any specific planning policy constraints.
- 5.6. The site has been allocated for residential development in the Oxford Local Plan 2036.

- 5.7. Oxfordshire County Council currently own the application site. However, in August 2020, following a period of negotiation between the City and County Councils, Oxfordshire County Council (Cabinet, 18th August 2020) resolved to agree the disposal of part of the site to Oxford City Council upon the grant of planning permission for redevelopment for affordable housing. Subsequently, in September 2020, Oxford City Council (Cabinet, 9th September 2020) resolved to agree the purchase of the Hostel part of the site from the County Council as part of its on-going programme to bring forward the development of new affordable homes.

See site location plan below:

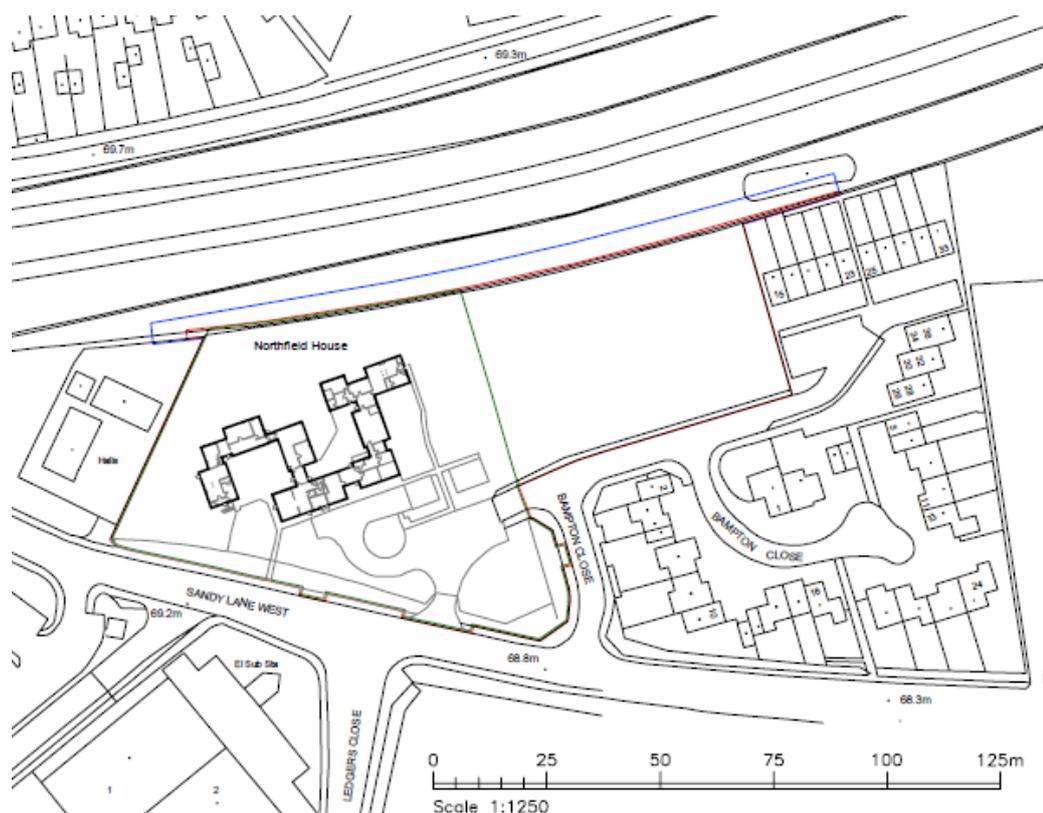


Figure 1. Site location plan; green line denotes the part of the application made in full and the red line outlines the complete site.

## 6. PROPOSAL

- 6.1. This hybrid application proposes the demolition of Northfield Hostel and erection of two blocks at 4 storeys, comprising 51 affordable flats. The main vehicular access would be taken from Bampton Close with a new emergency and refuse vehicle and pedestrian access created off Sandy Lane West. Emergency and refuse vehicles would exit the site from Bampton Close to avoid the need to turn within the site. Vehicular parking would be provided off and on-street and cycle parking would be provided both within the apartment blocks and secure storage within the shared amenity space.
- 6.2. The existing sports pitch, subject to the outline application (with all matters reserved except for scale and access), would be redeveloped to provide

up to 10 market dwellinghouses fronting Bampton Close, varying in height from 2 to 3 storeys. 1no. off-street vehicular parking space would be provided for each property.

- 6.3. The agreement, referred to above at paragraph 5.7, between the County and City Councils is predicated on the basis that the affordable housing provision delivered by the redevelopment of the hostel part of the site would satisfy the Local Plan affordable housing policy requirement arising from the redevelopment of the sports pitch part of the site for open-market housing, hence the submission of a hybrid application encompassing the hostel and sports pitch sites. Oxford City Housing Limited (OCHL) intend on delivering the proposed housing on the hostel part of the site shortly following the grant of planning permission. However, the County Council has not finalised what exactly would be delivered on the sports pitch, so have instead set parameters in relation to scale and access only with remaining details to be determined at a later date.

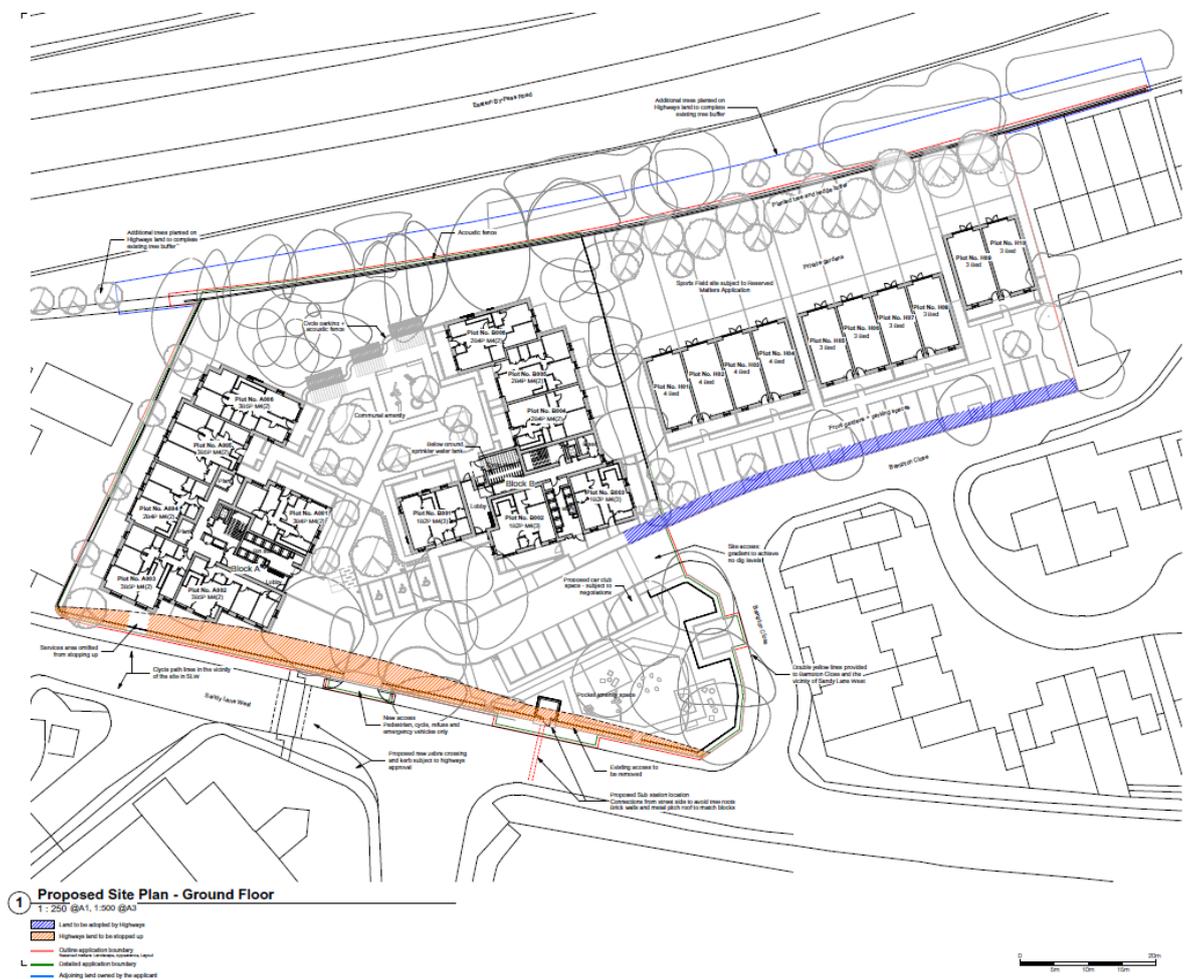


Figure 2. Proposed site plan

## 7. RELEVANT PLANNING HISTORY

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

<p>71/00665/M_H - Proposed hostel for senior maladjusted boys. Approved 25th October 1971.</p> <p>73/00430/M_H - Additional games room and car port. Approved 22nd May 1973.</p> <p>74/00125/SON_H - Erection of games shed. Approved 26th June 1974.</p> <p>75/00693/SON_H - Erection of hostel for 12 senior maladjusted girls, wardens house, 2 staff flats and garage. Relocation of existing portable games room. Temporary permission 27th February 1976.</p> <p>85/00679/PN - Construction of new depot with 2.3m high boundary walls for the Education School Playing Field Service, formation of new access road to serve both new development and Northfield House, close existing access to Northfield House. Approved 8th August 1986.</p>
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### **Pre-application advice and Oxford Design Review Panel (ODRP) feedback**

#### *Pre-application advice*

- 7.2. Extensive pre-application engagement took place throughout 2020 and 2021. During that time, the most substantial amendments to the scheme include the reduction in the maximum height of the flats from 6 storeys down to 4 with a resultant reduction in the number of flats from 83 to 51. Previously, a number of flats had an outlook directly onto the Eastern-bypass which was considered unacceptable in terms of visual amenity, noise pollution and air quality. Further, a number of upper floor flats had an obscured outlook and would have received unacceptable overshadowing due to their close proximity to mature tree canopy. The facades now directly facing the by-pass are blank and the blocks have been re-orientated to increase distance from the retained tree canopies. Following tree officer concerns, a greater number of trees are to be retained on site with new planting proposed to supplement the existing canopy cover.
- 7.3. The proposed dwellinghouses on the former sports pitch site were not incorporated into the scheme until 2021 following an agreement by the County Council to dispose of part of the site to OCHL whilst retaining the option of developing market housing, as set out above. This part of the scheme was originally proposed as a terrace of 10 units of 2 and 3 storeys. The 4no. 3 storey units were interspersed throughout the terrace. Following pre-application advice that this arrangement would be overbearing to existing neighbours fronting Bampton Close, the dwellings

are now graded from 2 storeys adjacent to the existing Bampton Close properties increasing to 2.5 storeys and then 2no. 3 storey units fronting the Bampton Close access road and adjacent to the proposed 4 storey flats, which is considered to respect the context of the surrounding area.

#### *ODRP*

- 7.4. In June 2021, an ODRP workshop was held (please see appendix 2). The panel advised that the buildings and public open spaces should be orientated and opened up to the south, however this was difficult to achieve due to the significant tree cover on site and the need to retain this infrastructure. Further, opening up the public amenity spaces to the south would result in locating the buildings further towards the Eastern by-pass with an increase in noise levels, air pollution and less desirable outlook over the busy road for prospective residents when inside their homes as well as increasing the number of single aspect units. It was therefore agreed that, on balance, retaining the general orientation was the most reasonable approach providing that the units and outdoor amenity space would meet BRE standards.
- 7.5. The panel also encouraged that public spaces for the wider community were provided. The pocket amenity space located to the south east of the site, with its informal play equipment, would be accessible to local residents from the surrounding area.
- 7.6. Inset balconies were recommended to provide better shelter and privacy, in addition to a clearer articulation of the elevations. Inset balconies are now successfully incorporated into the scheme.
- 7.7. Following the workshop, the tree planting strategy has been simplified as advised, however a final landscape plan would be conditioned as set out below in more detail to ensure that native and appropriate species are planted to suit the size and character of the site.
- 7.8. The panel advised that a lighting strategy is required, including the journey from the bus stop to the site. A lighting strategy for the site would be conditioned, however having assessed the existing street lighting along Sandy Lane West, the provision on both sides of the road is considered sufficient to allow for surveillance and a safe route for pedestrians and cyclists. It is therefore deemed unreasonable to require a strategy for the journey from the bus stop to the site as suggested by ODRP.
- 7.9. The pre-application scheme featured entrance points facing the courtyard rather than the Bampton Close access and parking area, raising concerns amongst the panel that the site would not feel safe and opportunities for the community to come together on a daily basis would be diminished. In addressing this, the applicant relocated entrance points to face out onto Sandy Lane West and rearranged internal layouts to locate living rooms off the communal courtyard to encourage surveillance, the opening up of the spaces and opportunities for residents to gather and communicate.

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:
Design	126-136	DH1 - High quality design and placemaking  DH7 - External servicing features and stores		
Conservation/ Heritage	189-208	DH4 - Archaeological remains		
Housing	119-125	H2 - Delivering affordable homes  H4 - Mix of dwelling sizes  H10 - Accessible and adaptable homes  H14 - Privacy, daylight and sunlight  H15 - Internal space standards  H16 - Outdoor amenity space standards SP12 - Northfield Hostel  AOC7 – Cowley Branch Line		
Natural environment	152-188	RE3 - Flood risk management  RE4 - Sustainable and foul drainage, surface  G1 - Protection of Green/Blue Infrastructure  G2 - Protection	Green Spaces TAN	

		<p>of biodiversity geo-diversity</p> <p>G7 - Protection of existing Green Infrastructure</p> <p>G8 - New and enhanced Green and Blue Infrastructure</p>		
<b>Social and community</b>	92-103	G5 - Existing open space, indoor and outdoor		
<b>Transport</b>	104-113	<p>M1 - Prioritising walking, cycling and public transport</p> <p>M2 - Assessing and managing development</p> <p>M3 - Motor vehicle parking</p> <p>M4 - Provision of electric charging points</p> <p>M5 - Bicycle Parking</p>	Parking Standards SPD	
<b>Environmental</b>	7-14, 119-125, 183-186.	<p>RE1 - Sustainable design and construction</p> <p>RE6 - Air Quality</p> <p>RE8 - Noise and vibration</p> <p>RE9 - Land Quality</p>	Energy Statement TAN	
<b>Miscellaneous</b>	7-14, 92-103, 114-118, 119-125.	<p>S1 - Sustainable development</p> <p>RE2 - Efficient use of Land</p> <p>RE5 - Health, wellbeing, and Health Impact Assessment</p> <p>RE7 - Managing</p>	External Wall Insulation TAN,	

		<p>the impact of development</p> <p>V8 – Utilities</p> <p>V9 - Digital Infrastructure</p> <p>AOC7 - Cowley Branch Line</p>		
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## 9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 10th December 2021 and an advertisement was published in The Oxford Times newspaper on 9th December 2021.

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

#### Oxfordshire County Council (Highways)

- 9.2. Oxfordshire County Council Transport Development Control are happy to remove the objection to this application, which was made because *“The proposals do not satisfactorily provide for the needs of pedestrians and cyclists, which is contrary to paragraphs 110 and 112 of the National Planning Policy Framework”*.
- 9.3. Since the original objection, dated 31st December 2021, the applicant has made the following commitments and alterations to the scheme:
- Inclusion of a Zebra crossing and associated lining, high friction surfacing etc. as shown indicatively on their drawing no. 37512-GA-003 Rev. P02. To be delivered by S278 agreement. All other S278 works agreed as requested.
  - Means to enforce the one-way access for refuse and emergency vehicles only from Sandy Lane West, and on-site turning space, as shown indicatively on their drawing no. 37512-GA-004 Rev. P02
  - Agreement to the S106 Obligations as requested
  - Agreement to the Planning Conditions as requested
  - Confirmation of the provision of EV charging infrastructure
  - Agreement in principle to the inclusion of one car club space. This will help to reduce the need for private car ownership.

#### Oxfordshire County Council (Drainage)

- 9.4. No objection, subject to conditions.

#### Oxfordshire County Council (Education and Property)

- 9.5. Based on the housing mix provided, the proposed development is estimated to generate:

- 3 additional nursery pupils requiring funded early education places
  - 13 additional primary school pupils
  - 11 additional secondary school pupils (including sixth form)
  - 0.3 additional pupils requiring special school provision.
- 9.6. Mainstream schools serving the area would be expected to have sufficient capacity to accommodate the expected pupil generation from the proposed development. There is an existing shortage of special education provision, but the scale of expected pupil generation from the proposed development would not directly have a significant impact on such provision. As such, no S106 contributions are required.

Oxfordshire County Council (Waste Management)

- 9.7. No objection, subject to S106 contributions to enable the expansion and efficiency of Household Waste Recycling Centres.

Thames Water Utilities Limited

- 9.8. No objection with regards to water or waste. However, care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network. Thames Water would advise that with regard to water network and water treatment infrastructure capacity, they do not have any objection to the planning application. Thames Water recommends the following informative be attached to this planning permission: *Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.*

Sport England

- 9.9. No objection. This application relates to the loss of existing playing fields and/or the provision of replacement playing fields. It therefore needs to be considered against exception 4 of Sport England's policy, which states:

*'The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:*

- *of equivalent or better quality, and*
- *of equivalent or greater quantity, and*
- *in a suitable location, and*
- *subject to equivalent or better accessibility and management arrangements.'*

- 9.10. The development of the new Orion Academy's sports facilities (County Council reference: R3.0010/20) with a community use agreement to mitigate the loss of the playing field which is the subject of this

development would meet Sport England's planning policy exception E4 above.

#### Historic England

- 9.11. Do not wish to offer any comments. Suggested Officers seek the views of internal specialist conservation and archaeological advisers, as relevant.

#### Natural England

- 9.12. Natural England has no comments to make on this application.

#### Cyclox

- 9.13. Objection to the proposal for the following reasons:

- Transport Statement misleading as it downplays the hazard that cars pose to cyclists along Sandy Lane West.
- Cycle infrastructure for school age children from Sandy Lane West to Blackbird Leys Road should be incorporated.
- The proposed advisory painted cycle lanes are not sufficient.
- Car club spaces should be incorporated into the scheme.

#### Littlemore Parish Council

- 9.14. Objects to the proposal on the following grounds:

- The number and height of the development is excessive for the location and would be intrusive on the homes of existing residents of Bampton Close.
- The proposed access off Bampton Close would lead to safety risks for pedestrians.
- Limited on-site parking spaces would lead to overspill parking in the surrounding streets.
- Resultant increased volume of traffic would lead to road safety issues along Sandy Lane West.
- Local public transport should be improved and maintained.
- The provision of safe cycle lanes along Sandy Lane West needs to be guaranteed.
- Local infrastructure e.g. doctor's surgery, highways improvements etc. needs to be improved to accommodate new development within Littlemore parish.
- Potential surface water drainage and sewerage issues.
- Ecological, noise pollution and air quality issues would arise from the loss of trees.

#### Environment Agency

- 9.15. Do not wish to make comments.

## **Public representations**

- 9.16. 36 local people made individual comments on this application from addresses in Peacock Road, David Nicholls Close, Bampton Close, Spring Lane, Broadfields and Oxford Road. In addition, a petition was signed by 150 local residents from Bampton Close, Spring Lane, Sandy Lane West, Broadfields, Costar Close and Little Field.
- 9.17. In summary, the main points of objection (186 residents) were:
- Overdevelopment of site.
  - Height of proposed buildings leading to loss of privacy and daylight.
  - Lack of on-site parking leading to overspill into surrounding streets.
  - Highways safety and traffic congestion.
  - Ecological enhancements required.
  - Noise and air pollution would increase.
  - Loss of trees.
  - Insufficient open space proposed for residents.

## **Officer response**

- 9.18. All of the above points are addressed within section 10 of this report.

## **10. PLANNING MATERIAL CONSIDERATIONS**

- 10.1. Officers consider the determining issues to be:

- a. Principle of development
- b. Affordable housing
- c. Self-build homes
- d. Design
- e. Archaeology
- f. Living conditions
- g. Impact on neighbouring amenity
- h. Highways
- i. Air Quality
- j. Sustainable design and construction
- k. Noise
- l. Land Quality
- m. Trees
- n. Drainage
- o. Ecology
- p. Utilities

### **a. Principle of development**

- 10.2. The application site has been allocated for residential development as part of policy SP12 of the Oxford Local Plan 2036. The policy states that the site has capacity for a minimum of 30 homes, however planning

permission would only be granted if Oxfordshire County Council can demonstrate that the site is no longer needed for a school and hostel.

- 10.3. Local Plan Policy G5 seeks to protect existing open space, sports and recreational buildings and land. Existing open space, indoor and outdoor sports and recreational facilities should not be lost unless:
- a) *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
  - b) *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
  - c) *the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*
- 10.4. Before its closure in 2014, the hostel historically provided accommodation during the week for pupils attending Northfield School, Knights Road. The adjacent sports pitch formed part of the site, available for use by the school pupils. In June 2020, Oxfordshire County Council granted planning permission for the: *Construction of new school building with associated hard and soft landscaping, car parking, all weather playing courts, grass sports pitch, playing fields, running track and infrastructure to provide specialist provision for pupils with special educational needs in relation to social, emotional and mental health and demolition of existing school buildings on completion.* (County Ref: R3.0010/20, City Council Ref: 20/00302/CC3).
- 10.5. The proposal incorporated two all-weather hard play courts to provide for a wide selection of sports. A large grass playing field and running track was also provided in line with Sport England and Department for Education requirements. As well as serving the new Northfield school, now called 'Orion Academy' at Knights Road, public access to these new community facilities was considered by County Council officers and Sport England, at the time of determining the above application, to compensate for the loss of the grass sports pitch at the application site. Condition 7 of the planning permission required the submission of a community use agreement – applied to the artificial grass pitch, the Multi Use Games Area (MUGA) and the playing fields, as well as other ancillary facilities – within 6 months of the handover of the new building. The condition was attached to ensure safe community access to the sports facilities, ensuring sufficient benefit to the development of sport in the local area.
- 10.6. In response to this current application, Sport England has commented that the development of new Northfield school's sports facilities with a community use agreement, mitigates the loss of the playing field at this application site and therefore raise no objection. In addition, Officers consider that the re-provision of sports facilities at Knights Road would satisfy criteria b) of Local Plan policy G5.

- 10.7. In light of the above, it is considered that the redevelopment of the site for residential development is acceptable in principle with regards to the replacement school and community sports facilities on Knights Road, Blackbird Leys in accordance with policies SP12 and G5.
- 10.8. In addition to policy SP12, the site is also located within the Cowley Branch Line Area of Change (Local Plan policy AOC7). The policy requires new developments within the area to take opportunities to deliver, where relevant, an enhancement of existing tree cover, an efficient use of land through the intensification of existing sites and improved connectivity between different parts of the area. The policy sets out a number of additional requirements that are not considered relevant to this application site.
- 10.9. Taking each of the above in turn, it is considered that the proposed development would deliver an enhancement of existing tree cover as it has been demonstrated by the applicant, within the submitted Tree Canopy Cover Assessment, that the baseline canopy cover would increase by 60% after 25 years with development, compared to a 32% increase without development taking place. The implications of the proposal with regards to trees is set out in more detail below.
- 10.10. With regards to making efficient use of land, the NPPF sets out the presumption in favour of sustainable development and the Core Principles encourage the efficient use of previously developed land. Policies S1 and RE2 of the Oxford Local Plan 2036 are consistent with this approach. Policy RE2 requires that development proposals must make best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford. The development proposal must have a density appropriate for the proposed use, with an appropriate scale and massing, maximise the appropriate density with a built form and site layout appropriate to the capacity of the site. It is considered that the proposal would make more efficient use of the sustainable, partly brownfield site by providing up to 61 new residential dwellings with associated amenity space whilst responding effectively to the site and surrounding area, as expanded on within the design section of this report.
- 10.11. In terms of the improvement of connectivity, the proposed enhancement of cycle infrastructure and the provision of a new pedestrian crossing would connect the site to the surrounding area in a safe and convenient manner for pedestrians and cyclists as sustainable modes of transport. Again, these matters are set out in more detail below.
- 10.12. It is considered therefore that the principle of the proposal would accord with the requirements of Local Plan policies AOC7, S1 and RE2 and the NPPF.

## **b. Affordable housing**

- 10.13. The need to provide 50% on-site affordable housing is triggered (with 80% being social rented and 20% being intermediate), in accordance with policy H2 of the Oxford Local Plan 2036. As set out above, the 51 flats would all be affordable, equating to 84% of the dwellings on site and therefore exceeding the policy requirement. 27 of the flats would be social rented units (rent calculated using the formula as defined in the Rent Standard Guidance of April 2020) with the remainder being intermediate (housing at prices and rents above those of social rent, but below market or affordable housing prices or rents). The units would be managed by Oxford City Housing Limited (OCHL). Given that the overall affordable housing provision significantly exceeds the requirements of policy H2, it is considered that the schemes provision of 53% social rented units (when basing calculations on the 51 affordable flats) is acceptable. For clarity, in usual circumstances, the scheme would need to provide 30 affordable units with 24 being social rented. Therefore, the proposed social rented element still exceeds the requirements of policy H2.
- 10.14. Local Plan Policy H4 sets out the appropriate mix for the affordable housing element on sites of 25 or more homes or on sites of 0.5ha or more, copied below:

<b>Local Plan mix</b>	<b>Proposed mix</b>
1 bedroom homes - 20-30%	1 bedroom homes – 35%
2 bedroom homes - 30-40%	2 bedroom homes – 55%
3 bedroom homes - 20-40%	3 bedroom homes – 10%
4+ bedroom homes - 8-15%	4+ bedroom homes – 0%

- 10.15. Whilst the proposed mix departs from the requirements of policy H4, the Council's Housing Strategy and Needs Manager has confirmed, as set out at appendix A of the submitted Planning Statement, that the 51 new affordable homes would provide a good mix of one to three bed flats to meet the needs of singles, couples and families. The 27 rented units of one, two and three beds would provide flats to meet the acute needs of people on the Housing Register in particular. The one and two bed flats of shared ownership tenure would also meet a need, whilst ensuring that these are affordable to working households.
- 10.16. Further, during the determination of the application, it was made clear to officers by the Housing Strategy and Needs Manager that the proposed mix best meets the Council's housing needs as the Housing Needs Team are currently in most need of 1 and 2 bed units. A flatted scheme is also considered most appropriate on this site with smaller dwellings and less child density working well on this constrained site. It was also considered

that other sites coming forward within the affordable housing programme e.g. Barton Park, would be able to lean towards providing a greater number of larger units given the less constrained nature of Barton Park.

- 10.17. It is therefore considered that the proposed mix of affordable units is acceptable.
- 10.18. Planning Committee should note that after 28th 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 Oxford Local Plan. 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, based on viability work that has been carried out by the planning policy team and external consultants, it has been demonstrated that the tenure mix following 28th March would likely be approximately 40% social rented, 25% First Homes and the rest intermediate (likely shared ownership). 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 as well as the wording of the S106 agreement to ensure compliance with the terms of First Homes as set out by Government (including a cap on cost at £250,000, local eligibility criteria and securing in perpetuity).

### **c. Self-build homes**

- 10.19. 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 Local Plan Policy H7. Such plots are to be within the 50% market housing on a site. The policy continues that residential development on brownfield sites where only flatted development is provided are excluded from this requirement. Given that the development, proposed in full, comprises an affordable flatted scheme on brownfield land, policy H7 does not apply in this instance. When considering the part of the scheme that is proposed in outline, 5% of the maximum 10 dwellinghouses proposed would equate to 0.5 units. It is therefore considered that the scheme is not appropriate for self-build plots and the requirement is not triggered in accordance with policy H7.

### **d. Design**

- 10.20. The NPPF makes it clear that the purpose of planning is to help achieve sustainable development (Section 2), and that design (Section 12) and effects on the natural environment (Section 15) are important components of this.
- 10.21. Section 11 of the NPPF notes in paragraph 124 that in respect of development density the considerations should include whether a place is well designed and “the desirability of maintaining an area’s prevailing character and setting...or of promoting regeneration and change”.

- 10.22. Paragraph 130 of the NPPF states that decisions should ensure that developments will a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic in local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place to create attractive, welcoming and distinctive places and e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public open space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 10.23. Local Plan Policy DH1 requires developments to demonstrate high quality design and placemaking.
- 10.24. In terms of the proposals response to the site and surrounding context, it is considered that, when taken together, the dwelling houses on the playing field site would successfully complete the urban form of Bampton Close while locating the blocks of flats within the former hostel site. When seen from local viewpoints, the proposal would achieve a comfortable relationship with the tree-line and the surrounding residential context, grading up gradually from two storeys on Bampton Close to four storeys (17m to ridge height, 10m to the eaves) on the former hostel site. The pitched roofs with chimneys are appropriate in the context of Littlemore and neighbouring residential properties.
- 10.25. The dwelling house plots within the sports pitch, for which outline permission is sought with all matters reserved except for scale and access, are considered well designed with plots located away from the Eastern Bypass, gardens provided to the rear and off-street parking located close to the accommodation. The short terraces reflect the local character. The blocks of flats within the hostel site are also well designed, breaking down the massing with accommodation pointing away from the Eastern Bypass.
- 10.26. Following pre-application advice, the proposed ground floor flats are now accessed from the communal amenity space, and building entrances for upper floor apartments are on the street elevations of the buildings with surveillance from the public realm. The pocket amenity space activates the South East corner of the site which would otherwise not be under any surveillance as it is separated by the parking area.
- 10.27. In terms of the scheme's built form, the strategy of breaking down massing into smaller blocks with subtle changes in brick tone and pitched roofs is successful, referencing the neighbouring Bampton Close and housing in Littlemore more generally. Contemporary dormers and chimneys give further interest to the roofscape. The inset balconies, brick

recesses in the facade and contemporary gutter detail on the roof help to simplify the form of the buildings and reduce additional elements on the facade. Decorative brick detailing adds depth and visual interest to the gable ends.

- 10.28. The proposed palette of materials is limited, with the intention that this would allow for a higher quality finish. The chosen red, brown and buff brickwork is considered to relate appropriately with the surrounding context. The pitched roofs and dormers are proposed to be standing seam black zinc. The proposed palette is considered appropriate for the site and surrounding context, however to ensure a sympathetic appearance, sample panels would be required by condition.
- 10.29. Roof mounted solar panels are proposed in order to achieve the applicant's required carbon emission reduction, in excess of the Local Plan policy requirement. To ensure that the solar panels are successfully integrated into the roofscape, a condition would be imposed to require detailed specifications and large scale drawings of the panels prior to the commencement of development. The condition would also stipulate that the panels would be matched to the colour of the roof.
- 10.30. Where Block B is close to the eastern boundary, privacy screens would shield the proposed dwellinghouses. The currently proposed slatted forms are considered heavy and institutional and therefore, if permission is granted, a condition would be attached to seek an alternative, more decorative, design for these features.
- 10.31. The design rationale relating to boundary treatments is to retain the existing character. The boundary delineating the hostel site and Sandy Lane West would be replaced by a galvanised powder coated steel railing at 1.8m in height to match the existing. The metal railings to the east and west would be retained and repaired. The close timber boarded acoustic fence to the rear (north) of the entire site would vary in height from 3m to 4.5m, as set out below in more detail within the noise section. The acoustic fence would be detailed to the specialist acoustic consultant specifications. To ensure that the boundary treatments are appropriate, details would be conditioned.
- 10.32. With regards to movement throughout the site, it is positive that the vehicular parking is generally concentrated in one place close to the site entrance. During the determination of the application, 1no. parallel parking space was removed from the scheme as Officers considered that it overly dominated the entrance of block B and obstructed the entrance to the communal bin store, resulting in a congested public realm. The overall number of parking spaces is still considered acceptable as set out in more detail within the highways section below. The cycle parking is well situated to increase usage and passive surveillance of the communal amenity space, again these matters are detailed further within the highways section below.

- 10.33. Turning to the landscaping and play space strategy, the hard landscaping has been pared back following pre-application advice and now includes permeable block paving for the parking and access areas with increased areas of adjacent soft landscaping. Moving into the central courtyard, the hardstanding transitions into a resin bound gravel to signal the move to a more private space for residents only. The play provision would be integrated into the wider landscape, within the courtyard and amenity pocket park within the south east corner of the site. The equipment would be mostly constructed from timber or consist of natural elements such as boulders and stepping logs.
- 10.34. Following capacity checks with SSE, a new electricity sub-station would be required to serve the proposed development. The sub-station would be located within existing highways land to the south east of the site that would be 'stopped-up' if the development is implemented. The sub-station would be of simple brick form with a dual pitched roof finished in standing seam black zinc to match blocks A and B. The overall ridge height would be 4m with an eaves height of 2.4m. It is considered that this aspect of the scheme would be unobtrusive given its modest scale and would sit comfortably alongside the proposed development and within the street scene.
- 10.35. Taking into account all of the above, it is considered that the proposal's design complies with the NPPF and policy DH1 of the Oxford Local Plan 2036.

#### **e. Archaeology**

- 10.36. Local Plan Policy DH4 states that where archaeological deposits and features are suspected to be present (including upstanding remains), applications should include sufficient information to define their character, significance and extent of such deposits so far as reasonably practical

This application is of archaeological interest because the submitted archaeological evaluation in relation to the sports pitch has identified evidence of a previously unknown Roman domestic settlement of 2nd-4th century date, potentially associated with pottery manufacturing activity, previously recorded further to the east. A series of pits and ditches were recorded along with large fragments of Roman pottery suggesting nearby domestic activity. The hostel part of the site proved to be too constrained by standing buildings and services to facilitate trenching, therefore in order to accord with Local Plan policy DH4 a phased condition to secure post-demolition archaeological trial trenching followed by further mitigation would be imposed. The sports pitch part of the site would warrant a strip and record excavation of the development footprint, again secured by condition.

## **f. Living conditions**

- 10.37. Policies H15 and H16 require new residential developments to provide acceptable indoor and outdoor living conditions. Policy RE7 seeks to ensure that the amenity of communities, occupiers and neighbours is protected.
- 10.38. Taking into account that the proposed dwelling houses, to be located on the sports pitch, are submitted in outline only, the indicative layouts are not assessed below but would be subject to scrutiny under any forthcoming reserved matters application.

### *Space standards*

- 10.39. Policy H15 requires that all residential proposals comply with the Nationally Described Space Standard Level 1. As set out within the submitted 'dwelling type layout' drawings, the vast majority of the proposed flats exceed national space standards, with the remainder meeting these standards in compliance with the Local Plan.

### *Outdoor amenity space*

- 10.40. Policy H16 requires all flats of 1 or 2 bedrooms to provide direct shared access to outdoor amenity space, with flats of 3 bedrooms or more to provide a private balcony or terrace of useable level space with a minimum dimension of 1.5 metres depth by 3 metres length, or, in the case of ground floor flats, direct access to a private garden or shared garden with some private space.
- 10.41. All of the proposed flats would have access to the communal gardens and in addition, all flats (including the 1 and 2 bed units) would be provided with a private balcony above ground floor level or a private area of amenity space at ground level, exceeding the space standards set out within policy H16.

### *Daylight/ sunlight*

- 10.42. Care has been taken to minimise the number of single aspect dwellings, in order to maximise the level of daylight and sunlight into each unit. A very small proportion (3no. 1 bed and 1no. 2 bed) of units would be single aspect, due to the configuration of the proposed blocks. However, the multiple windows of these units would be orientated to the south and west meaning that occupants would receive afternoon and evening sun.
- 10.43. The originally submitted Daylight and Sunlight Assessment demonstrated that 48 rooms (32.7%) fell below the Average Daylight Factor (ADF). During the consideration of this application, amendments were made to increase the size and number of windows and rooflights, introduce apertures to the sides, and decrease the depth, of the in-set balconies in order to ensure that BRE standards were met within the vast majority of dwellings to provide an acceptable level of daylight and sunlight. The

amendments mean that now, only 14 rooms (16.7%) would fall below the threshold. 3 of the 14 failing rooms would be open-plan and where they fall short of the 2% ADF standard for kitchens, they would meet the 1.5% standard for living rooms. Therefore, the failings here are marginal.

- 10.44. It is considered that, on balance, the daylight/ sunlight into units as a whole would be acceptable taking into account that the vast majority of rooms within units would pass BRE standards.
- 10.45. With regards to the proposed outdoor amenity spaces, the majority of spaces would receive at least two hours of sunlight on 21<sup>st</sup> March as required by the BRE guide. Taking into account the constrained nature of the site (needing to orientate buildings away from the Eastern-bypass, the location of existing trees and the size of the site), it is considered that this is acceptable in this case.

#### *Privacy*

- 10.46. Throughout the development of the scheme, blocks A and B have been orientated and designed to avoid overlooking from apartments by angling balconies away from each other and increasing distance between directly facing windows and avoiding pinch points that were originally an issue at pre-application stage.
- 10.47. Taking into account all of the above, it is considered that the proposed internal and external living standards for prospective residents would be acceptable in accordance with Local Plan policies RE7, H15 and H16.

#### **g. Impact on neighbouring amenity**

- 10.48. Policy H14 of the Oxford Local Plan 2036 requires new development to provide reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy RE7 requires the amenity of neighbours to be protected with regards to visual privacy, outlook, sunlight, daylight and overshadowing and impacts of the construction phase. Policy RE8 seeks to control nuisance from noise.
- 10.49. Immediate neighbours of the site include; two storey semi-detached and terraced dwelling houses fronting Bampton Close to the east and south, single storey commercial units fronting Ledgers Close to the south of Sandy Lane West and single storey RAF cadet huts fronting Sandy Lane West lies immediately to the west.
- 10.50. The frontages of the proposed dwellinghouses (plots H1 – H10), to be located on the existing playing field, would sit between approximately 19.5m and 30m from the dwellings on the south side of Bampton Close and the blank side gable of plot H10 would sit approximately 2.6m away from no. 15 Bampton Close. Block B within the existing hostel site would be set approximately 31m west from the rear elevation of no. 2 Bampton Close.

- 10.51. With regards to the non-residential neighbours, the RAF cadet huts would sit between approximately 6.4m and 16.4m to the north-west of Block A. The nearest industrial unit at Ledgers Close would sit approximately 24m to the south of Block B.

### Privacy

#### *Bampton Close*

- 10.52. Given the distance between the dwellings on Bampton Close and the proposed indicative dwellinghouses, as set out above, it is considered that the proposed development would not impact on neighbouring privacy. Furthermore, the closest elevation to the development at no.2 Bampton Close, is a blank gable with no side windows. Plot H10 would sit adjacent to 15 Bampton Close, however the indicative layout shows that the side elevation would be blank and therefore not lead to any overlooking onto this neighbouring property. This would be considered in more detail at reserved matters stage.
- 10.53. As above, Block B would be set approximately 31m to the west of the nearest property on Bampton Close with trees retained and new trees planted along the boundary of the hostel site, therefore partially screening the building. Block A would be positioned 78m to the west of the rear elevations of properties on Bampton Close and would be almost entirely screened by Block A as well as retained and new trees. Taking the distance and landscaping into account, it is not considered that the proposed development would result in overlooking or loss of privacy to neighbours.

#### *RAF cadet hut*

- 10.54. It is understood that the building is in operation between 19.30 and 21.30 on Mondays and Wednesdays only and given the nature of the buildings use, it is considered that the proposed development would not materially impact on the occupants of the building in this regard.

#### *Ledgers Close*

- 10.55. The nearest units to the application site would be set a considerable distance from the proposed buildings. Furthermore, the use of the buildings are a builder's merchants and ancillary retail and therefore it is considered that the amenity of visitors would not be impacted.

### Overbearing

#### *Bampton Close*

- 10.56. Again, the distance between the proposed dwellinghouses and neighbouring properties, in addition to the sites orientation to the north of the majority of neighbours fronting Bampton Close, would ensure that the proposed development would not be unduly overbearing on neighbours.

Further, the proposed density of development is considered wholly appropriate for the suburban context of the surrounding area.

- 10.57. Whilst it is acknowledged that the proposed blocks of flats would be four storeys in height, in contrast with the prevailing two storey character of residential neighbours, it is considered that due to the distance between the proposal and neighbours, as well as the landscaping on site, the blocks would not appear overbearing to neighbours.

*RAF cadet hut and Ledgers Close units*

- 10.58. Given the nature and hours of use of the cadet hut and industrial units as well as the distance between buildings, it is considered that the development would not create an unacceptably overbearing impact on the occupants of these surrounding uses buildings.

Daylight/ Sunlight

- 10.59. The proposed development would be located to the north and north west of neighbouring properties fronting Bampton Close. Due to the sun's orientation and the distance of the proposed development from neighbouring habitable windows, it is considered that the proposal would not lead to a material loss of daylight or sunlight to neighbours.

- 10.60. With regards to the non-domestic neighbours, they are considered to have low sensitivity e.g. office type buildings tend to rely on supplementary artificial lighting and have been classified as having a medium sensitivity to daylight and sunlight. Retail units usually rely on mechanical control and are not considered spaces with an expectation of daylight or sunlight by the user. Notwithstanding this, the separation distance and orientation of the site to the north of Ledgers Close and east of the cadet hut, it is considered that the proposal would not lead to an unacceptable impact on the daylight/ sunlight received by these neighbours.

- 10.61. A daylight and sunlight assessment has been submitted in support of the application. The results of which indicate that all neighbouring properties along Bampton Close would retain suitable levels of daylight and sunlight. A total of 86 windows surrounding the site were assessed to verify the amount of light reaching each window through the Vertical Sky Component (VSC) both before and after the introduction of the proposed development. The results show that all 86 windows would retain suitable levels of daylight either by keeping a VSC value of 27% or greater, or by reducing the daylight and sunlight hours by 20% or less, as recommended by the BRE Guide.

- 10.62. With regards to levels of sunlight, the 64 windows facing the site were all assessed, of which 100% showed suitable levels.

- 10.63. The supporting overshadowing assessment focused on the existing neighbouring open amenity spaces. The majority of gardens would see no change in sunlight with only No.15 Bampton Close seeing a 0.84%

decrease in sunlight received. Nevertheless, the results of this assessment showed that all of the amenity spaces, including No.15, would receive 2 hours or more of sunlight on at least 50% of their area on 21st March, and therefore, meet the BRE recommendation.

- 10.64. It is therefore considered that the proposed development would not lead to a material loss of daylight or sunlight to neighbouring properties.

#### Construction phase

- 10.65. In order to protect the amenity of neighbours during the construction process, a condition would be imposed to require the submission of a construction management plan prior to the commencement of development. The management plan would need to specify control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 07:00 – 19:00 Monday to Friday daily, 08:00 – 13:00 Saturdays.
- 10.66. Taking all of the above into account, it is concluded that the proposed development fully complies with policies RE7 and H14 of the Oxford Local Plan

#### **h. Highways**

- 10.67. Oxford has the ambition to become a world class cycling city with improved air quality, reduced congestion and enhanced public realm. Road space within the city is clearly limited and to achieve its ambition there is a need to prioritise road space and promote the sustainable modes of travel. Policies M1, M2, M3, M4 and M5 of the Oxford Local Plan 2036 seek to deliver these objectives.
- 10.68. 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.

#### Site sustainability

- 10.69. Bus stops are further away than the 400m which is generally considered to be the acceptable distance, but this is compensated for by the high frequency (Service no. 5 runs every 5 minutes from Sandy Lane West) of the services which, it is considered, would make travelling by bus an attractive option. To enhance the appeal of public transport, the highways authority has requested a financial contribution towards an information

screen to the nearest bus stop which would see most usage. The applicant has agreed to this.

- 10.70. To further enhance the site's sustainability for pedestrians, a zebra crossing at Sandy Lane West would be provided by the applicant. The location proposed (to the west of the Ledgers Close access point) would be on the desire line for pedestrians, and cyclists pushing their bikes, from the application site and would also be of benefit for people needing to cross to the Oxford Academy on the south side of Sandy Lane West. The crossing, in addition to the advisory cycle lane markings, would also assist westbound cyclists initially crossing Sandy Lane West.

#### Vehicular Parking

- 10.71. 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). A maximum of 0.2 spaces per dwelling could be allocated to a car club. Policy M4 requires Electric Vehicle (EV) charging points for all allocated parking and 25% of non-allocated parking.
- 10.72. The application site does not currently lie within a CPZ.
- 10.73. The dwellinghouses on the sports pitch would each be provided with 1 allocated space, with the 51 flats being served with 16 unallocated spaces, 1 of which would be allocated as a car club space to allow the use of a shared vehicle. The three disabled parking spaces are considered sufficient and are well placed. 4 EV charging points would be installed for the flats, meeting the requirement of Local Plan policy M4, the dwelling houses would need to be served with 1 EV charging point per dwelling but this would be detailed at reserved matters stage.
- 10.74. As set out above, the site is in a fairly sustainable location in terms of public transport, so the limited car parking for the 51 flats is considered to be reasonable by officers and the highways authority. Further, the layout and quantity of parking spaces was discussed at length during the pre-application process and given the constrained nature of the site with regards to substantial tree cover, the proposed level of parking avoids damage to the RPAs of retained trees whilst optimising the orientation and layout of the proposed flats.
- 10.75. To mitigate overspill parking within the immediately surrounding area double yellow lines would be laid along Bampton Close and possibly Spring Lane. A public consultation would have to be carried out before parking restrictions could be applied and during that time, a more detailed examination of the most appropriate location for the parking restrictions would take place. The applicant has agreed to provide the required financial contribution towards the cost of an order to facilitate the double yellow lines.

- 10.76. A parking management and tenancy agreement plan, including a car parking space register, would be conditioned to ensure that the resident parking spaces are managed and over spill parking would be mitigated.
- 10.77. During the consideration of the application, a turning area was incorporated within the site layout to ease manoeuvring for vehicles entering and exiting via the Bampton Close access. Further, to deter cars utilising the new access off Sandy Lane West which is intended for the entry of emergency and refuse vehicles only, and following advice from the highways officer, Alligator Teeth would be introduced at this access allowing entry only movements. A gap would be provided to the left of the Alligator Teeth for cyclists and pedestrians to access the site.

#### Bicycle parking

- 10.78. Policy M5 and Appendix 7.4 set out minimum cycle parking standards for development. For residential flats up to 2 bedrooms, at least 2 spaces are required per dwelling and for flats of 3 bedrooms or more, at least 3 spaces are required per dwelling. The number of spaces provided for the flats is considered policy compliant, however the resident spaces are in the form of two-tier stands. As set out during the pre-application advice from the highways authority, Sheffield cycle stands should be used where possible as these are considered convenient for all users. To ensure that convenient bicycle parking is provided for all residents and types of bicycles (e.g. cargo, trailer and e-bikes), a condition would be imposed requiring amended details prior to the commencement of development.
- 10.79. Bicycle parking for the dwellinghouses would be dealt with at reserved matters stage.

#### Travel Plan

- 10.80. A full travel plan statement and residential travel information packs would be required prior to first occupation of the 51 flats, secured by condition, to ensure that residents are aware of all modes of sustainable travel within the locale.
- 10.81. Taking into account all of the above, it is considered that the proposal complies with policies M1, M2, M3, M4 and M5 of the Oxford Local Plan 3026.

#### **i. Air Quality**

- 10.82. Policy RE6 of the Oxford Local Plan 2036 requires new development to mitigate its impact on air quality and minimise or reduce exposure to poor air quality.
- 10.83. The baseline assessment shows that the application site is located within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council for exceedances of the annual mean NO<sub>2</sub> air quality objective (AQO). Analysis of DEFRA's urban background maps and of all

pollutant concentrations at monitoring locations in the surrounding area of the application site, show current air pollutant concentrations to be below their relevant air quality objectives and the application site location is therefore considered suitable for its intended use.

- 10.84. According to the submitted energy statement, the proposed development would be all-electric with no gas-fired boilers or combustion plant proposed and as such, there would be no negative impacts on local air quality from the use of these systems.
- 10.85. A total of 26 car parking spaces would be provided on site. With regards to electric vehicle charging, Local Plan policy M4 requires that provision is made for electric charging points for each residential unit with an allocated parking space; and non-allocated spaces are provided with at least 25% (with a minimum of 2) having electric charging points installed. In compliance with policy, the scheme provides 4 (25%) electric vehicle charging points throughout the 16 spaces proposed for the flats. When reserved matters are submitted in relation to the 10 dwelling houses, these details will need to be provided as part of the relevant detailed application.
- 10.86. A quantitative assessment of the potential impacts on local air quality arising from the operational phase of the proposed development has been undertaken using the detailed dispersion model ADMS Roads. The model was used to predict the changes in NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations that would occur at nearby sensitive (human) receptors due to traffic generated by the proposal. The results of the assessment showed that the proposed development would have a negligible impact on air quality at all assessment receptors, once operational.
- 10.87. The impacts of demolition and construction work on dust soiling and ambient fine particulate matter concentrations have been assessed within the Air Quality Assessment. The site was identified as 'low risk' during the demolition phase, 'medium risk' for earthworks and construction, and 'negligible' for track out. These different risk levels were used to identify appropriate site specific dust mitigation measures. Provided these measures are implemented and included within a dust management plan, to be secured by condition, the residual impacts are considered to be not significant.
- 10.88. In light of the above, it is concluded that the air quality levels on site would be below current limit values for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> and that the proposed development is predicted to cause a negligible increase in pollutant concentrations at all human and ecological assessment receptors, subject to the imposition to a number of conditions. It is therefore considered that the proposal accords with policy RE6 of the Oxford Local Plan 2036.

## **j. Sustainable design and construction**

- 10.89. The Council is committed to tackling the causes of climate change by ensuring developments use less energy and assess the opportunities for using renewable energy technologies. As such, policy RE1 of the Oxford Local Plan 2036 requires schemes to incorporate a number of sustainable design and construction principles.
- 10.90. Policy RE1 requires developments for new build residential dwellings to achieve at least a 40% reduction in carbon emissions from a 2013 Building Regulations (or future equivalent legislation) compliant base case.
- 10.91. With regards to the proposed 51 dwellings, as part of the full application, the submitted energy statement technical note concludes that the dwellings would achieve a 66.86% carbon reduction, far exceeding the policy requirement of 40%. The proposed roof mounted photovoltaics as an on-site renewable energy source and fabric efficiency measures; including passive solar gain and shading, improved insulation levels, triple glazing and thermal bridging, would achieve this carbon reduction.
- 10.92. In terms of water efficiency, policy RE1 requires that new residential developments are to 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. The submitted Energy Statement states that the appointed contractor would be responsible for carrying out calculations and sourcing appliances/fittings which align with the guidance, using either of the approaches set out within the building regulations.
- 10.93. Policy RE1 also requires the use of recycled and recyclable materials, to be sourced responsibly. With regards to external materials, the proposed zinc for all the roof finishes has a long usable life and can be recycled indefinitely without any loss of physical or chemical properties. Brick in the wall finishes has a long usable life and can be reclaimed / re-used in the future. It can also be recycled although it is a more a down-cycle into rubble material for aggregates. Window glass, carpeting, and concrete can also be down-cycled. The hard landscaping has many timber elements (decking, seats, benches, fences and the acoustic fence) which is a renewable material and is likely to be FSC certified. It can also be recycled or down-cycled into chipboard / crushed timber.
- 10.94. The application proposes to prefabricate some internal spaces which is beneficial, as factory environments help to ensure quality of construction, reduce waste due to spoilage on site (e.g. due to poor storage practices or inclement weather) and encourage the re-use of materials that otherwise may be wasted. The design utilises stacking, repeating floor plans and making use of modular construction where possible in order to reduce transport journeys, reduce site congestion and increase safety.

- 10.95. The details of recycling during the development process would be agreed during the tender and procurement process, with the appointed contractor committing to minimise waste and maximise the reuse and recycling of materials wherever possible. This would be secured by condition.
- 10.96. In terms of the remaining requirements within policy RE1 i.e. flood risk and biodiversity value, these matters are covered within the relevant sections of this report.
- 10.97. It is considered that the detailed element of the proposal complies with the requirements of policy RE1 of the Oxford Local Plan 2036. A separate energy statement, to be secured by condition, would need to be submitted as part of a forthcoming reserved matters application in relation to the outline part of the application for up to 10 dwellinghouses. The new statement would need to reflect the expected updated Building Regulations if they have come into force by that point.

#### **k. Noise**

- 10.98. Policy RE8 of the Oxford Local Plan 2036 requires new developments to manage noise in order to safeguard or improve amenity, health, and quality of life for local communities.
- 10.99. The application site is located immediately south of the A4142 (Eastern by-pass) which has a speed limit of 50mph. The impact that noise from passing traffic would have on prospective occupants was an integral consideration when designing and positioning the proposed dwellings and as such, blocks A and B have been set away from the A4142 as far as possible with blank facades directly facing this adjacent road.
- 10.100. Further mitigation measures include external bicycle stores with connecting fences at 3.1m in height delineating the communal outdoor amenity space and existing mature vegetation to the north of the proposed built form. A solid acoustic fence would be erected along the sites northern boundary, the fence would measure 3m in height to the rear of the proposed flats, rising to 4.5m to the rear of the proposed dwellinghouses and falling again to 3.5m to the rear of existing dwellings backing onto the Eastern by-pass. Further, the existing tree belt would be extended along the rear boundary of the proposed dwelling houses and to the rear of the adjacent cadet hut, on highways land. A Grampian condition would be applied to ensure that the tree planting would be carried out prior to the commencement of development within the red edge of the application site.
- 10.101. It is considered that the facade sound insulation performance for all elevations of the development have been sufficiently assessed and adequate glazing sound reduction specifications have been suggested within the supporting noise assessment and as such, the site is suitable for residential development. The proposal is therefore acceptable in compliance with Local Plan policy RE8; subject to conditions relating to

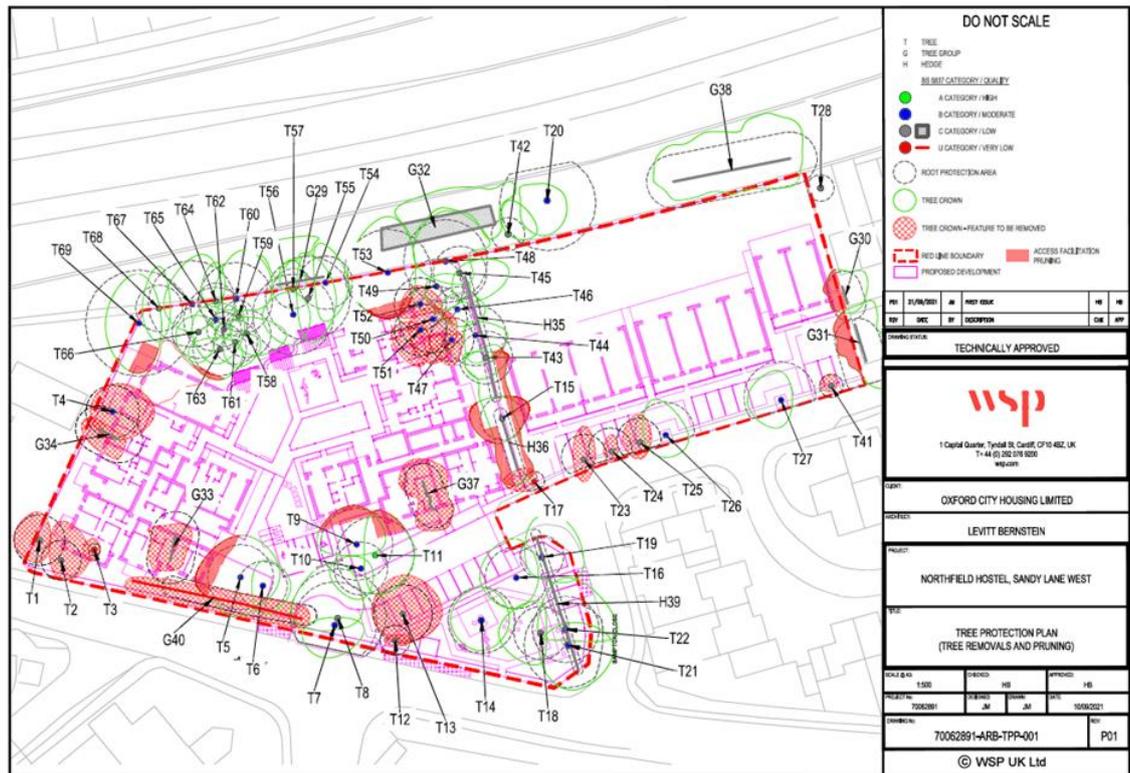
sound insulation measures, daytime noise levels in outdoor living areas and a construction management plan as referred to earlier in this report.

## **I. Land Quality**

- 10.102. 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.
- 10.103. The overall contamination risks at the site are considered to be low, however the proposed residential development is considered to be a sensitive end use. The submitted preliminary contamination risk assessment has identified minor potential ground contamination risks to future site users and groundwater which need further assessment. This would require an intrusive site investigation to confirm the contamination status of the site and whether or not any remedial treatment actions are required to ensure that the site is suitable for use. To ensure that the investigation work is carried out and the preliminary risk assessment is updated, a number of conditions would be imposed requiring the submission, and written approval of, a phased risk assessment and any necessary remedial works prior to the commencement of development.
- 10.104. Subject to these conditions, the scheme is considered to comply with policy RE9 of the Oxford Local Plan 2036.

## **m. Trees**

- 10.105. Policy G7 of the Oxford Local Plan 2036 requires that any unavoidable loss of tree canopy cover should be mitigated by the planting of new trees or introduction of additional tree cover. Policy G8 continues that development proposals affecting existing Green Infrastructure features should demonstrate how these have been incorporated within the design of the new development where appropriate.
- 10.106. The construction of the proposed scheme would require the removal of fifteen trees and four tree groups ranging from very-low to moderate quality. The trees proposed for removal would be lost as they are either located directly within the footprint of proposed buildings or other structures or their Root Protection Areas (RPAs) would be significantly impacted by elements of the proposed development. Please refer to the Tree Protection Plan copied below:



- 10.107. The proposed development retains the most significant individual and group-tree features around the site, including the strong landscape features around the northern and southern site boundaries, so that the integrity of the site's existing landscape character would largely be preserved. The tree line, which runs down between the edge of the full and outline parts of the site would also largely be retained, although it would be under the most pressure from construction activity and services intrusion. Landscape proposals including replacement tree planting would provide adequate and appropriate mitigation. In the context of the development proposals as a whole, including the canopy cover implications over 25 years, this impact is considered acceptable.
- 10.108. Access facilitation pruning has been specified on the basis of a realistic assessment of construction requirements, a number of trees would require their crowns to be lifted (removal of lower branches to achieve a vertical canopy clearance) to provide construction access. An arboricultural method statement would be conditioned to ensure that retained trees are protected during the construction phase.
- 10.109. Trench work for services are identified in relation to a number of trees but these are unlikely to be significantly harmful due to the work only affecting a small portion of the RPA and being on one single side of the tree. Again, the conditioned arboricultural method statement would ensure appropriate mitigation measures.
- 10.110. The drainage proposals plan indicates that there is an existing foul water drain, which runs through the RPA of trees T21 and T22 along Bampton Close. The drawing text indicates a potentially proposed alternative foul

water run if the existing is not fit for purpose for additional demands; the proposed alternative route avoids the RPAs and this would be preferable to an upgrade of the existing route, assuming this would result in less disturbance to the RPA. A condition would be imposed requiring details of the location of all underground services and soakaways to be submitted, and approved in writing, prior to the commencement of development to ensure that excavation within the RPAs of protected trees is avoided.

- 10.111. The Council's Green Spaces Technical Advice Note (TAN) requires a Tree Canopy Cover Assessment to be submitted for various types of applications. For major residential developments of up to 199 units, it needs to be demonstrated that there would be no net loss in canopy cover compared with a no development baseline scenario + 25 years.
- 10.112. The submitted canopy cover assessment methodology is considered valid and states that without development, there would be a canopy cover increase of 32% after 25 years. When assessing the site with the proposed development, the canopy cover would increase by 60% after 25 years; taking into account trees to be removed and the growth of replacement planting (assuming 100% establishment success).
- 10.113. The proposed landscape general arrangements are considered to be acceptable. Additional trees are proposed along the western site boundary, and there are proposed additional trees planted on highways land, to be secured by Grampian condition, to complete the existing tree buffer. The submitted landscape planting plan is considered to be generally acceptable, however the selection of *Platanus Orientalis* (Oriental Plane tree) needs to be reconsidered as this species is too large growing and broad spreading for the space available within the central communal courtyard. A condition would be imposed to specify a number of more appropriate, alternative species in place of the *Platanus Orientalis*. For example, *Davidia involucre* (a medium-sized, deciduous tree), *Juglans regia* (common Walnut tree) or *Robinia pseudoacacia* (a medium-sized, deciduous tree) would be more appropriate for this location.
- 10.114. In light of the above, the proposals are considered to meet the requirements under Local Plan policies G7 and G8 and the Green Spaces TAN.

#### **n. Drainage**

- 10.115. Local Plan policy RE4 requires all development proposals to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. Surface water runoff should be managed as close to its source as possible.
- 10.116. The Oxfordshire Flood Toolkit maps indicate that the site is not at risk of flooding from tidal or fluvial sources. As above, the Environment Agency flood maps show that the site lies within flood zone 1 and as such, there is

low risk of flooding. In addition, flow paths from outside sources have been interrogated and given the surrounding topography, these are not considered to be present.

- 10.117. It is proposed that foul drainage would be discharged through a new foul system at Sandy Lane West to serve the proposed flats and Bampton Close to serve the dwellinghouses to an existing off-site Thames Water sewer. It has been confirmed by Thames Water that there is sufficient capacity in the network.
- 10.118. Surface water would discharge into cellular soakaways (crates) within the courtyard of the flats and within the rear gardens of the dwelling houses following initial favourable infiltration rates at the sports pitch. To ensure that infiltration is achievable across the whole site, infiltration testing at all locations where soakaways are proposed would be secured by condition.
- 10.119. A condition would be imposed, requiring an updated Drainage Strategy to incorporate more green options to facilitate the wider use of SuDS as well as a number of details within drawings. Therefore, subject to an amended strategy, the proposal is considered to comply with policy RE4 of the Oxford Local Plan 2036.

#### **o. Ecology**

- 10.120. Local Plan 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.
- 10.121. The main ecological interest of the site is the presence of roosting bats. 12 common pipistrelle day/summer roosts have been identified within the existing building, in addition to a common pipistrelle maternity roost used by up to 21 individuals, over the course of 6 emergence and re-entry surveys undertaken in 2017 (x3) and 2020 (x3). Between 10 and 20 brown long-eared droppings were recorded within the northernmost loft void, and as such it has been concluded that a single day/summer roost of the species is present.
- 10.122. A total of 21 bat boxes are proposed as on-site compensation. This includes 16 integrated boxes, 4 tree-mounted boxes (i.e. Schwegler 1FD) and 1 tree-mounted hibernation box (i.e. Schwegler 1FW). A condition securing details of ecological enhancements, including bird and bat boxes as well as landscape planting of known benefit to wildlife, hedgehog

domes and invertebrate houses would be imposed. In addition, any new fencing shall include gaps suitable for the safe passage of hedgehogs. Further conditions would be required to ensure protected species and habitats are protected including a Construction Environmental Management Plan for biodiversity and a Landscape and Ecological Management Plan.

10.123. 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.

10.124. Officers are satisfied that European Protected Species are unlikely to be harmed as a result of the proposals, subject to the imposition of the conditions referred to above. A licence would need to be obtained from Natural England prior to the commencement of development.

10.125. With regards to biodiversity net gain, a biodiversity impact assessment was undertaken of the application site as a whole, which indicates that the proposed development would result in a net loss of -0.72 habitat units and a net gain of 0.58 hedgerow units. As such, the scheme needs to deliver biodiversity offsetting of at least 0.80 habitat units to achieve a 5% biodiversity net gain in line with policy G2.

10.126. Officers have assessed the feasibility of delivering offsetting measures within the vicinity of the site. As the applicant does not own adjacent land or land within the immediate vicinity of the site, direct offsetting on land under the applicants ownership would not be possible. Likewise the

feasibility of delivering offsetting on land falling under the Council's ownership has also been explored but is not considered feasible.

- 10.127. The applicant has been in liaison with the Trust for Oxfordshire's Environment (TOE) as a third party broker to deliver biodiversity net gain. The additional deficit in biodiversity units which cannot be provided on site could be delivered by TOE, providing they come to an agreement with the Council regarding the mechanism to secure this, as offsite provision as part of suitable identified projects in Oxfordshire, with priority given to schemes in close proximity to Oxford. If, for any reason, TOE are not in a position to deliver off-setting when the time comes, as a fall-back position the applicant could buy credits from the Environment Bank. The selection of sites for offsetting, and the specific details of offsetting, including the offsetting provider, as well as future maintenance and management of new habitats created would be detailed within a biodiversity scheme secured under the Section 106 agreement. This approach aligns with the Government's Environment Act 2021 and Policy G2 of the Oxford Local Plan in terms of securing biodiversity net gain through offsetting, giving priority to local biodiversity projects.

**p. Utilities**

- 10.128. Local Plan Policy V8 requires developers to explore existing capacity (and opportunities for extending it) with the appropriate utilities providers.
- 10.129. A Utilities Statement has been submitted with the application in accordance with policy. As set out above, a new substation would be required to serve the proposed development following SSEs capacity checks. The final location of the substation would need to be agreed with SSE and if it is required to be re-located, a non-material amendment or variation application would need to be submitted to the Council. With regards to gas, the supply would need to be terminated to the site as the development would use electricity only.
- 10.130. Thames Water has stated that the current potable (drinking) water network currently has capacity to serve the first 49 proposed properties. Thames Water has advised that further modelling would be required to establish whether reinforcement of the current network is necessary to deliver the required capacity for the maximum proposed 61 dwellings. The total timescale estimated for assessing, design and reinforcing would be 18 months from the grant of planning permission. This period includes for modelling, design and reinforcement.
- 10.131. Thames Water has not objected to the application, as outlined at paragraph 9.8 above.
- 10.132. Virgin media has confirmed that it could supply the development at no cost and there is currently a BT service on the hostel site and within Bampton Close where a potential connection could be made to the sports pitch site.

## **11. PLANNING OBLIGATIONS**

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

- Affordable housing– 84% affordable housing of which 53% of affordable homes to be social rented and 47% to be intermediate tenure (these percentages are subject to the development not being required to provide First Homes as explained in paragraph 10.18 of this report);
- Contribution of £3,255.00 to the County Council towards the placement of double yellow lines in order to mitigate overspill car parking within the surrounding area;
- Contribution of £8,926.00 to provide a real time bus shelter screen in order to make the use of sustainable modes of transport more attractive to residents;
- Contribution of £5,732.00 towards the expansion of household waste and recycling centres to ensure there is sufficient capacity to accommodate the proposed development;
- Biodiversity off-setting to ensure a net gain of 5% is achieved.
- Securing the public accessibility of the pocket park to the south east of the application site to provide a community benefit.

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

## **12. CONCLUSION**

12.1. This application proposes a high quality residential scheme that would respond appropriately to the site and context of the surrounding area whilst providing up to 61 homes to help meet Oxford's housing need. 51 of the residential units (84% of the site) would be affordable with an appropriate dwelling mix for the area. The site is allocated for residential development within the Local Plan and the scheme is considered to satisfy the requirements of policies SP12 and AOC7.

12.2. The proposed dwellings would achieve acceptable internal and external living standards for the prospective residents and would not materially impact on the amenity of neighbours. The scheme would deliver highways improvements including a pedestrian crossing and marked advisory cycle lanes at Sandy Lane West, promoting sustainable modes of transport.

- 12.3. The scheme would accord with the Local Plan policies with regards to the natural environment and in turn would help to achieve a safe and healthy community.
- 12.4. 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.
- 12.5. 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.
- 12.6. 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, when considered as a whole, and that there are no material considerations that would outweigh these policies.
- 12.7. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers and subject also to the conditions in section 13 below.

### **13. CONDITIONS**

THE FOLLOWING CONDITIONS RELATE TO THE FULL APPLICATION  
(THE FORMER HOSTEL PART OF THE SITE)

*Time limit*

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

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

### *Approved plans*

2. 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.

### *Permitted development*

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modifications) no structure including additions to the dwelling houses hereby permitted 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.

### *Materials*

4. 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.

### *Privacy screening*

5. Notwithstanding the approved plans, prior to the commencement of above ground works, large scale details of the proposed privacy screening to the eastern elevation of block B shall be submitted to, and approved in writing by, the local planning authority. Only the approved details shall be carried out unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure a sympathetic appearance of the proposed development in accordance with policy DH1 of the Oxford Local Plan 2036.

#### *Solar panels*

6. Prior to the commencement of above ground works, large scale drawn details and specifications of the proposed roof mounted solar PV panels shall be submitted to, and approved in writing by, the local planning authority. Only the approved details shall be carried out unless otherwise agreed in writing by the Local Planning Authority. The solar PV panels shall be colour matched to the roofing material.

Reason: To ensure a sympathetic appearance of the proposed development in accordance with policy DH1 of the Oxford Local Plan 2036.

#### *Signage*

7. Prior to the commencement of above ground works, details of any signage at the proposed development shall be submitted to, and approved in writing by, the local planning authority. Only the approved details shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a sympathetic appearance of the proposed development in accordance with policy DH1 of the Oxford Local Plan 2036.

#### *Boundary treatments*

8. Prior to the commencement of above ground works, details of all boundary treatments, including the fences connecting the external bicycle stores and the acoustic fence, shall be submitted to, and approved in writing by, the local planning authority. Only the approved details shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a sympathetic appearance of the proposed development in accordance with policy DH1 of the Oxford Local Plan 2036.

#### *Lighting strategy*

9. Prior to the commencement of development, excluding demolition and enabling works, a comprehensive lighting strategy serving the proposed flats shall be submitted to, and approved in writing by, the local planning authority. Only the approved details shall be carried out unless otherwise agreed in writing by the Local Planning Authority and thereafter retained

Reason: To ensure a sympathetic appearance of the proposed development and enhance the safety and amenity of residents in accordance with policies RE7 and DH1 of the Oxford Local Plan 2036.

*Land quality – phased risk assessment*

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

Phase 1 has been completed and approved.

Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals.

Phase 3 requires that a remediation strategy, validation plan, and/or monitoring plan be submitted to, and approved in writing by, the local planning authority to ensure the site will be suitable for its proposed use.

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

*Land quality – remedial works*

11. The development shall not be occupied until any approved remedial works have been carried out and a full validation report has been submitted to, and approved in writing by, the local planning authority.

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

*Land quality – watching brief*

12. 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 2016 - 2036.

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

#### *Landscape plan*

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

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

#### *Landscape proposals – implementation*

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

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

#### *Landscape proposals - reinstatement*

15. 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.

*Landscape management plan*

16. Prior to first occupation or first use of the development hereby approved a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules and timing for all landscape areas, other than small, privately owned domestic gardens, shall be submitted to, and approved in writing by, the Local Planning Authority. The landscape management plan shall be carried out as approved by the Local Planning Authority.

Reason: In the interests of amenity and the appearance of the area in accordance with policy RE7 of the Oxford Local Plan 2036.

*Landscape surface design – tree roots*

17. No above ground works shall take place until details of the design of all new hard surfaces and a method statement for their construction shall first have been submitted to, and approved in writing by, the Local Planning Authority and the hard surfaces shall be constructed in accordance with the approved details unless otherwise agreed in writing beforehand by the Local Planning Authority. Details shall take into account the need to avoid any excavation within the Root Protection Area of any retained tree and where appropriate the Local Planning Authority will expect "no-dig" techniques to be used, which require hard surfaces to be constructed on top of existing soil levels in accordance with the current British Standard 5837: "Trees in Relation to Design, Demolition and Construction – Recommendations".

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

*Underground services – tree roots*

18. No development shall take place until details of the location of all underground services and soakaways have been submitted to and approved in writing by the Local Planning Authority. The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas of retained trees as defined in the current British Standard 5837 "Trees in Relation to Design, Demolition and Construction - Recommendations". Works shall only be carried out in accordance with the approved details unless otherwise agreed in writing beforehand by the local planning authority.

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

*Tree Protection Plan (TPP) 2*

19. The development shall be carried out in strict accordance with the tree protection measures contained within the planning application details shown on drawing number 70062891\_ARB\_TPP\_002 unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

*Arboricultural Method Statement (AMS) 1*

20. No development, including demolition and enabling works, shall take place until a detailed statement (the Arboricultural Method Statement (AMS)) has been submitted to, and approved in writing by, the Local Planning Authority. The AMS shall detail any access pruning proposals, and shall set out the methods of any workings or other forms of ingress into the Root Protection Areas (RPAs) or Construction Exclusion Zones (CEZs) of retained trees. Such details shall take account of the need to avoid damage to the branches, stems and roots of retained trees, through impacts, excavations, ground skimming vehicle compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with of the approved AMS unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

*Arboricultural Monitoring Programme (AMP)*

21. 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 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 Local Planning Authority at scheduled intervals in accordance with the approved AMP. The development shall be carried out in accordance with the approved AMP unless otherwise agreed in writing by the Local Planning Authority.

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

*Tree planting – highways land*

22. Above ground works within the red line boundary of the application site shall not be commenced until the proposed tree planting on land owned by the Highways Authority, as illustrated on dwg. no. 3679 - LB - XX - 00 - DP - L – 200001 P02 has been completed; and confirmation of the completed works shall be submitted to, and approved in writing by, the local planning authority.

Reason: To ensure a sufficient landscape buffer is provided to protect the amenity of prospective residents in accordance with policies G8 and RE7 of the Oxford Local Plan 2036.

*Construction Environmental Management Plan*

23. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the complete list of site specific dust mitigation measures and recommendations, identified on chapter 6.1 (pages 47-49) of the Air Quality Assessment (WSP, November 2021 Revision 3). Development shall be carried out in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.

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

*Electric Vehicle charging infrastructure*

24. Prior to the commencement of above ground works, details of the Electric Vehicle charging infrastructure that is proposed 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 in accordance with approved details before the development is first occupied and shall remain in place thereafter.

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

*Road traffic noise mitigation scheme*

25. No above ground works, shall commence until a scheme has been submitted to, and approved in writing by, the Local Planning Authority to provide that all habitable rooms exposed to external road traffic noise in excess of 55 dBA Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 45 dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures

shall be able to be effectively ventilated without opening windows. No dwelling shall be occupied until the approved sound insulation and ventilation measures have been installed to that property in accordance with the approved details. The approved measures shall be retained thereafter in perpetuity.

Reason: To ensure that the amenities of future occupiers are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

*Outdoor amenity space noise mitigation scheme*

26. No above ground works shall commence until a scheme has been submitted to, and approved in writing by, the Local Planning Authority to provide that the maximum day time noise level in outdoor living areas exposed to external road traffic noise shall not exceed 55 dBA Leq 16 hour [free field]. The scheme of noise mitigation as approved shall be constructed in its entirety prior to the first occupation of any dwelling and shall be retained thereafter in perpetuity.

Reason: To ensure that the amenities of future occupiers are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

*Sound insulation*

27. Prior to commencement of above ground works, details shall be submitted to, and approved in writing by the Local Planning Authority, of an enhanced sound insulation value  $D_{nT,w}$  of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings, namely [e.g. living room and kitchen above bedroom of separate dwelling]. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

*Construction management plan*

28. Prior to commencement of the development hereby approved, a construction management plan shall be submitted to, and approved in writing by, the Local Planning Authority. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 07:00 – 19:00 Monday to Friday daily, 08:00 – 13:00 Saturdays No works to be undertaken on Sundays or bank holidays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for

the duration of the works. The approved details shall be implemented throughout the construction period of the development.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site in accordance with policy RE7 of the Oxford Local Plan 2036.

*Energy Statement - compliance*

29. The development hereby approved shall be carried out in complete accordance with the approved Energy Statement (WSP, October 2021 Revision 2) and the Energy Statement Technical Note (WSP, 9<sup>th</sup> February 2022).

Reason: To ensure that the proposed development sufficiently incorporates sustainable design and construction principles in accordance with policy RE1 of the Oxford Local Plan 2036.

*Energy statement – addendum*

30. Prior to the commencement of above ground works, an addendum to the approved energy statement shall be submitted to, and approved in writing by, the Local Planning Authority. The addendum shall include details of how materials will be recycled throughout the development process. The development shall be carried out in accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development sufficiently incorporates sustainable design and construction principles in accordance with policy RE1 of the Oxford Local Plan 2036.

*Cycle parking*

31. Prior to the commencement of above ground works, details of the cycle parking areas, including dimensions and means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport in accordance with policies M1 and M5 of the Oxford Local Plan 2036.

*Construction Traffic Management Plan (CTMP)*

32. Prior to the commencement of development, a Construction Traffic Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. As a minimum, the CTMP shall identify;

- The routing of construction vehicles,
- Access arrangements for construction vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours (to minimise the impact on the surrounding highway network)

The plan, in accordance with details approved by the Local Planning Authority, shall be implemented at the commencement of the construction period.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times in accordance with policy M2 of the Oxford Local Plan 2036.

*Car park layout plan*

33. Prior to commencement of above ground works, a plan detailing the layout of the car parking area shall be submitted to, and approved in writing by, the Local Planning Authority. The Car Park Layout Plan must set out that all car parking spaces meet the minimum dimensions required and can be safely and easily accessed. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure highways safety in accordance with policy M2 of the Oxford Local Plan 2036.

*Parking management plan*

34. Prior to the occupation of the development, a parking management plan shall be submitted to, and be approved in writing by, the Local Planning Authority. The parking management plan shall include details of the number of parking spaces to be provided on the development and shall include how these parking spaces will be managed and allocated including the wording of relevant clauses to be included within the tenancy agreements of the dwellings hereby permitted to control the parking on the development. The approved parking management plan shall remain in place and be adhered to in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid over-spill parking within the surrounding area and to maintain highway safety in accordance with policies M1, M2 and M3 of the Oxford Local Plan 2036.

*Travel Plans*

35. Prior to the first occupation of the development, a Travel Plan Statement and Residential Travel Information Packs shall be submitted to, and approved in writing by, the Local Planning Authority. Copies of

the approved plan shall be distributed to occupiers prior to their occupation of a dwelling.

Reason: to ensure all residents are aware of the travel choices available to them and to promote the use of sustainable modes of transport in accordance with policies M1 and M2 of the Oxford Local Plan 2036.

#### *Highways works*

36. Development, excluding demolition and enabling works, within the red line boundary of the application site shall not be commenced until an agreement under section 278 of the Highways Act 1980 has been entered into with the Highways Authority and the following highways works, as indicatively shown on drawing. nos. 37512-GA-003-P02 and 37512-GA-004-P02 have been completed and the details of which have been submitted to, and approved in writing by, the local planning authority:

- Construction of a 2.0m wide footway along the north side of Bampton Close.
- Dropped kerb serving 2no. parking spaces on the west side of Bampton Close.
- Construction of new kerbed bellmouth vehicular site access from Sandy Lane West, marking of advisory cycle lanes and signage (dwg. no. 37512-GA-003-P02)
- Construction of a Zebra crossing on Sandy Lane West, including all signing, lining, lighting, tactile paving, high friction surfacing etc. and realignment of the kerblines on the exit taper from Ledgers Close.

Reason: To satisfy the needs of pedestrians and cyclists in accordance with policy M1 of the Oxford Local Plan 2036.

#### *Archaeology – demolition*

37. Prior to the commencement of demolition works, a demolition methodology to secure demolition in a manner sympathetic to the required archaeological recording shall be submitted to, and approved in writing by, the local planning authority. All works shall be carried out and completed in accordance with the approved method statement, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not lead to a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Roman remains in accordance with policy DH4 of the Oxford Local Plan 2036.

#### *Archaeology – written scheme of investigation and programme of archaeological work*

38. Prior to the commencement of development, a programme of archaeological work comprising stage 1) trial trenching and stage 2) archaeological recording in accordance with a written scheme of investigation shall be submitted to, and approved in writing, by the local planning authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

#### Scope of recording-

The archaeological investigation shall consist of: Stage 1) post demolition trial trenching followed by Stage 2) further mitigation as required (including open area excavation if appropriate). The archaeological investigation shall be undertaken by a professionally qualified archaeologist working to a brief issued by the local planning authority.

Reason: To ensure that the development does not lead to a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Roman remains in accordance with policy DH4 of the Oxford Local Plan 2036.

#### *Drainage*

39. Prior to the commencement of above ground works, an updated drainage strategy shall be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with approved details unless otherwise agreed in writing by the local planning authority. The updated strategy shall include the following:

- The inclusion of additional green options to facilitate the wider use of SuDS or, failing that, robust justification as to why green options cannot be incorporated;
- Detailed drawings indicating cover levels, invert levels, manhole sizes, pipe numbering and pipe gradients. Soakaways also need to be referenced, to ensure that it reads in line with the calculations provided;
- Catchment plans to include 10% urban creep. The area after adding 10% urban creep should be stated.
- A surface water exceedance plan with proposed levels and FFL's to show that surface water will be kept away from structures and within the site boundary in an event where the surface water drainage fails.
- Clarification as to whether the maintenance will be conducted by a private management company or any other.

- Calculations for storm events up to and including 1:100 year event plus 40% Climate change. Calculations to include all SuDS features and other drainage infrastructure.
- Infiltration testing, according to BRE 365, at all locations where soakaways are proposed.

Reason: To ensure that the proposed drainage strategy is feasible in accordance with policy RE4 of the Oxford Local Plan 2036.

*Construction Environmental Management Plan (CEMP: Biodiversity)*

40. Prior to the commencement of development (including ground works and vegetation clearance), a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to, and approved in writing by, the Local Planning Authority. The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the Local Planning Authority. The CEMP shall include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of “biodiversity protection zones” in respect of protected and notable species and habitats;
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on biodiversity during construction (may be provided as a set of method statements) and biosecurity protocols;
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) Contingency/emergence measures for accidents and unexpected events, along with remedial measures;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of a qualified ecological clerk of works (ECoW) or similarly competent person 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;

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

### *Survey Validity*

41. Protected species surveys shall be considered valid for no longer than one year from the survey date. Should work not commence within a year of surveys, updated surveys shall be undertaken and the results provided to the Local Planning Authority, unless otherwise agreed in writing with the Local Planning Authority. Should ecological conditions have changed, an updated biodiversity impact assessment metric shall be provided to ensure the approved net gain in biodiversity is achieved.

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

### *Protected Species*

42. The development shall be undertaken in accordance with the mitigation recommendations at Section 4.5 of the submitted Ecological Impact Assessment (V2) produced by WSP (February 2022).

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

### *Protected Species – Bats*

43. Prior to the commencement of development (including demolition, ground works and vegetation clearance), a European Protected Species Mitigation Licence shall be granted by Natural England. A copy of the licence shall be provided to the Local Planning Authority prior to the commencement of development.

Reason: To protect bats in accordance with the requirements of the Conservation of Species and Habitats Regulations 2017 (as amended).

### *Ecological Enhancements*

44. Prior to the commencement of development, a scheme of ecological enhancements shall be submitted to, and approved in writing by, the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme shall include 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. Other features, such as hedgehog domes and invertebrate houses shall be included. Any new fencing shall include gaps suitable for the safe passage of hedgehogs. The development shall be carried out in accordance with the new scheme unless otherwise agreed in writing by the Local Planning Authority.

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 of the Oxford Local Plan 2036.

*Lighting scheme for light-sensitive wildlife*

45. Prior to first occupation, a “lighting design strategy for biodiversity” for buildings, features or areas to be lit shall be submitted to, and approved in writing by, the Local Planning Authority. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. No other external lighting shall be installed without prior written consent from the Local Planning Authority.

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 of the Oxford Local Plan 2036.

THE FOLLOWING CONDITIONS RELATE TO THE OUTLINE SCHEME FOR UP TO 10 DWELLINGHOUSES

*Time limit – reserved matters*

1. Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this outline permission.

Reason: In accordance with Section 92(2) of the Town and Country Planning Act 1990.

*Commencement date*

2. The development permitted shall be begun either before the expiration of five years from the date of this outline permission or from the expiration of two years from the date of approval of the last reserved matters to be approved, whichever is the later.

Reason: In accordance with Section 92(2) of the Town and Country Planning Act 1990.

*Approved plans*

3. The development permitted shall not be begun until full detailed drawings illustrating the following matters have been submitted to, and approved in writing by, the Local Planning Authority and the development shall be carried out in accordance with such details:

- (i): Design
- (ii): Layout
- (iv): Landscaping

(v): Vehicular and cycle parking

Reason: To enable the Local Planning Authority to give further consideration to these Reserved Matters in accordance with Section 51 of the Planning and Compulsory Purchase Act 2004.

*Land quality – phased risk assessment*

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

Phase 1 has been completed and approved.

Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals.

Phase 3 requires that a remediation strategy, validation plan, and/or monitoring plan be submitted to, and approved in writing by, the local planning authority to ensure the site will be suitable for its proposed use.

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

*Land quality – remedial works*

5. The development shall not be occupied until any approved remedial works have been carried out and a full validation report has been submitted to, and approved in writing by, the local planning authority.

Reason: To ensure that any 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 or such policy requirements which apply at the time of construction.

*Land quality – watching brief*

6. 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 or such policy requirements which apply at the time of construction.

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

#### *Construction Environmental Management Plan*

7. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the complete list of site specific dust mitigation measures and recommendations, identified in chapter 6.1 (pages 47-49) of the Air Quality Assessment (WSP, November 2021 Revision 3). The development shall be carried out in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: to ensure that the overall dust impacts during the construction phase of the proposed development will remain as “not significant”, in accordance with the results of the dust assessment and with Policy RE6 of the Oxford Local Plan 2036 or such policy requirements which apply at the time of construction.

#### *Electric Vehicle charging infrastructure*

8. Prior to the commencement of development, details of the Electric Vehicle charging infrastructure that is proposed 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 in accordance with approved details before the development is first occupied and shall remain in place thereafter.

Reason: To contribute to improving local air quality in accordance with policies M4 and RE6 of the Oxford Local Plan 2036 or such policy requirements which apply at the time of construction.

#### *Road traffic noise mitigation scheme*

9. No development, other than demolition, shall commence until a scheme has been submitted to, and approved in writing by, the Local Planning Authority to provide that all habitable rooms exposed to external road traffic noise in excess of 55 dBA Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 45 dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] shall be subject to sound insulation measures to ensure that all such

rooms achieve an internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be able to be effectively ventilated without opening windows. No dwelling shall be occupied until the approved sound insulation and ventilation measures have been installed to that property in accordance with the approved details. The approved measures shall be retained thereafter in perpetuity.

Reason: To ensure that the amenities of future occupiers are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036 or such policy requirements which apply at the time of construction.

#### *Outdoor amenity space noise mitigation scheme*

10. No development, other than demolition, shall commence until a scheme has been submitted to, and approved in writing by, the Local Planning Authority to provide that the maximum day time noise level in outdoor living areas exposed to external road traffic noise shall not exceed 55 dBA Leq 16 hour [free field]. The scheme of noise mitigation as approved shall be constructed in its entirety prior to the first occupation of any dwelling and shall be retained thereafter in perpetuity.

Reason: To ensure that the amenities of future occupiers are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036 or such policy requirements which apply at the time of construction.

#### *Sound insulation*

11. Prior to commencement of the development, details shall be submitted to, and approved in writing by the Local Planning Authority, of an enhanced sound insulation value  $D_{nT,w}$  of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings, namely [e.g. living room and kitchen above bedroom of separate dwelling]. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036 or such policy requirements which apply at the time of construction.

#### *Construction management plan*

12. Prior to commencement of the development hereby approved, a construction management plan shall be submitted to, and approved in writing by, the Local Planning Authority. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 07:00 – 19:00 Monday to Friday daily, 08:00 – 13:00 Saturdays No works to be undertaken on Sundays or bank holidays, advance notification to

neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. The approved details shall be implemented throughout the construction period of the development.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site in accordance with policy RE7 of the Oxford Local Plan 2036 or such policy requirements which apply at the time of construction.

#### *Energy Statement*

13. As part of the reserved matters application including design details, an energy statement shall be submitted as part of the application package.

Reason: To ensure that sustainable design and construction principles have been incorporated in accordance with policy RE1 of the Oxford Local Plan 2036 or such policy requirements which apply at the time of construction.

#### *Construction Traffic Management Plan (CTMP)*

14. Prior to the commencement of development, a Construction Traffic Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. As a minimum, the CTMP shall identify;

- The routing of construction vehicles,
- Access arrangements for construction vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours (to minimise the impact on the surrounding highway network)

The plan, in accordance with details approved by the Local Planning Authority, shall be implemented at the commencement of the construction period.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times in accordance with policy M2 of the Oxford Local Plan 2036 or such policy requirements which apply at the time of construction.

#### *Travel Plan*

15. Prior to the first occupation of the development, a Travel Plan Statement and Residential Travel Information Packs shall be submitted to, and approved in writing by, the Local Planning Authority. A copy of the plan shall be distributed to occupiers prior to their occupation of a dwelling.

Reason: to ensure all residents are aware of the travel choices available to them and to promote the use of sustainable modes of transport in accordance with policies M1 and M2 of the Oxford Local Plan 2036 or such policy requirements which apply at the time of construction.

*Archaeology – written scheme of investigation and programme of archaeological work*

16. Prior to the commencement of development, a programme of archaeological recording shall be secured in accordance with a written scheme of investigation that has been submitted to, and approved in writing by, the Local Planning Authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Scope of recording - a strip and record excavation of the development footprint and a watching brief during the installation of related services. The archaeological investigation shall be undertaken by a professionally qualified archaeologist working to a brief issued by the Local Planning Authority.

Reason: To ensure that the development does not lead to a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Roman remains in accordance with policy DH4 of the Oxford Local Plan 2036 or such policy requirements which apply at the time of construction.

*Drainage*

17. Prior to the commencement of development, an updated drainage strategy shall be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with approved details unless otherwise agreed in writing by the local planning authority. The updated strategy shall include the following:
- The inclusion of additional green options to facilitate the wider use of SuDS;
  - Detailed drawings indicating cover levels, invert levels, manhole sizes, pipe numbering and pipe gradients. Soakaways also need to be referenced, to ensure that it reads in line with the calculations provided;
  - Catchment plans to include 10% urban creep. The area after adding 10% urban creep should be stated.
  - Clarification as to whether the maintenance will be conducted by a private management company or any other.

- Calculations for storm events up to and including 1:100 year event plus 40% Climate change. Calculations to include all SuDS features and other drainage infrastructure.
- Infiltration testing, according to BRE 365, at all locations where soakaways are proposed.

Reason: To ensure that the proposed drainage strategy is feasible in accordance with policy RE4 of the Oxford Local Plan 2036 or such policy requirements which apply at the time of construction.

*Construction Environmental Management Plan (CEMP: Biodiversity)*

18. Prior to the commencement of development (including ground works and vegetation clearance), a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to, and approved in writing by, the Local Planning Authority. The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the Local Planning Authority. The CEMP shall include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of “biodiversity protection zones” in respect of protected and notable species and habitats;
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on biodiversity during construction (may be provided as a set of method statements) and biosecurity protocols;
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) Contingency/emergence measures for accidents and unexpected events, along with remedial measures;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of a qualified ecological clerk of works (ECoW) or similarly competent person 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;

Reason: The prevention of harm to species and habitats within and outside the site during construction in accordance with Policy G2 of the Oxford Local Plan 2036 or such policy requirements which apply at the time of construction.

### *Survey Validity*

19. Protected species surveys shall be considered valid for no longer than one year from the date of survey. Should work not commence within a year of surveys, updated surveys must be undertaken and the results provided to the Local Planning Authority, unless otherwise agreed in writing with the Local Planning Authority. Should ecological conditions have changed, an updated biodiversity impact assessment metric shall be provided to ensure the approved net gain in biodiversity is achieved.

Reason: To comply with the requirements of the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017 (as amended), Wildlife and Countryside Act 1981 (as amended) and policy G2 of the Oxford Local Plan 2036 or such policy requirements which apply at the time of construction.

### *Protected Species*

20. The development shall be undertaken in accordance with the mitigation recommendations at Section 4.5 of the submitted Ecological impact Assessment (V2) produced by WSP (February 2022).

Reason: The prevention of harm to species and habitats within and outside the site in accordance with Policy G2 of the Oxford Local Plan 2036 or such policy requirements which apply at the time of construction.

### *Protected Species – Bats*

21. Prior to the commencement of development (including demolition, ground works and vegetation clearance), a European Protected Species Mitigation Licence shall be obtained by Natural England. A copy of the licence shall be provided to the Local Planning Authority prior to the commencement of development.

Reason: To protect bats in accordance with the requirements of the Conservation of Species and Habitats Regulations 2017 (as amended).

### *Ecological Enhancements*

22. Prior to the commencement of development, a scheme of ecological enhancements shall be submitted to, and approved in writing by, the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme shall include 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. Other features, such as hedgehog domes and invertebrate houses shall be included. Any new fencing shall include gaps suitable for the safe passage of hedgehogs. The development shall be carried out in accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

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 of the Oxford Local Plan 2036 or such policy requirements which apply at the time of construction.

*Lighting scheme for light-sensitive wildlife*

23. Prior to first occupation, a “lighting design strategy for biodiversity” for buildings, features or areas to be lit shall be submitted to, and approved in writing by, the Local Planning Authority. No lighting shall be directed towards existing or new vegetation. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. No other external lighting shall be installed without prior written consent from the Local Planning Authority.

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 of the Oxford Local Plan 2036 or such policy requirements which apply at the time of construction.

**24. APPENDICES**

- **Appendix 1** – Site location plan
- **Appendix 2** – ODRP letter

**25. HUMAN RIGHTS ACT 1998**

- a. 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.

**26. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

- a. 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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