

Oxford City Planning Committee

16th August 2022

Application number:	22/00081/RES
Decision due by	28 th April 2022
Extension of time	26 th August 2022
Proposal	Construction of a Spine Road for access to Phases 1b, 1c and 1d of the Oxford North development and the provision of landscaping to create Canalside Park.
Site address	Oxford North Northern Gateway Land Adjacent A44 A40 A34 And Wolvercote Roundabout, A40 Section From Cherwell District Council Boundary To Wolvercote Roundabout, Oxford, Oxfordshire – see Appendix 1 for site plan
Ward	Wolvercote Ward
Case officer	Michael Kemp
Agent:	Mr Rob Linnell
Applicant:	Thomas White (Oxford) Ltd
Reason at Committee	This is a major planning application

1. RECOMMENDATION

1.1. The Oxford Planning Committee is recommended to:

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

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

- Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers a reserved matters planning application to construct a spine road, which is a semi-circular loop road consisting of two junctions onto the A40 to the west of the Wolvercote Roundabout, in addition to a series of

landscaping works to form an area of parkland to the north of Joe Whites Lane. This is a reserved matters application subsequent to planning permission 18/02065/OUTFUL (a hybrid permission comprising both outline and full planning permission) which relates to the redevelopment of three substantial parcels of land forming the Oxford North site located to the north of Wolvercote. The proposed works the subject of this reserved matters application are directly related to planning application 22/00675/RES which is another reserved matters application for a residential development comprising 317 homes on the Canalside parcel of the Oxford North site to the south of the A40 and which is yet to be determined.

- 2.2. The provision of the spine road is essential in terms of facilitating a means of vehicular access into the residential development which would be delivered to the south of the A40. The position of the proposed road and the two access junctions onto the A40 aligns with the site access strategy approved under the hybrid planning permission. The works to form the junction accesses have already been carried out by Oxfordshire County Council as part of the A40 improvement works consented under the hybrid planning permission. It is considered that the proposed road access is acceptable in highway safety and amenity terms and is suitable for accommodating the scale of development proposed under the related reserved matters application for the residential development on the Canalside parcel of the Oxford North site.
- 2.3. The provision of the spine road and the layout of the Canalside Park and associated access routes make appropriate provision for pedestrian and cycle access through the site, which aligns with the access strategy approved under application 18/02065/OUTFUL. This would ensure vital connections are provided between the site and Joe Whites Lane, which is essential in providing access to Wolvercote and the Oxford Canal to the south of the site.
- 2.4. The provision of the canalside park forms an important part of the public open space provision for the wider Oxford North site and the location and siting of the park aligns with the wider open spaces parameter plan approved under the hybrid planning permission. The provision of the open space would be of importance for recreational purposes, as well as being vital in the delivery of the site drainage strategy, ecological enhancement measures, connectivity and provision of additional tree planting. The park will therefore form an integral part of the wider strategy for delivery of public open space for the canalside residential development and the Oxford North site as a whole in line with Policy G8 of the Oxford Local Plan.
- 2.5. The public benefits associated with the provision of the proposed spine road are therefore considered to be substantial as this is essential in order to secure the provision of homes on the Canalside Parcel of land enabling the effective delivery of planning permission 18/02065/OUTFUL. In terms of the Canalside Park, this would deliver a range of public benefits including the provision of new recreation space, sustainable drainage infrastructure, essential pedestrian and cycle connections and ecological enhancement measures. The provision of the park which would provide a buffer between the residential development and Joe Whites Lane would also contribute to mitigating the level of harm associated with development on this parcel of the Oxford North site.

2.6. When assessed under the balancing exercise required under Paragraph 202 of the NPPF, the identified less than substantial harm to the designated heritage assets of the Wolvercote with Godstow Conservation Area and the Grade II listed Manor Farm, which would arise from the proposed works would be outweighed by the multiple benefits associated with the delivery of the housing development on the adjoining land. The spine road and Canalside Park represent essential supporting infrastructure which are required to enable effective delivery of residential development on the Canalside site, so therefore the public benefits of the development proposed within this application are considered substantial and demonstrably outweigh the harm to the aforementioned designated heritage assets.

2.7. Overall, the proposals are considered to be compliant with the Oxford Local Plan; Wolvercote Neighbourhood Plan and the NPPF. For the reasons outlined within this report it is recommended that the Committee resolve to grant planning permission for the development.

3. LEGAL AGREEMENT

3.1. This application would not require a new legal agreement or any variation to the original agreement relating to planning application 18/02065/OUTFUL.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal subject of this application is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The application site comprises a section of the wider 26-hectare area of the Oxford North site, subject of planning application 18/02065/OUTFUL.

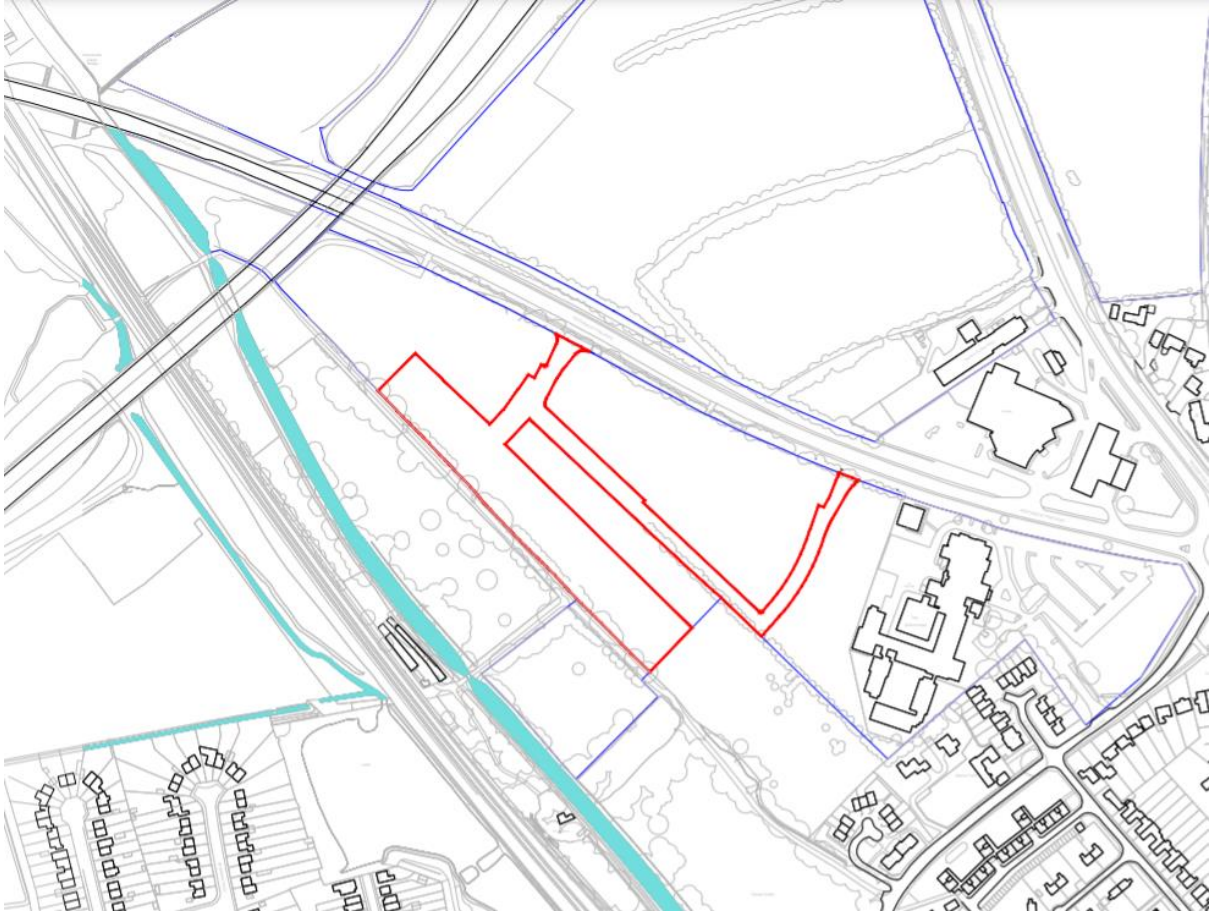
5.2. Planning approval was granted on 23rd March 2021 for planning permission 18/02065/OUTFUL, this followed a resolution to grant planning permission made by members of the Planning Review Committee held on 16 December 2019 and the completion of the Section 106 agreement. The description of development is listed below:

Hybrid planning application comprising: (i) Outline application (with all matters reserved save for "access"), for the erection of up to 87,300 m² (GIA) of employment space (Use Class B1), up to 550 m² (GIA) of community space (Use Class D1), up to 2,500 m² (GIA) of Use Classes A1, A2, A3, A4 and A5 floorspace, up to a 180 bedroom hotel (Use Class C1) and up to 480 residential units (Use Class C3), installation of an energy sharing loop, main vehicle access points from A40 and A44, link road between A40 and A44 through the site, pedestrian and cycle access points and routes, car and cycle parking, open space, landscaping and associated infrastructure works. Works to the A40 and A44 in the vicinity of the site. (ii) Full application for part of Phase 1A comprising 15,850 m² (GIA) of employment space (Use Class B1), installation of an energy sharing loop, access junctions from the A40 and A44 (temporary junction design on A44), construction of a link road between the A40 and A44, open space, landscaping, temporary car parking (for limited period), installation of cycle

parking (some temporary for limited period), foul and surface water drainage, pedestrian and cycle links (some temporary for limited period) along with associated infrastructure works. Works to the A40 and A44 in the vicinity of the site. (Amended plans and additional information received 19.06.2019)

- 5.3. The application site to which planning application 18/02065/OUTFUL relates falls into three, fan-shaped parcels of land which run adjacent to the A44 and A40 trunk roads, converging at Wolvercote roundabout. The northern boundary of the site is formed by a raised section of the A34 road. The eastern boundary of the site is formed by a section of railway line. The south-western boundary is formed by Joe White's Lane bridleway (National Cycle Route 5) and the fields to the west that lead down to the Oxford canal and separate the site from much of the settlement of Wolvercote.
- 5.4. The masterplan for planning application 18/02065/OUTFUL refers to three parcels of land as the following:
- East: the parcel to the east of the A44, south of the Peartree Park and Ride and west of the railway line
 - Central: the largest parcel, to the west of the A44 and to the north-east of the A40
 - Canalside: the parcel to the south-west of the A40 and the north-east of Joe White's Lane
- 5.5. This application relates to development on the Canalside parcel of the Oxford North site. The land was used predominantly for agricultural grazing but has more recently been subject of a series of earthworks, which were approved under reserved matters planning application 21/01053/RES. The site now consists mainly of open exposed soil and excavated land.
- 5.6. The application site forms a setting to the Wolvercote with Godstow Conservation Area and the historic Goose Green, a registered common and an important open space in the area. Both lie to the south-west of the site, with the Conservation Area boundary taking in the field in the south-west of the application site.

5.7. The site location plan below shows the parcels of land to which this permission relates:



6. PROPOSAL

6.1. The application seeks reserved matters planning approval for the provision of a spine road within the canalside parcel of land to the south of the A40 which forms part of the wider outline planning permission for the Oxford North development, as approved under hybrid planning permission 18/02065/OUTFUL. Reserved matters approval is also sought for the landscaping of the Canalside Park, which is a rectangular parcel of land that runs parallel to Joe Whites Lane, a public right of way which runs to the south of the application site between Wolvercote and the Oxford Canal.

6.2. Both the spine road and works associated with the Canalside Park are linked to the related application for approval of reserved matters for the residential development of the Canalside parcel of land to the south of the A40 (22/00675/RES) and are essential in enabling the effective delivery of the proposals submitted under this reserved matters application. The proposals for the Canalside Park and spine road have been brought before members ahead of the determination of planning application 22/00675/RES, as there is an increased urgency to commence development on the access road serving the development. There is considered to be no planning reason why the proposals contained within this reserved matters application under consideration in this report cannot be determined ahead of the residential development proposed on

the Canalside parcel as the works proposed within this application are not dependent on the plans proposed under application 22/00675/RES being implemented.

- 6.3. The spine road would form the only means of access into Canalside for vehicles. The road layout would consist of a loop road in a U shaped arrangement between the two constructed junctions onto the A40 which were approved under the hybrid planning permission and have been constructed as part of highways works being undertaken by Oxfordshire County Council. The eastern arm of the spine road joins the A40 in a position to the west of the Jury's Inn hotel, this would consist of a left in, left out arrangement only and therefore vehicles would not be able to turn right at this junction onto the eastbound carriageway of the A40. The western junction consists of a three way signalised junction, which would allow access to the right and left, as well as access across the central parcel of the Oxford North site via the approved link road to the A44. The access arrangements and position of the access points on the A40 are consented under the hybrid planning permission as part of the detailed highways scheme for the A40 improvement works, whilst the position of the access points and the location of the spine road were also included in the Access and Circulation Parameter Plan approved under the hybrid permission.
- 6.4. The spine road would be an adopted highway and would be surfaced with porous asphalt and sections of block paving. Footways are proposed on either side of the spine road, alongside grass verges and new tree planting. The location of the footways and verges are related to the site layout for the linked residential development. The road design also accounts for the position of secondary access roads, which are proposed within the layout of the residential reserved matters application, as well as accesses to individual properties which front the spine road.
- 6.5. Seven visitor parking spaces are proposed adjacent to the spine road, which would serve the adjoining residential dwellings. Delivery bays are also proposed adjacent to the road to prevent indiscriminate parking.
- 6.6. The Canalside Park would occupy a rectangular parcel of land located to the south west of the residential development which runs parallel to Joe Whites Lane. The open spaces parameter plan accompanying the hybrid planning application allocated this section of the Oxford North site for use as a substantial area of public open space in the form of a linear park, which would form the joint function of providing an open area of recreational space for future residents, as well as existing residents in Wolvercote, in addition to providing a buffer between the development site and Joe Whites Lane. It was also envisaged that the park would include new SuDS features for the residential site, ecological mitigation and tree planting.
- 6.7. The landscaping strategy for the Canalside Park, as proposed within this reserved matters application includes the formation of new access paths passing through the open space and two access routes leading from the residential development and spine road into the park connecting with Joe Whites Lane to the south west, which align with the access strategy for pedestrian routes approved under the site masterplan for the hybrid planning application. The plan

also includes the provision of a swale, which would run linear to Joe Whites Lane, this forms part of the wider drainage strategy for the Oxford North site. Two bridges are proposed over the swale which would provide pedestrian access into the site from Joe Whites Lane.

7. RELEVANT PLANNING HISTORY

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

<p>18/02065/OUTFUL - Hybrid planning application comprising: (i) Outline application (with all matters reserved save for "access"), for the erection of up to 87,300 sqm (GIA) of employment space (Use Class B1), up to 550 sqm (GIA) of community space (Use Class D1), up to 2,500 sqm (GIA) of Use Classes A1, A2, A3, A4 and A5 floorspace, up to a 180 bedroom hotel (Use Class C1) and up to 480 residential units (Use Class C3), installation of an energy sharing loop, main vehicle access points from A40 and A44, link road between A40 and A44 through the site, pedestrian and cycle access points and routes, car and cycle parking, open space, landscaping and associated infrastructure works. Works to the A40 and A44 in the vicinity of the site. (ii) Full application for part of Phase 1A comprising 15,850 sqm (GIA) of employment space (Use Class B1), installation of an energy sharing loop, access junctions from the A40 and A44 (temporary junction design on A44), construction of a link road between the A40 and A44, open space, landscaping, temporary car parking (for limited period), installation of cycle parking (some temporary for limited period), foul and surface water drainage, pedestrian and cycle links (some temporary for limited period) along with associated infrastructure works. Works to the A40 and A44 in the vicinity of the site. (Amended plans and additional information received 19.06.2019). Permitted 23rd March 2021.</p> <p>21/00129/HRN - Hedgerow removal notice on land north and south of the A40 located west of the Wolvercote Roundabout and east of the Western Bypass Road (A34). No Objection Raised 15th February 2021.</p> <p>21/01053/RES - Reserved matters approval for earthworks, attenuation ponds, substations, services and areas of permanent and temporary landscaping. Permitted 18th August 2021.</p>

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Oxford Local Plan	Wolvercote Neighbourhood Plan:

Conservation/Heritage	189-202	DH3 - Designated heritage assets DH4 - Archaeological remains	
Natural environment	91-101	G2 - Protection of biodiversity geo-diversity G7 - Protection of existing green infrastructure G8 - New and enhanced green infrastructure	GBS5- Biodiversity GBS6 - Green Spaces in developments GBC1 - Wildlife Corridors HEC1 - Tree Planting
Transport	117-123	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development	COC1 - Transport to Northern Gateway (Oxford North) CHS1 - Community Connectivity CHS3 - Safe Access Routes CHC2 - Walking and Cycling Infrastructure
Environmental	117-121, 148-165, 170-183	RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE7 - Managing the impact of development RE8 - Noise and vibration RE9 - Land Quality	BES3 - Noise Pollution BES4 - Drainage and flooding
Miscellaneous	7-12	S1 Sustainable development	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 3rd February 2022 and an advertisement was published in the Oxford Times newspaper on 3rd February 2022.

Statutory and non-statutory consultees

Oxfordshire County Council

Highways

9.2. Initial objection received on 25th February 2022 as further detail was required in respect of accessibility for cyclists and pedestrians, as well as further clarification in respect of potential future connections to the adjoining land to the south west.

9.3. Following the receipt of amended plans, the revised response dated 14th April 2022 raises no objection.

Drainage

9.4. Updated response raises no objections following update to surface water drainage strategy and provision of further details.

Thames Water Utilities Limited

9.5. No response received

Natural England

9.6. No objection

Environment Agency

9.7. Do not wish to comment

Highways England

9.8. In the case of this development proposal, our interest is in the A34. We are satisfied that the impacts of the development will not materially impact the safe operation of the SRN, therefore offer no objection. However we recommend that measures are identified to minimise construction traffic movements from the proposal during peak times in accordance with condition 4 of the 18/02065/OUTFUL planning permission.

Public representations

9.9. Wolvercote Neighbourhood Forum have provided comments in relation to the related planning application for housing on the Canalside site (18/00675/RES). These comments are specific to the proposals contained within the reserved matters application relating to the housing proposed on the site and do not directly relate to the proposals the subject of the application considered within this report.

9.10. One public comment has been received in relation to this application. The comment makes reference to the road being only a cut through road between the A40 and A44. It is stated that the road is inadequate and insufficient in the absence of the Loop Farm Link Road.

9.11. In response to the above comment, officers would note that the comment relates to the link road, approved under the outline planning permission, rather than the proposals submitted under this reserved matters application, which relate to the access road serving the future residential phase of the development and does not connect to the A44.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Highways Impacts
- Landscape Design and Trees
- Heritage
- Neighbouring amenity
- Transport
- Drainage and flooding
- Ecology

Principle of development

10.2. The position and design of the access junctions onto the A40 were approved under the detailed planning permission relating to planning application 18/02065/OUTFUL and have already been constructed as part of the A40 works undertaken by Oxfordshire County Council. The location of the spine road aligns with the outline parameter plan for access and circulation approved under the hybrid planning permission.

10.3. The formation of a new access road through the site onto the A40 is necessary in order to facilitate residential development of the Canalside parcel of the Oxford North site as this will provide the only vehicular means of access into the site. A development of 317 dwellings is proposed under the reserved matters application 22/00675/RES. This application will be brought before the planning committee for consideration at a later date. The road layout of the residential development proposed under the reserved matters application 22/00675/RES, is dependent on implementation of the loop road, whilst the delivery of the Canalside Park is also essential as this would form a primary area of public open space for residents of the new dwellings and is also integral for biodiversity and provision of essential drainage infrastructure.

10.4. The section 106 agreement relating to planning permission 18/02065/OUTFUL requires that the access strategy for Canalside includes provision of a means of vehicular access into third party land located to the south east of the site, to the south of the Jury's Inn hotel. This land between the site and Goose Green Close to the south east is under the ownership of Oxford City Council. Whilst falling outside of the red line area associated with the hybrid planning permission, the land is allocated for development under the Northern

Gateway Area Action Plan. As the hybrid planning permission accounted for the delivery of 480 dwellings, it was anticipated that this land would form a site for the delivery of the further 20 dwellings, which would make up the remainder of the 500 dwellings that the Area Action Plan anticipated would be delivered on the site and are accounted for within the Environmental Impact Assessment accompanying application 18/02065/OUTFUL.

10.5. An application is yet to come forwards for development on this parcel of the site, however it is important that any development proposals for the Canalside parcel allow for future access into this parcel of land. The provision of the spine road access and layout would allow for future vehicular access into the City Council owned land, subject to an agreement being reached between both parties. The road layout allows for the provision of an access junction in the south east corner of the loop road, where an existing retaining wall is proposed, which can be removed to facilitate access into the adjoining site. Officers therefore consider that the proposals would not prejudice the future development of this adjoining site, allowing for comprehensive development of this remaining section of the land allocated within the Northern Gateway Area Action Plan.

10.6. The layout design for the spine road and Canalside Park aligns with the pedestrian access strategy consented under the hybrid planning permission and would provide two continuous pedestrian routes between the A40 and Joe Whites Lane to the south west. The park forms an area allocated within the site parameter plan for the provision of public open space, as well as biodiversity net gain and therefore aligns with the in principle uses proposed under the outline permission for this part of the Oxford North site.

Environmental Impact Assessment

10.7. An Environmental Statement (ES) was prepared as part of hybrid planning application 18/02065/OUTFUL, which covered in outline all development across the Oxford North site, including the basis of the enabling works proposed under this Reserved Matters application.

10.8. This Reserved Matters application would constitute a 'subsequent application' under Regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such the likely significant effects of the proposed development need to be considered.

10.9. The proposals submitted under this reserved matters application do not deviate from the parameters of the hybrid planning permission and the fundamental details outlined within the previously submitted Environmental Statement. Officers therefore conclude that the development would not give rise to any new or different significant effects to those identified and assessed previously within the ES prepared under application 18/02065/OUTFUL.

Landscape Design and Trees

10.10. Policy G8 of the Oxford Local Plan requires that new developments incorporate new green infrastructure within the development proposals where relevant. This includes public access, health and recreation uses, biodiversity,

linkages with existing green and blue infrastructure, biodiversity and SuDS features. Policy G7 of the Oxford Local Plan affords protection to existing green infrastructure features, including hedgerows, trees and woodland.

- 10.11. Policy GBS6 of the Wolvercote Neighbourhood Plan promotes provision of publically accessible green space within new development proposals, including proposals that enhance biodiversity.
- 10.12. The provision of the Canalside Park was included within the outline masterplan for the Oxford North site and formed part of the strategy for provision of public open space across the wider site, as included within the Access Parameter Plan accompanying the hybrid planning consent. Provision of the park is important in terms of providing an area of public open space for future residents in the adjoining development, the wider public, and to provide a buffer between the development at Oxford North and the adjoining landscape to the south. This is in addition to the park also providing an important function for the delivery of pedestrian and cycle connections to Joe Whites Lane, SuDS and delivery of ecological enhancements.
- 10.13. The outline masterplan envisaged that the Canalside Park would be natural and open in character, in order to reflect the character of the surrounding land. The proposals submitted under this Reserved Matters Application (RMA) align with this overarching vision, as the park consists of open space, interspersed with tree planting in groups, or individually. The park is intended as a more natural area of public realm, compared with the residential square (which forms part of the outline strategy and lies in the centre of the residential part of the RMA submission for the Canalside site) which would provide more of a general amenity function and space for provision of formalised play equipment, though the park also contains benches for visitors to linger within the public realm.
- 10.14. As noted in the drainage section below, the Canalside Park would provide space for SuDS provision, this would be in the form of a swale, which should appear as an attractive, natural feature as opposed to a hard engineered piece of drainage infrastructure. The swale would add, rather than detract from the landscape design of the park and is appropriate in visual and landscape terms.
- 10.15. There is a notable change in levels across the park from the development site to Joe Whites Lane, where there is a levels difference of between 1.58 and 1.9 metres between the southern end of the site adjoining Joe Whites Lane and the rear elevation of what would be the southernmost houses in the Canalside development. The park would consist of a gentle slope between the upper and lower ends of the site in order to negotiate this transition. There is a steeper transition between Joe Whites Lane and the spine road of 5.55 metres, accounting for a more significant change in levels between the northern end of the park and the road. This is addressed in the access section of this report in respect of the cycle routes through the public open space.
- 10.16. Officers consider that the landscape design of the park is successful in providing a natural buffer between the development site and adjoining landscape and would be an attractive space for future occupiers and existing residents of

Wolvercote and would align with the vision for this space, as approved within the outline masterplan for the Canalside Site.

10.17. The removal of trees already consented under the hybrid planning application has taken place on the site. As the site was former agricultural land there was previously a relatively low number of trees on the site. The proposals submitted under this planning application do not involve the removal of any additional trees or green infrastructure features. Substantial additional tree planting is proposed within the Canalside Park and within the public realm in the form of new street trees, which would soften the character of the primary access street. There would be a significant increase in tree cover compared with either the existing, or previous baseline on the site. The proposals are therefore considered to comply with Policy G7 of the Oxford Local Plan.

10.18. The landscape design for the site is considered to comply with Policies DH1, G7 and G8 of the Oxford Local Plan and Policy GBS6 of the Wolvercote Neighbourhood Plan.

Heritage

10.19. A section of the Canalside parcel of the site located to the north of Joe Whites Lane falls within the Wolvercote with Godstow Conservation Area, whilst the majority of the site, including the Canalside and Central parcels would be considered to be within the setting of the Conservation Area.

10.20. Policy DH3 of the Oxford Local Plan specifies that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance, character and distinctiveness of the heritage asset and locality. For all planning decisions for planning permission affecting the significance of designated heritage assets (including Listed Buildings and Conservation Areas), great weight will be given to the conservation of that asset and to the setting of the asset where it contributes to that significance or appreciation of that significance).

10.21. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

10.22. For development within or affecting the setting of Conservation Areas, the NPPF requires special attention to be paid towards the preservation or enhancement of the Conservation Area's architectural or historic significance. Paragraph 199 of the NPPF requires that: "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

- 10.23. The site is also within the wider setting of the Grade II listed Manor Farm, a 17th Century stone farmhouse located to the south west, adjoining Godstow Road.
- 10.24. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.25. The wider impact of the redevelopment of the land at Oxford North on the Wolvercote with Godstow Conservation Area and the listed building identified above was considered in depth by officers at the time application 18/02065/OUTFUL was determined. This assessment considered the relative harm to the setting and significance of the Conservation Area, which was deemed to be a moderate level of less than substantial harm. In terms of the setting of the Grade II listed Manor Farm it was considered that whilst the setting of the farmhouse had been eroded by residential development and non-residential development including the Jury's Inn hotel, there would be further harm arising from the loss of agricultural land on the Oxford North site which forms part of the wider setting which contributes to the significance of this building, furthermore the approved development would also be of a significant scale. This harm to the setting of the Grade II listed building was identified as less than substantial and at the lower end of this classification.
- 10.26. The identified harm to these designated heritage assets was balanced against the significant package of public benefits delivered by the proposed development, including the provision of 480 homes and significant economic benefits deriving from the provision of 87,300sqm of employment space. A conclusion was reached that the benefits arising from the development would outweigh the moderate level of less than substantial harm to the Wolvercote with Godstow Conservation Area and the Grade II listed Manor Farm.
- 10.27. Since the outline application was determined further development has taken place to the south of the A40, namely the cut and fill earthworks consented under reserved matters application 21/01053/RES. This has notably transformed the character of the application site from its previous condition as open agricultural land. It was considered that these works would not increase the level of harm from the previously identified moderate level of less than substantial harm.
- 10.28. The proposals contained within this application do not depart from the general parameters of the masterplan consented under the original hybrid planning application, which accounted for the provision of a new access road and the linear Canalside Park. The introduction of the new road would have an urbanising impact on the semi-rural character of this particular part of the Wolvercote with Godstow Conservation Area, though accounting for its purpose as a means of providing vehicular, as well as pedestrian and cycle access to serve the proposed housing development it is considered vital infrastructure.

- 10.29. The provision of the linear Canalside Park adjacent to Joe Whites Lane, which falls partially within the Conservation Area is intended in part to mitigate the impact of the development on the Conservation Area, by providing a buffer between the housing proposed on this site and Joe Whites Lane. The park would retain a degree of visual separation between the lane and the built form on this part of the site, thereby ensuring that the lane retains some of its rural character. As addressed above in the landscape design section of this report, it is considered that the park area is a well-designed space, which relates appropriately to the semi-rural context of the site and surrounding open space, which form part of the Conservation Area, or the approach to the Conservation Area from the west of the site. The provision of the park would deliver a multitude of public benefits in terms of mitigating the impacts of the wider development through delivery of ecological enhancement and provision of sustainable drainage. Furthermore, the park would provide a significant area of public open space for future residents as well as existing residents of Wolvercote on an area of land that did not previously benefit from public access.
- 10.30. The public benefits associated with the provision of the proposed spine road are therefore considered to be substantial as this is essential in order to secure the provision of homes on the Canalside Parcel of land enabling the effective delivery of planning permission 18/02065/OUTFUL. In terms of the Canalside Park, this would deliver a range of public benefits including the provision of new recreation space, sustainable drainage infrastructure, essential pedestrian and cycle connections and ecological enhancement measures. The provision of the park which would provide a buffer between the residential development and Joe Whites Lane would also contribute to mitigating the level of harm associated with development on this parcel of the Oxford North site.
- 10.31. When assessed under the balancing exercise required under Paragraph 202 of the NPPF, the identified moderate level of less than substantial harm to these designated heritage assets would be outweighed by the multiple benefits associated with the delivery of the housing development on the adjoining land. The spine road and Canalside Park represent essential supporting infrastructure which are required to enable effective delivery of residential development on the Canalside site, so therefore the public benefits of the development proposed within this application are considered substantial and demonstrably outweigh the harm to the Conservation Area and Grade II listed Manor Farm. In coming to this conclusion, great weight has been given to the desirability of preserving the setting of the listed building in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and to the desirability of preserving or enhancing the character or appearance of the Conservation Area in accordance with section 72 of the same Act.

Impact on neighbouring amenity

- 10.32. The nearest residential properties to the areas of the site where significant works are proposed are located to the south east at Goose Green Close and Rawson Close and to the south of the Oxford Canal and railway line at Elmthorpe Road and Rosamund Road.

10.33. Policy RE7 of the Oxford Local Plan states that Planning permission will only be granted for development that:

a) Ensures that the amenity of communities, occupiers and neighbours is protected; and b) does not have unacceptable transport impacts affecting communities, occupiers, neighbours and the existing transport network; and c) provides mitigation measures where necessary.

10.34. Policy RE8 of the Oxford Local Plan states that planning permission will not be granted for development that will generate unacceptable noise and vibration impacts. Identifying and mitigating the impact of construction works in terms of air pollution and noise is also required under Policies BES2 and BES3 of the Wolvercote Neighbourhood Plan.

10.35. The majority of the amenity impacts associated with the development would occur during the construction phase of the development, namely as a result of noise, activity and dust impacts associated with construction works and the movement of construction vehicles. Amenity impacts during the operational phase of the development would be largely associated with traffic use of the spine road. The spine road would be located a considerable distance from the nearest neighbouring properties at Goose Green Close. Given that the spine road would serve the residential development on the land to the south of the A40 and would be surrounded by housing it is unlikely that the provision of the road and its use would have a significant impact on the amenity of surrounding residential occupiers and the function of adjoining land uses.

10.36. A Construction Traffic Management Plan (CTMP) and Construction Management Plan (CEMP) were approved for Phase 1A of the development, for the erection of the centrally located employment buildings, as well as the initial enabling works (earthworks and drainage), which included development on the Canalside site. These documents are resubmitted in support of the reserved matters application for the loop road and park. Continued adherence to the approved CTMP and CEMP would ensure that the amenity of surrounding residential occupiers would not be compromised.

10.37. The development in its operational phase would not conflict with Policies RE7 and RE8 of the Oxford Local Plan and subject to adherence to the approved CTMP and CEMP officers are satisfied that there would be no significant harm from an amenity perspective.

Transport

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

10.39. Policy COC1 of the Wolvercote Neighbourhood Plan promotes the provision of safe and separated footpaths and cycleways into and within the Oxford North site. More generally, Policy CHS3 states that new development should ensure safe access to schools, community facilities and retail outlets where it is

practicable to do so. Proposed developments should consider the provision of routes connecting with adjacent streets and sites, including the commons.

- 10.40. The layout of the pedestrian routes contained in this application align with the access masterplan approved under the outline planning permission. The layout acknowledges the importance of providing pedestrian and cycle links through the residential part of the site to serve both the residential and employment uses on the site. Joe Whites Lane is an important pedestrian and cycle route, which connects to Wolvercote village and the Canal towpath. The proposals provide connections to Joe Whites Lane at two separate points, this aligns with the wider site access plan approved under the outline planning permission. This is important in terms of the overall sustainable transport strategy for the site and improving pedestrian and cycle connectivity with Wolvercote which is important in terms of providing access to local services, facilities and access to surrounding recreational assets. The layout of the proposed cycle path is designed in such a way that a gradual transition would be achieved between the loop road and Joe Whites Lane, therefore adequately negotiating the difference in levels across the site. The site layout allows for further pedestrian connections to also be provided between the site and Wolvercote through the land to the south of the Jury's Inn Hotel, should this land currently under the ownership of Oxford City Council also come forward for development.
- 10.41. The access proposals contained in this application are therefore considered to give priority to pedestrian and cycle movement and align with Policies COC1 and CHS3 of the Wolvercote Neighbourhood Plan and Policy M1 of the Oxford Local Plan.
- 10.42. The proposed junctions adjoining the A40, serving as inward and outward points of access were approved under the original hybrid planning consent and have already been constructed as part of the A40 works completed by Oxfordshire County Council. Vehicle tracking has been provided for the proposed spine road and secondary access junctions, this includes tracking for fire and refuse vehicles. Visibility splays have also been provided. Visibility and tracking has been assessed by Oxfordshire County Council as acceptable.
- 10.43. Policy M3 of the Oxford Local Plan and associated Appendix 7.3 outlines minimum parking standards for all new uses, including new residential dwellings. For development within controlled parking zones; within 400 metres of a bus stop benefitting from frequent services; and within 800 metres, all new residential developments shall only be car free. As the site and Wolvercote does not currently fall within a CPZ, the development on the Oxford North site cannot be required to be car free and therefore the minimum parking standards outlined in Appendix 7.3 are applicable.
- 10.44. This application does not relate to the direct provision of any residential dwellings; however 7 visitor parking spaces are proposed adjacent to the proposed access road. This would serve the wider residential development proposed under application 22/00675/RES, providing 317 dwellings. Within planning application 22/00675/RES, 202 parking spaces are proposed, this includes 192 parking spaces allocated specifically for residential dwellings; 3 car club spaces; and the 7 visitor spaces proposed within this RMA for the loop road

and park. Excluding the car club spaces, which are considered separately in line with Policy M3, this would equate to provision of 0.62 spaces per dwelling. This would be significantly below the 0.75 spaces targeted within the Northern Gateway Area Action Plan and the maximum of 1 space per dwelling permitted under Policy M3 of the Oxford Local Plan. The provision of 7 visitor parking spaces, adjoining the spine road to serve the residential development on the Canalside Parcel would align with the Council's maximum parking standards, accounting for the parking ratio proposed under planning application 22/00675/RES and aligns with Policy M3 of the Oxford Local Plan.

Drainage and Flooding

- 10.45. Policy BES4 of the Wolvercote Neighbourhood Plan states that all proposed developments should demonstrate that they do not decrease rain water infiltration. Developments that demonstrate that they increase infiltration (where it is geologically possible), or reduce run-off to watercourses, will be supported. All run off water should be infiltrated into the ground using permeable surfaces (SUDS), or attenuation storage, so that the speed and quantity of run off is decreased. Proposals for new development should ensure that there is no increased risk of flooding to existing property as a result of the development. As appropriate to the scale and nature of any proposed new development, areas likely to be flooded should incorporate flood resilience techniques in design and construction. Policy RE4 of the Oxford Local Plan states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites.
- 10.46. The wider drainage strategy approved under the outline planning permission and reserved matters application 21/01053/RES made provision for SuDS features within the Canalside Park adjacent to Joe Whites Lane. This included a swale along the south western boundary and lowest section of the site. The proposals submitted under this reserved matters application similarly includes provision of a swale along the south western edge of the site. Surface water from the Canalside site, including the roads and housing would discharge into the swale, although storage attenuation, in the form of a tank, is also proposed below the central area of public open space within the residential development, subject of the related reserved matters application. The swale would drain to the east into the existing land drainage, which adjoins the southern boundary of the site. Permeable paving and asphalt surfaces are proposed for the spine road, this would reduce surface water runoff.
- 10.47. The measures incorporated within this reserved matters application align with the wider strategy for sustainable drainage of the site consented under the outline planning permission and make appropriate provision for the sustainable drainage of the proposals submitted under this reserved matters application and the related application for residential development on the Canalside site and would adequately mitigate the risk of flooding. The proposals are considered to comply with Policies RE3 and RE4 of the Oxford Local Plan; and Policy BES4 of the Wolvercote Neighbourhood Plan.

Ecology

- 10.48. Policy G2 of the Oxford Local Plan states that development that results in a net loss of sites and species of ecological value will not be permitted. Policy G2 of the Oxford Local Plan states that Compensation and mitigation measures must offset the loss and achieve an overall net gain for biodiversity. For all major developments proposed on greenfield sites or brownfield sites that have become vegetated, this should be measured through use of a recognised biodiversity calculator. To demonstrate an overall net gain for biodiversity, the biodiversity calculator should demonstrate an improvement of 5% or more from the existing situation. Offsetting measures are likely to include identification of appropriate off-site locations/projects for improvement, which should be within the relevant Conservation Target Area if appropriate, or within the locality of the site, when assessing whether a site is suitable for compensation.
- 10.49. The proposals would deliver 0.795 hectares of wildflower grassland and 0.126 hectares of swale wet grassland as well as smaller areas of ornamental planting. 266 metres of hedgerow are also proposed, equating to 2.28 hedgerow units. There would be a shortfall of 10.45 biodiversity units compared with predicted delivery based on the masterplan agreed at outline planning stage. The applicants have indicated that shortfall is anticipated to be addressed through provision of further habitat units adjacent to the attenuation basin on land between the Canalside Park and the A34 flyover which will form part of a future reserved matters application.
- 10.50. Condition 52 of the hybrid planning permission requires that details of ecological enhancements must be submitted with each reserved matters application (excluding enabling works, roads or infrastructure) for that phase or sub-phase to ensure that the minimum overall net gain in biodiversity of 5% will be achieved across the whole site or in conjunction with specific off-site enhancements approved by the local planning authority. The Canalside Park was highlighted within the outline access parameter plan as an area where significant ecological enhancements must be delivered. A biodiversity enhancement plan has therefore been prepared in support of the reserved matters application.
- 10.51. The Section 106 agreement accompanying the hybrid planning permission includes a requirement to deliver 5% biodiversity net across the wider site during the project duration. If this cannot be met wholly on-site, in addition to previously agreed off-site works at Cutteslowe Park, then a strategy for delivery of further off-site works will be required. An agreement must be reached between the applicants and the Council prior to the occupation of more than 443 dwellings or 85,000sqm of employment GIA.

11. CONCLUSION

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

- 11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver sustainable development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.
- 11.3. Therefore in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.
- 11.4. The proposals relate to the provision of a spine road and large park, which are required to serve the residential development of the Canalside section of the Oxford North development site which are outlined in the reserved matters application 22/00675/RES. The proposed development is necessary to provide vehicular, cycle and pedestrian access into the future development site and to provide landscaping, public open space, SuDS and ecological enhancements.
- 11.5. The siting and location of the spine road and pedestrian and cycle accesses through the site align with the access parameter plan consented under the hybrid planning permission. The pedestrian and cycle connections provide appropriate permeability of access between the A40 and Central parcel of the Oxford North Site through Canalside to serve the new residential development on the site and to provide connections with Joe Whites Lane, Wolvercote and the wider area, therefore promoting sustainable modes of travel in line with Policy M1 of the Oxford Local Plan. The spine road is considered to be suitably designed and visibility and tracking for larger vehicles has been assessed by the Local Highways Authority to be acceptable.
- 11.6. The Canalside Park would provide an extensive area of new public realm within an area of the site specifically allocated for this purpose under the parameter plan accompanying the hybrid planning permission. The park would provide a natural buffer between the housing element of the Canalside site and the adjoining landscape to the south west. The park would have a natural character and is considered to be well designed and responsive to the rural character of the surrounding land. Significant additional tree planting is proposed within the park and adjacent to the spine road, which would represent a significant increase on the limited number of trees previously located on the site. The landscaping proposals and provision of public open space is therefore considered to comply with Policies G7 and G8 of the Oxford Local Plan Policy GBS6 of the Wolvercote Neighbourhood Plan. The Canalside Park would also provide significant biodiversity enhancements, which will contribute significantly towards biodiversity net gain to meet the overall requirements of Policy G2 of the Oxford Local Plan.
- 11.7. The proposals for the park would also provide swales along the south western boundary of the site which would assist in the sustainable drainage of the

adjoining residential site, this is in combination with the extensive use of permeable paving with the proposed access roads and pathways to reduce surface runoff. The proposals are therefore considered to comply with Policies RE3 and RE4 of the Oxford Local Plan.

11.8. The public benefits associated with the provision of the proposed spine road are therefore considered to be substantial as this is essential in order to secure the provision of homes on the Canalside Parcel of land enabling the effective delivery of planning permission 18/02065/OUTFUL. In terms of the Canalside Park, this would deliver a range of public benefits including the provision of new recreation space, sustainable drainage infrastructure, essential pedestrian and cycle connections and ecological enhancement measures. The provision of the park which would provide a buffer between the residential development and Joe Whites Lane would also contribute to mitigating the level of harm associated with development on this parcel of the Oxford North site. When assessed under the balancing exercise required under Paragraph 202 of the NPPF, the identified moderate level of less than substantial harm to these designated heritage assets would be outweighed by the multiple benefits associated with the delivery of the housing development on the adjoining land. The spine road and Canalside Park represent essential supporting infrastructure which are required to enable effective delivery of residential development on the Canalside site, so therefore the public benefits of the development proposed within this application are considered substantial and demonstrably outweigh the harm to the Conservation Area and Grade II listed Manor Farm.

11.9. The proposals are considered to be compliant with the Oxford Local Plan; Wolvercote Neighbourhood Plan and NPPF. For the reasons outlined above it is recommended that the Committee resolve to grant reserved matters approval for the development.

12. CONDITIONS

Time Limit

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

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

Approved Plans

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

Reason: To avoid doubt as no objection is raised only in respect of the deemed consent application as submitted and to ensure an acceptable development as indicated on the submitted drawings.

Construction Traffic Management Plan and Environmental Management Plan

3. The development hereby permitted shall be carried out in accordance with the construction traffic management, air quality and environmental management measures outlined within the submitted Construction Traffic Management Plan (CTMP) and Construction Environmental Management Plan (CEMP) Rev 4 prepared by Stantec reference 48201/001 Rev 5 dated 5 August 2022.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles and air quality on the surrounding network, road infrastructure and local residents, particularly at peak traffic times, in accordance with policies RE6, RE7, RE8 and M2 of the Oxford Local Plan 2036.

Drainage Measures

4. The development shall be carried out in accordance with the measures identified for the management of surface water drainage and maintenance of drainage features as outlined in the following documents and Plans:
 - RMA – Canalside Loop Road and Open space Detailed Surface Water Drainage Scheme reference 48201/CS/LOOP ROAD RMA /001 Rev D prepared by Stantec dated March 2022.
 - Foul and Surface Water Phasing Strategy reference 48201/CS/RMA/SK008 Rev A

The approved measures shall be implemented as approved prior to the completion of the works to construct the proposed loop road.

Reason: To prevent an increase in flood risk in accordance with Policies RE3 and RE4 of the Oxford Local Plan 2036.

Landscaping/Trees

5. The landscaping proposals as approved by the Local Planning Authority shall be carried out no later than the first planting season after completion of the loop road unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

6. 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.

Car parking and accesses

7. Before the development permitted is brought into use the areas for parking and manoeuvring of vehicles and cycles shall be constructed and laid out in accordance with the approved plans and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety in accordance with policies M1, M2 and M3 of the Oxford Local Plan.

13. APPENDICES

- **Appendix 1** – Site location plan

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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