

Oxford City Planning Committee

22nd September 2022

Application number: 22/01532/CT3
Decision due by 30th September 2022

Extension of time

Proposal Demolition of existing building and erection of a part two, part three storey office building in association with amended access arrangements, disabled parking, substation and landscaped space.

Site address The Oxford Enterprise Centre Standingford House, 26 Cave Street– see **Appendix 1** for site plan

Ward St Clement's Ward

Case officer Sarah De La Coze

Agent: Mrs Stephanie Weeks **Applicant:** Oxford City Council

Reason at Committee Major Application

1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

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

- resolving the drainage objection set out by Oxfordshire County Council to the satisfaction of the drainage officer at Oxfordshire County Council

1.1.2. **agree to delegate authority** to the Development Management Service Manager to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Development Management Service Manager considers reasonably necessary.

2. EXECUTIVE SUMMARY

2.1. This report considers the redevelopment of Standingford House in Cave Street. Standingford House is an existing 1960s commercial building currently in office use. The site is owned by Oxford City Council. The site has vehicular access from Cave Street and can be accessed by pedestrians via Cave Street or via the

neighbouring residential road. The application seeks planning permission for the redevelopment of the site to provide 1,745sqm of office floorspace. The building has been designed to be an energy efficient co-working space which is able to accommodate a wide range of occupiers from fledgling business to more established ones. The building features a stepped design in order to minimise the impact on neighbouring properties whilst making an efficient use of the site. The building will be part two storey part three storey. At the highest point the building will measure 11.03m to the top of the third storey, the two storey elements will have an overall height of 7.5m. The existing building has an overall height of 10.62m.

2.2. The site is not located within a Conservation Area but is within the setting of both St Clement's and Iffley Conservation Area and the Central Conservation Area. A number of Listed Buildings are located in the near vicinity, most notably 6-16 London Place which are Grade II Listed and are located approximately 80m from the site. The Church of St Clements which is Grade II* and St Clements Oxford War Memorial which is Grade II Listed are both located approximately 150m north of the site.

2.3. The historic environment has been carefully considered and great weight has been given to preserving the significance of the designated heritage assets referred to in the report.

2.4. Officers consider that the development would be acceptable with regard to principle, design, impact on the historic environment, highways, ecology, sustainability, environmental health and impact on neighbouring amenity.

2.5. The development would provide an energy efficient co-working office space that would provide flexible workspaces that could accommodate a wide range of occupiers. The design is considered to respond positively to the street scene and would allow the introduction of street frontage landscaping. Officers consider that the development is acceptable and recommend that the committee resolve to approve the application subject to the flooding objection being resolved.

3. LEGAL AGREEMENT

3.1. This application is not subject to a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for CIL at an amount of £32,982.07.

5. SITE AND SURROUNDINGS

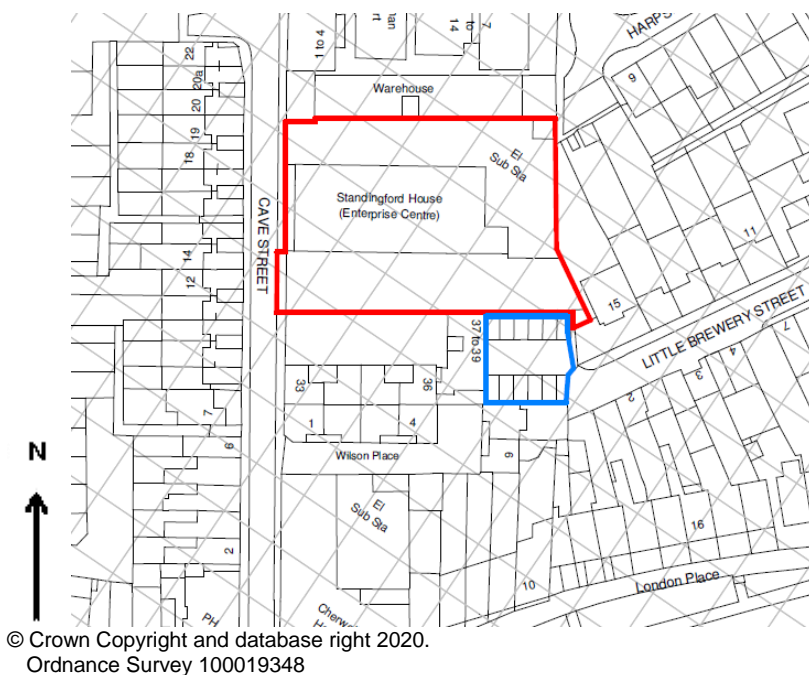
5.1. The site is located to the east of the City Centre in the St Clement's area. The site is located in a road which comprises both residential properties and commercial buildings. Beyond the site to the east is St Clement's Street and beyond that South Parks. To the north-west there is Angel and Greyhound Meadows. Headington is located to the north-east and the City Centre is located to the west.

5.2. The site itself is bounded by two storey residential properties as well as a single storey commercial building. To the north-east is Little Brewery Street and Harpsichord Place, to the south-east there is a two storey block of flats facing on to

the application site, beyond that is Wilson Place and then three storey town houses located on London Place. To the west of the site are two storey residential properties along Cave Street and to the north is a single storey commercial buildings with residential properties beyond.

5.3. The site is not located within a Conservation Area but is surrounded by the Central Conservation Area and St Clements and Iffley Conservation Area. The site therefore sits within the setting of both Conservation Areas. There are also a number of Grade II Listed Buildings in the vicinity namely 6-16 London Place which are located on London Place. The Church of St Clements which is Grade II* and St Clements Oxford War Memorial which is Grade II Listed are both located approximately 150m north of the site.

5.4. See site plan below:



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6. PROPOSAL

6.1. The application seeks planning permission for the demolition of the existing building and the erection of a part two storey, part three storey co working office building with an associated substation, disabled parking space and landscaping.

6.2. The building has been designed to be an energy efficient co-working space which is able to accommodate a wide range of occupiers from fledgling business to more established ones offering a range of different spaces depending on the businesses need. The building will be fully accessible and include a reception area, various offices, a kitchen and breakout facilities. The building will also include changing areas and showers to promote sustainable travel. The building will have a floor area of 1,745sqm. The building will be accessed from Cave Street and will include a small landscaped area to the front which will include a disabled parking space, delivery space and the newly relocated substation. To the rear of the building there will be a landscaped area and which will include a new air source heat pump. The building will also include covered cycle parking.

6.3. The building has been designed in three stepped blocks to minimise the impact on neighbouring properties whilst making an efficient use of the site. The stepped design also allows the massing of the building to be reduced and for areas of landscaping to be introduced. The materials proposed for the building is warm red brick and buff stone. The roofs will feature green roofs and PV panels.

7. RELEVANT PLANNING HISTORY

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

196/DO_H - Minty's Ltd. New building to replace existing (outline application). PER 9th June 1953.
162/A_H - Minty's Ltd. New building to replace existing. PER 22nd September 1953.
275/A_H - Minty's Ltd. Alterations to timber store on east side, and erection of covered way on west side (revised). PER 24th May 1960.
558/A_H - Alterations to wholesale warehouse. PER 24th January 1967.
135/GFH - Change of use and conversion of training workshops to 17 managed starter units involving Use Classes II (Offices), III (Light Industry, IV (General industry) and X (Warehouses) - unit sizes ranging from 206-588 sq. ft. (Amended Plans). DMD 2nd May 1986.
514/VFH - Variation of condition 3 of permission GFH/135/86 (to change hours of use from 7.30 - 1800 to 7.30 - 22.00 Monday to Friday and from 7.30 - 1300 to 7.30 - 1800 on Saturday). PER 21st June 1988.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents
Design	119-136	H14 - Privacy, daylight and sunlight RE2 - Efficient use of Land DH1 - High quality design and placemaking	
Conservation/Heritage	189-208	DH2 - Views and building heights DH3 - Designated heritage assets	

		DH4 - Archaeological remains	
Commercial	81-83	E1 - Employment sites - intensity of uses	
Natural environment	174-188	G1 - Protection of Green/Blue Infrastructure G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	
Transport	104-113	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development M3 - Motor vehicle parking M4 - Provision of electric charging points M5 - Bicycle Parking	Parking Standards SPD
Environmental	152-169	S1 - Sustainable development RE1 - Sustainable design and construction RE4 - Sustainable and foul drainage, surface RE6 - Air Quality RE8 - Noise and vibration RE9 - Land Quality	Energy Statement TAN
Miscellaneous	92-97	S2 - Developer contributions RE5 - Health, wellbeing, and Health Impact Assessment RE7 - Managing the impact of development DH7 - External servicing features and stores V8 - Utilities V9 - Digital Infrastructure	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 14th July 2022 and an advertisement was published in The Oxford Times newspaper on 14th July 2022.

Statutory and non-statutory consultees

Oxfordshire County Council

Highways

No objection subject to:

Planning Conditions as detailed below.

Note should be taken of the **informatives** stated below.

Comments

Introduction

The proposal is to demolish the existing building and erect a part two, part three storey office building. The proposal also includes amendments to the access arrangement, disabled parking, substation, and landscaped spaces.

Sustainable transport connectivity

The site is in a highly sustainable area in transport terms. There are a number of bus stops within 400m of the site located along St Clements Street offering frequent bus services to both the city centre and Thornhill park & ride. No financial contributions to public transport services and infrastructure are required.

The site is within walking and cycling distance to the city centre. Cycle lanes heading both into the city centre and Headington are provided along St Clements Street and Headington Road.

Car and cycle parking

The development will see the parking at the site reduced to just one accessible parking space and one delivery drop off/ operational parking bay. As the site is within a controlled parking zone and within walking distance to a range of facilities, the proposed reduction in parking is supported and complies with policy M3 of the Oxford Local Plan.

Policy M5 of the Oxford Local plan requires one cycle parking space to be provided for every five members of staff or other people. The number of parking spaces provided at the site meets the requirements of policy M5, with 70 cycle parking spaces being provided for 350 members of staff.

The cycle parking proposed at the site (for both staff and visitors) is in a suitable location and provides an appropriate amount of parking for cargo bikes, electric bikes and disabled parking.

Currently less than half of the staff cycle spaces are to be undercover. As it is stated in policy M5, we would expect all staff cycle parking to be covered to encourage staff to cycle during all weathers/seasons.

Travel plan

The travel plan submitted as part of the application identifies that location of the site allows staff/visitors to access the site through a range of sustainable transport options. Due to the size of the site, no travel plan monitoring fee is required. The submitted Travel Plan Statement needs some amendments before it can be approved:

- Add the planning application number;
- Add the planned / estimated date of occupation;

Construction Traffic Management Plan

The Construction Traffic Management Plan submitted as part of the application does not meet Oxfordshire County Council criteria and will need to be amended prior to any works at the site. The CTMP will need to be appropriately titled (include planning permission number), include a layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc

Planning Conditions:

In the event that permission is to be given, the following planning conditions should be attached:

Cycle Parking

Before the development permitted is commenced 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 approved Cycle areas shall thereafter be retained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport in line with policy M5.

Construction Traffic Management Plan

A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. The CTMP should follow Oxfordshire County Council's template if possible. This should include;

- An appropriate title which includes the planning permission number/reference.
- The routing of construction vehicles and management of their movement into and
- out of the site by a qualified and certificated banksman.
- Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network).
- A layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- Contact details for the Site Supervisor responsible for on-site works.
- Travel initiatives for site related worker vehicles and details regarding parking provision for site related worker vehicles.

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.

Travel Plan

Prior to first occupation a Travel Plan Statement shall be submitted to and approved by the Local Planning Authority.

Reason: To promote sustainable modes of transport

Informative:

Alterations to the Public Highway (Dropped Kerbs)

Any alterations to the public highway will be at the applicant's expense and to Oxfordshire County Council's standards and specifications. Written permission must be gained from the Oxfordshire County Council (Contact – 0845 310 1111 or refer to <https://www.oxfordshire.gov.uk/cms/content/dropped-kerbs> for this action).

Drainage

Objection

Key issues:

- Permeable paving not identified on the drainage strategy report.
- Surface water catchment plan to be provided.
- Drainage strategy drawing to be detailed.
- Calculations to be detailed.
- Surface water flood exceedance plan to be provided.
- Not all SuDS features identified on the SuDS maintenance regime.
- Public sewer consent to be provided.
- Condition of the existing sewer to be confirmed and any remedial works to be identified on the plan.

Detailed comments:

The use of permeable paving has been considered however not identified on the drainage strategy drawing.

Provide surface water catchment plan, showing the extent of the areas clearly and stating the area and where it will be draining to.

Ensure all SuDS features are shown in the drainage strategy and how it's connected to the surface water network. Invert and cover levels of all SuDS to be shown. Pipe numbering to be shown and needs to read in line with the calculations. Proposed connections from the building or any other hard standing areas to the surface water network are not shown.

Calculations should reflect the whole surface water network and include all proposed SuDS features. Also provide calculations for the greenroof. Calculations to include all storm events up to and including the 1:100 year storm event plus 40% climate change.

Provide surface water flood exceedance plan, showing that all surface water will be kept away from structures and within the site boundary.

Not all proposed SuDS identified on the maintenance regime.

Public sewer consent to be provided to make proposed drainage connection.

Condition of existing sewer to be confirmed and any remedial works to be identified on the plan.

Thames Water Utilities Limited

Waste Comments

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. 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 SURFACE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/working-near-our-pipes>

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/working-near-our-pipes>

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should

follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/working-near-our-pipes>

Water Comments

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [Thameswater.co.uk/buildingwater](https://www.thameswater.co.uk/buildingwater).

The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://www.thameswater.co.uk/developers/larger-scaleddevelopments/planning-your-development/working-near-our-pipes> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above 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.

Public representations

9.2. 17 letters of representation were received from addresses in Cedar Road, London Place, Cave Street and Little Brewery Street.

9.3. The comments can be read in full on the website as part of the application, in summary, the main points of objection and comment were:

- High quality design that will optimise the site
- Will provide more office space to support SMEs
- Large overdevelopment
- Likely not viable
- Mixed use housing/development would be more appropriate
- 3rd floor exceed that of adjoining roofs – top floor should be omitted

- The parking is inadequate
- Air source pump tends to be noisy
- Housing development would be more in keeping
- Disruption to neighbours during construction
- Will increase overlooking and will cause a significant loss of privacy
- Already a large number of unoccupied offices in the area – why is there a need for more
- Lack of affordable housing in the City
- Height and massing is overbearing
- Will increase light pollution unless mitigation is proposed
- More parking spaces with electric charging that could be used by residents should be considered
- Council has not maintained the existing building
- The building could be refurbished
- People are working from home more – offices aren't in demand
- Development will increase traffic
- Due to the height neighbours will be overshadowed and overlooked
- Need reassurances the landscaping will be managed
- Tenants of the existing building will be evicted
- Will cause a loss of light to and overshadowing neighbouring properties
- Developments like this should be on the edge of the city in commercial parks not here in the centre
- Unhappy about local public money being used for this project
- Outlook will be impacted
- For those windows with a direct view into gardens on London Place / Little Brewery Street, the windows should be frosted
- Will impact on the visual amenity of the area/Conservation Area and views from South Park
- The roof terrace where office parties and outdoor meetings will take place will be a noise disturbance during the day and in the evenings
- The large number of solar panels, depending on the angle of light, will potentially reflect light
- Care should be taken when removing hazardous materials
- Will impact on the Listed Buildings
- Overdeveloped site/too dense
- Trees proposed is minimal

- Object to the proposal to change the building from light industrial to office only - any creative industries have thrived in this building for many years
- The environmental and carbon cost to demolition and creating new building is considerable more than refurbishment of an existing building

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- I. Principle of development
- II. Design and Impact on the Historic Environment
- III. Impact on neighbouring amenity
- IV. Highways
- V. Sustainability
- VI. Biodiversity and Landscaping
- VII. Drainage and Flooding
- VIII. Environmental Health

I. Principle of development

10.2. The application site comprises a commercial office building, the application seeks planning permission to replace the building with a larger commercial office building. The Oxford Local Plan 2036 (OLP) sets out a hierarchical approach to employment sites which are divided into categories, category 1 and 2 sites are afforded the most protection. The site category breakdown is set out in Appendix 2 of the OLP. The application site is a category 2 employment site. With regard to category 2 employment sites the OLP states:

10.3. Planning permission will not be granted for development that results in the loss of employment floorspace on Category 2 sites, except where:

- d) the redevelopment creates new housing or community use; and
- e) the number of employees in B class uses on the site when the site was at full capacity is retained; and
- f) more efficient use of land can be demonstrated.

10.4. In addition policy E1 states that *“Planning permission will be granted for the intensification, modernisation and regeneration for employment purposes of any employment site if it can be demonstrated that the development makes the best and most efficient use of land and does not cause unacceptable environmental impacts and effects”*.

10.5. The proposal seeks to retain an employment use on the site and the scheme will not result in a loss of employment floorspace, the principle of the development is therefore acceptable subject to compliance with the other policies of the OLP.

10.6. Objections have been received with regard to the principle of redeveloping the site for additional office use without including residential properties. The inclusion of residential elements in to the scheme is not a policy requirement and whilst a mixed use scheme may have been acceptable a solely commercial scheme would be policy compliant and would be considered in keeping with the existing use of the site. In addition to these objections questions have been raised as to the need for more office accommodation in the city. The agent has clarified that the City Council has an operator on board who has successfully developed a number of City Centre locations for similar purposes and that the need for modern and, in particular, flexible office accommodation is in high demand. In addition questions have been asked as to why the building could not be refurbished. The applicant's agent has confirmed that a full and complete business case was undertaken by the City Council to carry out a feasibility and design work to determine a preferred option for development and that refurbishment was considered but discounted on viability grounds.

II. Design and Impact on the Historic Environment

10.7. Design

10.8. Policy DH1 states that planning permission will only be granted for development which shows a high standard of design, and which respects the character and appearance of an area and uses materials appropriate to the site and surroundings.

10.9. Policy DH2 relates to views and building heights. The policy seeks to retain significant views both within Oxford and from outside, in particular to and from the historic skyline. Planning permission will not be granted for development proposed within a view cone or the setting of a view cone if it would harm the special significance of the view.

10.10. Policy DH3 refers to heritage assets and states 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 affecting the significance of designated heritage assets, 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.

10.11. The proposed building has been designed to make an efficient use of the site. Policy RE2 sets out that planning permission will be granted where development proposals make efficient use of land. The policy sets out that any development shall have a density that is appropriate for the site, the scale, height and massing should conform to the other policies in the OLP, built form and site layout must be appropriate for the capacity of the site.

10.12. The existing building features two storeys with a hipped roof and has an approximate overall height of 10.62m. The proposed building will feature 2, two

storey outer blocks with an overall height of 7.5m with a middle three storey block measuring 11.03m in height. The building has been designed in a stepped design which allows for a better relationship with the street by introducing a frontage to the building as well as allowing for a landscaped area to the rear and limiting the mass of the building from the closest neighbours. The building has been designed to locate and restrict the tallest elements of the building to the middle of the site.

10.13. The design, massing and layout of the proposed building is significantly different to the existing building therefore whilst at the tallest point the height between the existing and proposed building is minimal, given the design and the actual floors contained in the building officers acknowledge that the overall scale and appearance and the way the building is viewed and perceived on the plot is different. The building has been designed in order to limit the impact of the taller middle block from the neighbouring properties whilst still referencing the scale of the neighbouring buildings. This approach makes an efficient use of the site whilst limiting the impact on the neighbouring properties.

10.14. The overall layout of the building allows for landscaped areas to be introduced to the front and rear. The site sits in the immediate vicinity of predominantly two storey buildings with three storey buildings being more prominent on St Clement's and London Place. As set out above, the overall height of the development is not dissimilar to the existing height but the design increases the overall massing. In addition to the residential properties in Cave Street, the site is viewed in the context of St Clement's and London Place which feature three storey buildings and where the mixture of two and three storey building are prominent. The overall building design of having the two variable heights allows for the top floor massing to be reduced. As set out in the St Clement's and Iffley Conservation Area, the mix of uses and building heights within the locality makes up the character of the area. St Clement's features a varied mix of building heights, designs and uses and it is not uncommon for these to change between buildings and roads. Given the commercial nature of the site and the fact that the site is viewed in the context of St Clement's and London Place, a building of this height is not considered unacceptable or out of keeping or out of character with the site or wider area. As the Conservation Area appraisal concludes "*there is no prevailing architectural style running through the suburb, more a variation of the terraced theme. The architectural diversity blends together producing a distinctive suburb*". Therefore this variety in design, character and appearance in the vicinity is a consideration when determining the acceptability of the proposed development. The massing of the building has been reduced by designing the building as three stepped elements. These steps allow for views to open up as you look across the building and allow for additional space to be created at ground floor level to incorporate landscaping to enhance the frontage and its appearance in the street scene.

10.15. The design is modern in its appearance but manages to incorporate materials found in the locality such as warm red brick. The proposed materials allows the building to assimilate in to the environment and chime with the materials in the locality, it also offers a warm tone to its appearance. Openings will be incorporated across the building. To the front and rear the window detailing will allow the windows to be inset, this design feature provides visual interest in the building as well as creating additional screening as the occupiers will be set back further in to the

building. The building will feature a green roof which will improve and soften the overall appearance of the building as well as bring with it biodiversity enhancements.

10.16. In addition to the building, the scheme will include a cycle store which will be located to the side of the building as well as a substation to the front and an air source heat pump to the rear. The substation has been relocated from the rear and is required to be accessible for maintenance purposes, therefore whilst its location is not ideal it is acknowledged that it has to be positioned in a logical position. In addition by locating it close to the boundary it allows for it to be screened by landscaping as well as help screen the bin store and cycle store beyond.

10.17. The internal layout of the office has been designed to be flexible and to allow the spaces to be reconfigured to adapt to occupiers requirements. Officers are of the opinion that the building is well designed to take in to account the constraints of the site whilst seeking to improve the street scene. The stepped nature of the building allows the bulk and massing of the building to be reduced and therefore reduce the impact of the development on neighbouring amenity. It is considered that the design would sit comfortably within the street scene and wider context of St Clement's and the materials would allow it to be in keeping with the character of the wider area.

10.18. **Landscaping**

10.19. The application seeks to incorporate hard and soft landscaping in to the site. The site currently features no landscaping and no trees. The car parking space and delivery bay will be located to the front alongside the substation and bin store. New trees will be planted within the site which will enhance the street scene as well improve views in and out of the site towards the neighbouring Conservation Areas. The proposed landscaping is considered to enhance the site and the have a positive impact on the site and wider street frontage. The landscaping will bring a green edge to the site and allow for a better green link between South Park and the meadows beyond. New trees are proposed to be planted and these will give the site a soft edge and will help provide screening to the building and limit views between the site and the neighbouring properties. The landscaping to the south of the building includes the planting of trees which as with the front allow for a softer outlook to this elevation. The rear will also include a landscaped area so the outside space can be enjoyed by the occupiers of the office. In addition to the ground level landscaping the building is proposed to incorporate a green roof. This will further add a softness at roof level which will improve outlook and provide biodiversity enhancements.

10.20. Officers are of the opinion that the landscaping plan proposed would enhance the site as well as the wider street scene including views in to the street, conditions will be included to ensure that the proposed landscape scheme is delivered and retained.

10.21. **Impact on views and the Conservation Areas**

10.22. Policy DH2 of the Oxford Local Plan refers to views and building heights. The policy seeks to retain significant views both within Oxford and from outside, in particular to and from the historic skyline. Policy DH3 refers to heritage assets and states 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. When considering the impact of a proposed development on the significance of a designated heritage asset, paragraph 199 of the NPPF states that great weight will be given to the conservation of that asset.

10.23. The application site does not fall within a Conservation Area but within the setting of St Clement's and Iffley Conservation Area and the Central Conservation Area. Within the St Clement's and Iffley Conservation Area the site sits adjacent to the St Clement's character area. The character appraisal refers to this area as a diverse and vibrant mixed use suburb. When referring to the north side of St Clement's the appraisal states that *"The predominant building form being narrow, 3-storey terraced houses with commercial spaces to the ground floor. Although the buildings are generally 3-storeys they are of differing heights, reflecting different builders, building techniques, design and age of development but combine to create a streetscape of stepped roofs with varying pitches, enhanced by the occasional dormer, gable and chimney stack"*. Whilst Cave Street includes more modern development the variety in building design, heights and uses are reflective of this overall character. London Place which comprises a number of Listed Buildings in proximity to the application site features a change in architectural style and building line which were designed to take advantage of the open green space of South Parks.

10.24. The Conservation Area appraisal identifies mixed use buildings as a key character feature within the area identifying that the area features three storey buildings of varying heights, design and age creating stepped roofscapes with the side streets being tightly packed and enclosed spaces characterised by two storey 19th Century housing. It highlights the "high degree of architectural diversity."

10.25. The Central Conservation Area is located across the river with the Angel and Greyhound Meadow being located in close proximity to the development site. The meadows are in the flood plain character zone. This character zone highlights the significance of the green spaces in the city and their role in the history and layout of Oxford and the importance of protecting views. Angel and Greyhound Meadows is open to the public.

10.26. The application site is well contained within its immediate setting, due to the built up nature of St Clement's and tree lines within the meadows. The wirelines within the LVIA show that from St Mary's Tower parts of the top of the building will be visible within the vegetation and built form, as the building will be viewed against the existing built development in the area it is not considered to have an adverse impact in this view. Apart from the view from St Mary's, the development will mostly be visible within short range views around the site on the edge of the Conservation Area. Officers consider that the development will bring with it improved landscaping which will enhance these short range views from and to the Conservation Area. The overall design and materials would be in keeping with the materials found in the locality. As the St Clement's Conservation Area Appraisal states, St Clement's is characterised by varying building designs, building heights and uses and therefore the design and scale of the proposed development is not considered to have an adverse impact on the setting of the neighbouring Conservation Areas and is considered to preserve the neighbouring Conservation Areas.

10.27. *Impact on Listed Buildings*

10.28. In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant planning permission, “special regard should be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.” A finding of harm to the setting of a listed building gives rise to a strong presumption against planning permission being granted. The presumption can be outweighed by powerful material considerations.

10.29. Paragraph 206 of the NPPF states that “Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”

10.30. The closest Listed Buildings are located on London Place, the properties are in close proximity to the development site but there are the block of garages and the block of flats located in-between. The design of the Listed Buildings, intervening buildings and proposed office building further reflects the varying character of St Clement’s Conservation Area, the proposed building is considered to be of a good design and is not of a scale that would detract from the setting of the Listed Buildings on London Place. The Church of St Clements which is Grade II* and St Clements Oxford War Memorial which is Grade II Listed are considered to be sufficiently distanced so not to be adversely impacted by the development.

10.31. Officers therefore consider that the development would not have an adverse impact on the setting of the neighbouring Listed Buildings and would preserve their setting.

10.32. *Archaeology*

10.33. Policy DH4 of the OLP relates to Archaeological remains. Paragraph 205 of the NPPF states that where appropriate local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. An archaeological desk based assessment for the site has been completed. The assessment notes that this previously developed site has only low/marginal potential for significant archaeology. Given the results of the desk based assessment no further archaeological work is required. It is therefore considered that the proposed development would result in no harm to the archaeology of the site.

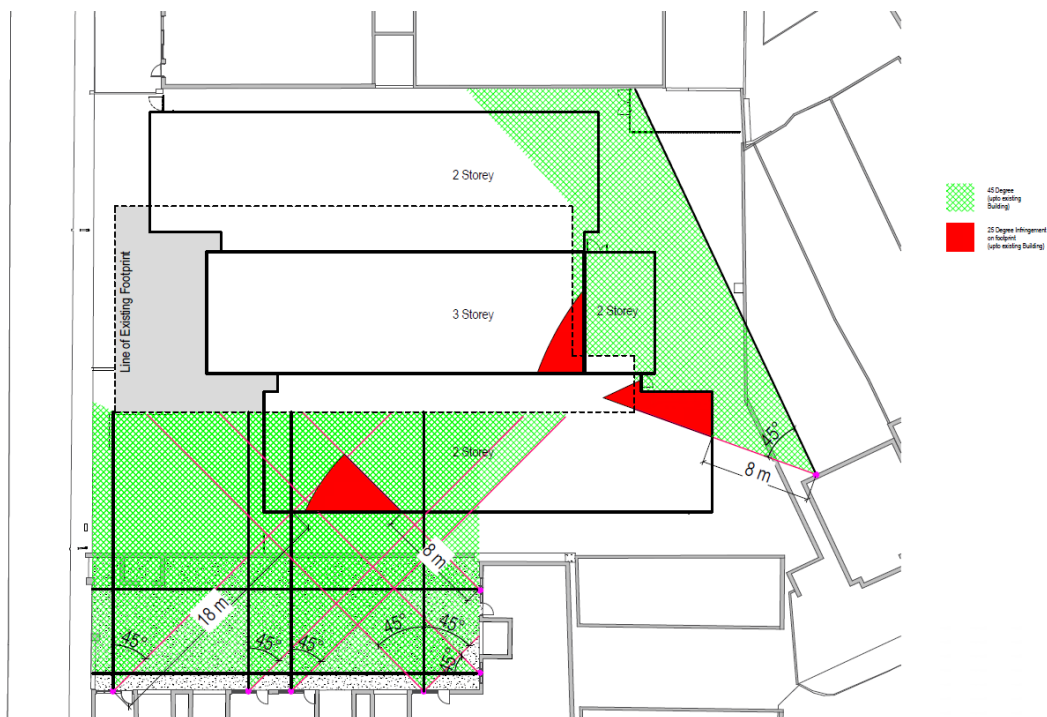
III. *Impact on neighbouring amenity*

10.34. Policy H14 of the OLP states that planning permission will only be granted for new development that provides reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy H14 sets out guidelines for

assessing development in terms of whether it will allow adequate sunlight and daylight to habitable rooms of the neighbouring dwellings.

10.35. Policy RE7 of the OLP states that planning permission will only be granted for development that ensures that standards of amenity are protected. This includes the amenity of occupiers and neighbours is protected in addition to not having unacceptable unaddressed transport impacts and provides mitigation measures where necessary. The development is located in close proximity to a number of residential properties specifically those located in Cave Street, Wilson Place, Newman Court, Little Brewery Street, London Pace and Harpsichord Place. A number of objections have been received with regard to loss of sunlight, daylight and increased overshadowing.

10.36. Appendix 3.6 of the OLP sets out the 25/45 degree guidance that is applied when assessing the impact of development on sunlight/daylight. The guidance should be assessed in combination with other material factors. The diagram below was submitted with the application and shows where the development infringes on the 45/25 degree line. As can be seen this happens in 3 locations, on the corner of the rear three storey and two storey element and towards the side of the two storey element.



10.37. To further analyse the impact of the development on sunlight/daylight the application was submitted with a detailed sunlight daylight report as well as a permanent and transient overshadowing report which looks at the impact of the development on the closest properties. The report analysis each property impacted, taking in to account their layout and location around the site.

10.38. A range of properties surround the site and their individual layout determines how they are impacted by the development. The flats that look on to the application site feature balconies and car parking spaces that are located close to their frontage

and associated windows. These features which are already incorporated in to their design obstruct the light available to these windows. Notwithstanding this, the development would breach the 25/45 degree guidance. From the flats this breach occurs within the two storey element. When considering the acceptability of this breach officers have considered the overall relationship between these buildings and sites. The orientation of the flats being a consideration, they are located to the south of the site and therefore will benefit from good sunlight. The flat that is most affected also does not face directly on the site and therefore would still get a good range of open sky and daylight. The two storey element is also not considered excessively tall for a commercial development. With regard to the other breaches they affect the property to the rear located in Brewery Street, here the infringement clips the end of the building. Due to the stepped design the view and light available to the property will open up as the building steps away. In order to further assess the impact, the sunlight daylight report looks at the impact in more detail and analyses the impact against the BRE criteria. When assessed against the BRE criteria the properties pass and are found to receive acceptable levels of daylight/sunlight, therefore the impact is not considered to have an unacceptable impact from a technical point of view.

10.39. When considering the BRE report, the report states that against the BRE criteria 99.6 % of neighbouring windows are compliant (just one window that doesn't comply, the window not being one that breaches the 45/25 but instead a window to the corner flat no. 37). The window that does not pass the BRE criteria is set back from the main elevation with a balcony in front, which in itself compromises the light available. All other neighbouring windows comply with the BRE guidelines. With regard to sunlight 100% of windows assessed meet the APSH Summer and Winter BRE criteria and therefore would not be considered to be adversely affected by the development.

10.40. Officers therefore consider both the results of the 45/25 degree guidance in combination with the BRE sunlight and daylight assessment, and are of the opinion that whilst there would be some impact, given the finding of the BRE report that states that the impact would not be an unacceptable amount, on balance the impact of the building on neighbouring sunlight and daylight would not be so harmful as to warrant refusal on these grounds.

10.41. In addition to concerns of loss of sunlight and daylight, to address concerns about overshadowing an overshadowing report has been submitted to support the application. Given that the report is looking at overshadowing it examines properties to the west of the site through to the north as the sun rises in the east and sets in the west. The report also compares the existing building with the proposed in regard to overshadowing. The report details the overshadowing at 2 hour intervals in December, June and March. The report concludes that in December additional overshadowing will occur at the ends of the gardens to the rear of the site and as time passes this overshadowing adjoins the existing overshadowing pattern. From the graphs it is likely that the existing building already causes significant overshadowing in the winter. In March additional overshadowing is increased most notably from 2pm, when it gets to 4pm it shows that existing overshadowing occurs from the existing building and that additional overshadowing will be present alongside the existing overshadowing. In June the development will cause minimal additional overshadowing. Given the orientation of the site and the constrained

urban environment, any development is likely to bring with it overshadowing. The increased overshadowing from the development at certain times of the year is considered acceptable, given that any development would bring with it overshadowing even at only two storeys in height including the existing building.

10.42. A number of objections have been received with regard to overlooking and loss of privacy. The proposed building will be located closer to the boundaries than the existing and therefore it will be in closer proximity to the neighbouring properties. With regard to the properties located opposite in Cave Street the new building will be located just over 12m (from the nearest point), middle block will be 16m and the most inset block will be 21m from the properties. The existing building is located approximately 9m away from these properties therefore the new building will be set further back than the existing. The proposed building will see an increase in the number of windows in the building. The windows will be inset within the frame allowing for views out to be restricted and to mitigate overlooking. Obscure glazing is also proposed on some of the windows and officers are seeking to add a condition requesting a glazing plan to be provided to ensure that obscure glazing can be incorporated on the bottom half of the windows so that when people are seated in the offices direct views are limited. Officers acknowledge that the development would increase the level of perceived overlooking but the combination of the window detailing which incorporates insets to limit sightlines and obscure glazing, along with planting to the frontage which will include trees will further help with privacy. In addition the office's opening times are proposed to be Mon-Sat 8am-6pm which further reduces the time that the building will be fully occupied. As is the case in built up urban areas there is always the opportunity for mutual overlooking especially with regard to front to front facades, given that the building is proposed to be set back from the road it is considered that the separation distances are sufficient with the additional mitigation incorporated in to the building. To the south of the building, due to the site layout a large portion of the elevation does not directly overlook the residential properties and instead overlooks the block of garages next door. The area of the building located opposite the flats in Cave Street will sit 12m away from the building. Due to the design of the existing building there are already a large number of large windows on this elevation overlooking the neighbouring flats both at ground floor and second floor. Again in this location obscure glazing is proposed in the bottom half of the windows on the 1st floor to limit overlooking. The 2nd floor will be located approx. 22m away from the neighbouring flats and as with again as with the closest block will be offset so a number of the windows will not directly overlook the flats.

10.43. To the rear the nearest element of the two storey section sits just over approx. 6m away from the corner of no.15 Little Brewery Street, this distance increases to 14m with the middle block and then to 26m to the far block. The second floor will sit approx. 19m from the mid-point to the corner of the property. To the rear the building again seeks to incorporate inset windows along with textured panels to limit overlooking with a much more limited number of glazed windows. The textured panels have been located strategically to ensure that views are limited, as mentioned previously, officers will add a condition to ensure that the lower half of the windows are obscurely glazed in addition condition will also be added requiring that the windows located next to the textured panel on the second floor of the nearest block to 15 Little Brewery Street is fully obscurely glazed to ensure any overlooking is mitigated.

10.44. The north elevation overlooks a single storey building and is located just over 9m away from the properties in Newman Court. Both nearest blocks are set offset from the development. The north elevation would feature a number of windows, given the proximity and the offset location, the development is not considered to give rise to unacceptable levels of overlooking. As well as the windows in this elevation a balcony area is also proposed on the second floor. The balcony has been designed to be inset from the edge of the roof and therefore will sit more than 15m away from the properties in Newman Court, more than 20m away from the properties in Cave Street and 19m away from the properties to the rear. Given the separation distances, it is not considered that the balcony area would give rise to unacceptable levels of overlooking. An objection has been raised regarding increased noise from the balcony. Officers acknowledge that the inclusion of a balcony may increase noise levels when in use, but officers also consider the use of the building as an office and the associated opening times, and therefore would not expect noise levels to be at a level that would cause unacceptable disturbance to residents. In addition as it will be a managed office block there will be mechanisms for relaying any concerns about noise to the office management team.

10.45. Officers have considered the objections alongside the proposal. Whilst it is acknowledged that the redevelopment of the site is likely to bring with it more people working in the building and the design will incorporate more openings, the combination of the obscure glazing, textured panels and landscaping along with the staggered design allows any potential overlooking to be mitigated, given the existing employment use officers are of the opinion that the proposal would not give rise to unacceptable levels of overlooking or loss of privacy.

10.46. A number of the objections received refer to impact on outlook. The building has been designed in order to mitigate the impact of the building on neighbouring amenity whilst making efficient use of the site. The staggered design allows a variation in the distances between properties therefore allowing the outlook of the neighbouring properties to be maintained. The breaking up of the massing allows this to further mitigate any sense of enclosure or of it being overbearing. The building will mostly be set over two floors with the 3rd floor being limited to the middle section. The design also features a flat roof. The flat roof design allows for views to open up above and omit any bulk associated with a pitched roof. Due to the landscaping to the front the building will now be set back from the frontage increasing the separation distances between the properties. To the south the building will be located closer to the boundary and thus the neighbouring properties, but due to it being stepped back will mostly be set away from the frontage. To the rear again the stepping of the building opens up views and allows for any sense of enclosure to be reduced. Officers are of the opinion that the design is working hard to mitigate the building being overbearing or adversely impacting outlook and that the proposal would not have an unacceptable impact on the outlook from neighbouring properties. Some of the objections refer to the change of view from their properties, with regard to views officers acknowledge that views are likely to change with any development that is brought forward on the site and that whilst these views are not protected, given that the height of the development is not significantly taller than the existing development the overall scale and massing is not considered to have an adverse impact on neighbouring outlook.

10.47. The site is a constrained site in a built up urban environment. Redeveloping the site will bring with it changes to the outlook and neighbouring perception and experienced of the site. Officers acknowledge that there will be neighbouring impacts with regard to overshadowing and change in outlook and sunlight/daylight as well as perceived impacts in terms of loss of privacy and mutual overlooking.

10.48. Looking at the site as a whole it is considered that a development that makes efficient use of the land whilst having the least impact on neighbouring amenity. Officers are of the opinion that the highlighted impacts on neighbouring amenity have been mitigated to the best of the sites ability through the design and in order to bring the site forward for a viable redevelopment, some change in neighbouring amenity is to be expected, officers therefore consider that on balance, the development would not have an unacceptable impact on neighbouring amenity.

IV. Highways

10.49. 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. Policy M2 states that a transport assessment must be submitted for development that is likely to generate significant amount of movement. Policy M3 relates to car parking, with regard to non-residential development the policy states *“The parking requirements for all non-residential development, whether expansions of floorspace on existing sites, the redevelopment of existing or cleared sites, or new non-residential development on new sites, will be determined in the light of the submitted Transport Assessment or Travel Plan, which must take into account the objectives of this Plan to promote and achieve a shift towards sustainable modes of travel. The presumption will be that vehicle parking will be kept to the minimum necessary to ensure the successful functioning of the development.”* The application was submitted with a Transport Assessment (TA). Policy M5 relates to bicycle parking.

10.50. The main vehicular access to the site is down Cave Street from St Clements. The site can be accessed by pedestrians the same way or can be accessed via a pedestrian path via Cherwell Street. The existing site comprises 17 car parking spaces and 9 cycle parking spaces. The proposed development proposes a single disabled car parking space which will also include an electric charging point. A delivery bay is also provided which will be located adjacent to the disabled parking space. The development proposes 70 cycle spaces, 62 spaces are provided in the form of 31 cycle hoops in a secure gated area adjacent to the building to the south of the site which only staff will have access to. A further six visitor cycle parking spaces are provided close to the front door along with a cycle hoop with a larger parking area that can accommodate cargo bikes, bike trailers, specialist and adaptive bikes, 24 of the staff cycle parking spaces within the secure gated area are covered. In order to support cycle usage and in line with policy showers and changing rooms are included within the proposed building.

10.51. The site is located within 100m of a westbound bus stop and 195m and 245m of an eastbound bus stop. It is also located 2.5km from the railway station. St Clement's also benefits from a range of different shops and services. Officers consider the site to be located in a highly sustainable location.

10.52. A number of objections have been received with regard to the lack of vehicular parking proposed for the scheme. The policies within the OLP seek to encourage alternative modes of transport and reduce the reliance on motor vehicles. Officers consider the site to be highly sustainable and therefore there is suitable public transport options as well as amenities in the vicinity to support a car free scheme. The site is located in a controlled parking zone and so the opportunity for adhoc parking around the site is limited. The proposal should therefore not intensify the parking on the surrounding streets. Objections also relate to the lack of drop off points. The scheme does include a drop off point for deliveries which is considered sufficient for those stopping for a short period. Objections have also been received with regard to construction traffic and disturbance during the build. Some disturbance during any build is inevitable. In order to ensure that construction traffic is managed the County Council have required a construction traffic management plan to be submitted and agreed via condition.

10.53. Officers acknowledge that the development is likely to increase the number of people working on the site and therefore there would be an increase in the number of pedestrian movements associated with the development. The site is well served with regard to public transport. The proposed reduction in car parking spaces on the site would reduce the overall vehicle movements associated with the site which would be a benefit to the scheme.

10.54. Oxfordshire County Council Highways have been consulted on the proposals are raise no objections on highways grounds subject to conditions.

V. Sustainability

10.55. Policy RE1 sets out the sustainability requirements for new major development. Planning permission will only be granted for development proposals for new build major developments (over 1000sqm) which achieve at least a 40% reduction in the carbon emissions from a code 2021 Building Regulations.

10.56. The application was submitted with an energy statement. The supporting information shows that the building design is approaching the development by maximising passive design and minimising active design.

10.57. The energy report sets out the following:

10.58. The building will incorporate an exemplary fabric standard with U-values for all the thermal elements significantly better than the minimum standards as set out with Part L 2021. Together with this, the air permeability target for the site will be 2. Both these measures should result in the heat losses being significantly reduced.

10.59. The lighting systems in all the spaces will be LEDs of at least 110lm/W, with daylighting control and occupancy sensing to reduce the lighting demand further. Heat recovery will be implemented via a local MVHR system which will supply fresh air to the offices, large meeting rooms, kitchens and break room.

10.60. Air source heat pumps supplying a VRF system and electric point of use hot water, as well as the provision of PV will be incorporated.

10.61. The proposal and energy statement is compliant with policy RE1 of the Oxford Local Plan and the 40% target set out in the policy and therefore the approach is considered acceptable.

VI. Biodiversity

10.62. Policy G2 of the Oxford Local Plan refers to the protection of biodiversity and geo diversity. The policy requires a net gain from the existing situation. An ecology report was submitted with the application.

10.63. The Local Planning Authority (LPA) has a duty to consider whether there is a reasonable likelihood of protected species being present and affected by development at the application site. The presence of a protected species that may be affected by the development is a material consideration for the LPA in its determination of a planning application (paras' 98, 99 ODPM and Defra Circular 06/2005: Biodiversity and geological conservation). The LPA has a duty as a competent authority, in the exercise of its functions, to secure compliance with the Habitats Directive (Regulation 9(1) The Conservation of Habitats and Species Regulations 2017 '2017 Regulations'). The Habitats Directive is construed from 31 December 2020 to transfer responsibilities to UK authorities to enable it to function as retained EU law. This applies to European sites (SACs and SPAs) and European Protected Species, both in and out of European sites.

10.64. The 2017 Regulations provide a licensing regime to deal with derogations. It is a criminal offence to do the following without the benefit of a licence from Natural England:

1. Deliberate capture or killing or injuring of an EPS
2. Deliberate taking or destroying of EPS eggs
3. Deliberate disturbance of an 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.

10.65. In addition, The Wildlife and Countryside Act 1981 protects all birds and their nests, providing offences subject to certain exceptions.

10.66. Furthermore, the LPA should have regard, in exercising its functions, to conserve, restore and enhance biodiversity (section 40 Natural Environment and Rural Communities Act 2006).

10.67. The existing building was assessed to be of low suitability for roosting bats and a single dusk emergence survey undertaken, during which no bat roosts were identified. No other protected species were recorded within the site, though limited opportunities for amphibians, reptiles and nesting birds were identified and mitigation measures proposed. These are appropriate and should be secured via planning condition.

10.68. The biodiversity impact assessment indicates the proposals will deliver a net gain of 0.07 habitat units (+24.67%). The biodiversity net gain will be secured. Given the small number of units involved, officers would consider it proportionate for this to be secured through the provision of a Landscape and Ecological Management Plan (LEMP).

10.69. A condition will be included to secure the biodiversity scheme proposed on the site. The proposal is considered to comply with policy G2 of the Oxford Local Plan.

VII. Drainage and Flooding

10.70. The site is located within Flood Zone 1 and is therefore deemed to be at a low risk of surface water flooding. Oxfordshire County Council have raised an objection on drainage grounds and additional information has now been submitted in order to address those concerns. At the time of writing the report a response had not been received from the County on the acceptability of the revised information. A verbal update will therefore be provided at committee.

VIII. Environmental Health

10.71. Contaminated Land

10.72. Given the historic nature of the site it has potential for ground contamination. It is therefore necessary that a phased contamination risk assessment is completed to assess the potential contamination risks at the site to ensure that any potentially significant risks to future occupiers and the surrounding environment are mitigated appropriately. A number of conditions have therefore been included to ensure that the any potential ground contamination risks are assessed and mitigated.

10.73. Noise

10.74. A number of objections relate to the incorporation of the air source heat pump to the rear of the site and the associated noise. A noise assessment was submitted with the application. The plant items are proposed to be housed within an open topped enclosure. The new walls are to be formed with timber panels at a height of 2.5m.

10.75. The calculations show that noise emissions from the proposed unit installation would be sufficiently low as to cause no negative impact on nearby noise sensitive residential receivers with the specified attenuation measures. A condition has been included ensuring that the noise levels remain at an acceptable level.

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 detailing 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 NPPF. The relevant development plan policies are considered to be consistent with the NPPF despite being adopted prior to the publication of the framework.

Compliance with Development Plan Policies

11.3. Therefore in conclusion it is necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.

Material considerations

11.4. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.

11.5. National Planning Policy: 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.

11.6. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, Paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.

11.7. The proposal seeks to provide a new office building in a highly sustainable location, the proposal will not have an unacceptable impact on neighbouring amenity or the historic environment and conditions have been included to ensure this remains in the future. The proposal will allow for sufficient cycle parking and will provide biodiversity enhancements.

11.8. It is therefore recommended that the Committee resolve to grant planning permission for the development proposed subject to resolving the outstanding drainage objection.

11.9. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to conditions.

12. CONDITIONS

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

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

- 2 Subject to other conditions requiring updated or revised documents to be 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 2036.

- 3 Prior to the commencement of development excluding demolition and enabling works a schedule of materials together with samples and sample panels of the exterior materials to be used including details of any safety barrier details proposed for the roof terrace 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 2036.

- 4 Prior to the commencement of development excluding demolition and enabling works, details and specifications of the proposed roof solar PV panels and window details including details of the stone fins incorporating pigeon deterrents and substation shall be submitted to and approved in writing by, the Local Planning Authority. Only the approved details shall be installed 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.

- 5 Prior to installation, details of the external lighting fittings shall be submitted to, and approved in writing by the Local Planning Authority. Only the approved details shall be installed out unless otherwise agreed in writing by the Local Planning Authority.

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

- 6 Prior to window installation, a plan of the window arrangement showing where obscure glazing is to be applied to include the bottom half of the first floor windows and the window located next to the textured panel on the second floor of the nearest block to 15 Brewery Street shall be submitted to, and approved in writing by the Local Planning Authority. Only the approved details shall be installed and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

- 7 The development hereby approved shall be carried out in complete accordance with the approved Energy Statement 'OXFORD CITY COUNCIL STANDINGFORD HOUSE REDEVELOPMENT OXFORD ENERGY STATEMENT revision P02'

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

- 8 Any new trees or plants planted in accordance with the details of the approved landscape proposals (plan ADP-00-ZZ-DR-L-1900 S2 P2 and ADP-00-00-DR-A-1900 S2P7) that fail to establish, are removed, die or become seriously damaged or defective within a period of five years after first occupation or first use of the development hereby approved shall be replaced. They shall be replaced with others of a species, size and number as originally approved during the first available planting season unless otherwise agreed in writing by the Local Planning Authority.

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

- 9 The landscaping proposals detailed on plan ADP-00-ZZ-DR-L-1900 S2 P2 and ADP-00-00-DR-A-1900 S2P7 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, G8 and DH1 of the Oxford Local Plan 2036.

- 10 Prior to the car parking spaces being made available, details of the Electric Vehicle charging infrastructure that is expected to be installed on-site shall be submitted to and approved in writing by the Local Planning Authority. The

electric vehicle infrastructure shall be formed, and laid out before the development is first in operation and shall remain in place thereafter.

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

- 11 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 in writing and approved by the Local Planning Authority.

Phase 1 shall incorporate a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model and preliminary risk assessment. A Phase 2 shall be completed to 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 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.

- 12 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 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.

- 13 Throughout the course of the development, a watching brief for the identification of unexpected contamination shall be undertaken. 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.

- 14 If the development hereby approved does not commence within one year from the date of the planning consent, further ecological survey(s) shall be commissioned to establish if there have been any changes in the presence of roosting bats and identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, new ecological measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the approved ecological measures and timetable.

Reason: To ensure bats are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended) and The Wildlife and Countryside Act 1981 (as amended).

- 15 Prior to occupation of the development, details of ecological enhancement measures including at least three bat roosting devices and three bird nesting devices shall be submitted to and approved in writing by the local planning authority. Details must include the proposed specifications, locations, and arrangements for any required maintenance. The approved devices shall be fully constructed prior to occupation of the approved development and retained as such thereafter, unless otherwise approved in writing by the Local Planning Authority.

Reason: To enhance biodiversity in Oxford City in accordance with paragraph 174 of the National Planning Policy Framework and policy G2 of the Oxford Local Plan.

- 16 All vegetation clearance shall be carried out in accordance with the details contained in Sections 10.16 and 10.17 of the Preliminary Ecological Appraisal produced by Lockhart Garratt and dated May 2022 as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

Reason: To ensure nesting birds, reptiles, and amphibians are protected in accordance with The Wildlife and Countryside Act 1981 (as amended).

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

- a) Description and evaluation of features to be managed on-site;
- b) Ecological trends and constraints on site that might influence management;

- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) Details of the body or organisation responsible for implementation of the plan; and
- h) Ongoing monitoring and remedial measures.

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

Reason: To ensure the delivery of biodiversity net gain in accordance with Policy G2: Protection of biodiversity and geo-diversity of the adopted Oxford Local Plan 2036.

- 18 Prior to occupation the covered cycle parking areas shall be installed and retained on site thereafter unless agreed in writing by the Local Planning Authority.

Reason: To encourage the use of sustainable modes of transport in line with policy M5 of the Oxford Local Plan.

- 19 A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. The CTMP should follow Oxfordshire County Council's template if possible. This should include;
- An appropriate title which includes the planning permission number/reference.
 - The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman.
 - Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network).
 - A layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
 - Contact details for the Site Supervisor responsible for on-site works.
 - Travel initiatives for site related worker vehicles and details regarding parking provision for site related worker vehicles.

The approved CTMP shall then be implemented throughout the course 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 policies M1 and RE7 of the Oxford Local Plan 2036.

- 20 Prior to first occupation a Travel Plan Statement shall be submitted to and approved by the Local Planning Authority. The approved Travel Plan shall be implemented as approved

Reason: To encourage the use of sustainable modes of transport in accordance with Policy M5 of the Oxford local Plan 2036.

- 21 The rating level of the noise emitted from the proposed installation located at the site shall not exceed the existing background level at any noise sensitive premises when measured and corrected in accordance with BS4142:2014 +A1:2019 "Methods for rating and assessing industrial and commercial sound."

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises are not adversely affected by noise from the proposed mechanical installation equipment in accordance with policies RE7 and Re8 of the Oxford Local Plan.

INFORMATIVES:-

- 1 All species of bats and their roosts are protected under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended). Please note that, among other activities, it is a criminal offence to deliberately kill, injure or capture a bat; to damage, destroy or obstruct access to a breeding or resting place; and to intentionally or recklessly disturb a bat while in a structure or place of shelter or protection. Occasionally bats can be found during the course of development even when the site appears unlikely to support them. In the event that this occurs, work should stop immediately and advice should be sought from a suitably qualified ecologist. A European Protected Species Mitigation Licence (EPSML) may be required before works can resume. All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended). Occasionally nesting birds can be found during the course of development even when the site appears unlikely to support them. If any nesting birds are present then the buildings works should stop immediately and advice should be sought from a suitably qualified ecologist.
- 2 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 3 Alterations to the Public Highway (Dropped Kerbs) Any alterations to the public highway will be at the applicant's expense and to Oxfordshire County Council's standards and specifications. Written permission must be gained from the Oxfordshire County Council (Contact - 0845 310 1111 or refer to <https://www.oxfordshire.gov.uk/cms/content/dropped-kerbs> for this action).

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

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