

OXFORD CITY PLANNING COMMITTEE

13th December 2022

Application number:	21/01695/FUL		
Decision due by	4th October 2021		
Extension of time	To be agreed upon completion of legal agreement.		
Proposal	Demolition of The Cottage. Partial demolition and alterations to Forest Lodge. Erection of 402 apartments (Class C3), a 133 bed hotel (Class C1), employment provision in the form of offices, with additional mixed use accommodation to include gym, café and restaurant (all within Class E), public open space, associated landscape, bicycle and car parking and the provision of a new vehicular access onto the A40 (amended plans, description and supporting information).		
Site address	Thornhill Park, London Road, Headington, Oxford – see Appendix 1 for site plan		
Ward	Quarry And Risinghurst Ward		
Case officer	Jennifer Coppock		
Agent:	Mr Roger Smith	Applicant:	Mr Rafi Wechsler
Reason at Committee	Major development		

1. RECOMMENDATION

1.1. 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:

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

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

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary; and
- finalise the recommended legal agreement under section 106 of the Town

and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning Services considers reasonably necessary; and

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

2. EXECUTIVE SUMMARY

- 2.1. This report considers the proposal for a total of 402 residential units, a hotel with ancillary café and gym facilities and flexible office space with availability open to the local community for events within the building known as the 'Innovation Centre'. The site, located off London Road, adjacent to the Thornhill Park and Ride and converted Nielsen House residential development has been allocated for residential and employment development within the Oxford Local Plan 2036. Officers consider that the proposed development would provide a high quality design both in appearance and place-making that would contribute towards meeting the housing need in Oxford. 50% of the residential units would be affordable (80% social rented and 20% intermediate), providing an appropriate mix. The proposal would provide improved connectivity through highways works including a toucan crossing at the A40 and contributions towards an enhanced cycle route through Risinghurst, promoting sustainable modes of transport. There would be no harm to the highway network as a result of traffic generation. The development would result in a net gain in tree canopy cover through new and retained soft landscaping.
- 2.2. There would be no harm to any identified protected species, subject to conditions and off-setting to meet biodiversity net gain can be secured by legal agreement. The development would be of sustainable design and construction, achieving in excess of the 40% carbon reduction requirement. Car parking would be low (95 spaces for the 402 flats including 2 shared car club spaces), with mitigation measures put in place to avoid over-spill parking within the surrounding area and illegal parking within the site. Adequate cycle parking would be provided across the site, with further details to be secured by condition. There would be no adverse flood risk & drainage, land contamination, noise pollution or air quality impact.
- 2.3. Subject to appropriately worded conditions and S106 legal agreement, the development would accord with all policies in the Oxford Local Plan 2036 and NPPF.

3. LEGAL AGREEMENT

- 3.1. This application is subject to a legal agreement to cover:
 - Provision of affordable housing.

- Agreement that all residential units on site remain as rented units (affordable or otherwise)
- Contribution towards Risinghurst Parish Council Pavilion.
- Accessibility of public open space.
- Agreement that the gym and café/ restaurant at the ground floor of the hotel would be accessible to the public.
- Agreement that the 'Innovation Centre' would be accessible to the public.
- Entering into a S278 Agreement with the Highways Authority to carry out highways works i.e. creation of new access, provision of Toucan crossing and localised double yellow lines.
- Monitoring of Framework Travel Plan.
- Monitoring of Residential Travel Plan.
- Monitoring of Hotel Travel Plan.
- Creation of cycle route.
- Expansion and increased efficiency of Household Waste Recycling Centres.
- Contribution towards enhancements at the C.S. Lewis Nature Reserve.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for CIL to the amount of £5,536,945.28.

5. SITE AND SURROUNDINGS

- 5.1. The application site extends to approximately 3.34ha and is located on the south side of London Road (A40) within the former Nielsen House employment site, approximately five kilometres to the east of Oxford city centre. The site was formerly part of the curtilage of large office buildings (Nielsen House, now Thornhill Court) but now contains very little in the way of built form except for 'Forest Lodge', a vacant part single, part two storey detached brick building and its outbuilding 'The Cottage', also a vacant single storey building both dating back to the 19th century within the northern section of the site. Whilst these buildings are considered non-designated heritage assets due to their relationship with the Shotover Estate, they are not statutorily listed or locally listed on the Oxford Heritage Asset Register (OHAR). The remainder of the site consists predominantly of hard standing (former car parking) and grassed, vegetated areas.
- 5.2. The site is currently accessed directly off London Road (A40) which is limited to 50mph at the point of access and is served by two vehicular lanes and one bus lane westbound.

- 5.3. Existing boundary treatments include featherboard timber fencing to the north, delineating the southern boundary of Thornhill Court, a chain link fence to the east along the Parish Council owned footpath, dense vegetation to the south along the northern boundary of the Parish Council's sports pitch and featherboard fencing to the west. The former footpath within the south western portion of the red edged boundary, once used by staff of Neilsen House, is bound by metal Palisade fencing, delineating the footpath and the sports pitch.
- 5.4. Surrounding land uses include the A40 to the north, Thornhill Park and Ride and the three storey residential conversion of the former Nielsen House office buildings to the east and the residential suburb of Risinghurst, comprising predominantly of two storey built form to the south and west.
- 5.5. See site location plan below at figure 1:

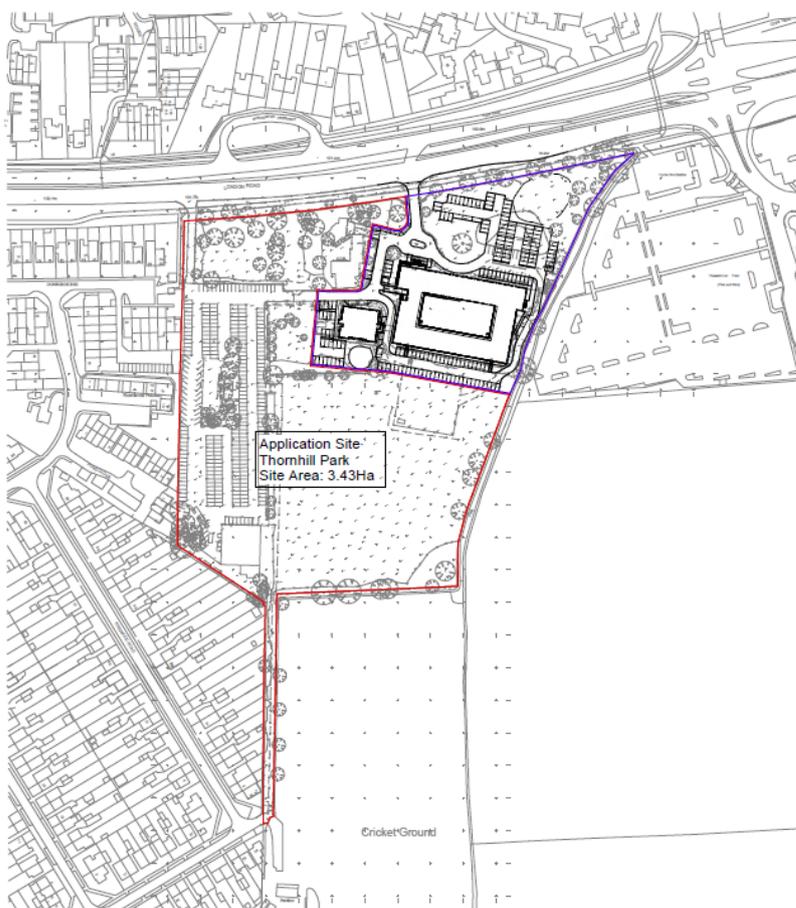


Figure 1: Site Location Plan.

6. PROPOSAL

- 6.1. This application proposes to erect 10 blocks of residential flats varying in height from three storeys to six, providing a total of 402 units, 50% of which would be affordable. A four storey hotel would be located to the north western edge of the site, providing ancillary café and gym facilities at ground floor level. 'The Cottage' would be demolished and the 'Forest Lodge' would be partially demolished and altered internally with a four storey extension to its northern elevation erected to

provide flexible office use with accommodation available for the local community to hire for events. This building is referred to as the 'Innovation Centre'.

- 6.2. A new main vehicular access would be taken from London Road, in-between the proposed hotel and Innovation Centre, with the existing access open only to pedestrians, cyclists and emergency vehicles. The existing closed up access to the west of the existing main access would be closed to all vehicles and open only to pedestrians. Pedestrian and cyclist routes would be created from the east, south and west site boundaries to the wider Risinghurst neighbourhood. Vehicular parking would be provided on-street within the site's private roads and cycle parking would be provided both within apartment blocks and secure storage within the shared amenity space.
- 6.3. The site would provide private amenity space for residents and public open space to be accessible 24/7.



Figure 2. Proposed site plan (ground floor)

7. RELEVANT PLANNING HISTORY

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

01/01938/RES - Demolition of existing office building and outbuildings to former lodge. Erection of 3 office buildings (91,050sq.ft and 65,450 sq. ft on three floors with plant room on fourth floor, and 44,300 sq ft on two floors with plant room on third floor) and electrical plant room. Internal site roads, car parks (total of 748

spaces), landscaping, refuse and bicycle stores. Replacement sports pavilion with 3 disabled car parking spaces, accessed from Grovelands Road. Retention of main vehicular access to London Road (A40) and closure of secondary vehicular access (Reserved Matters following outline permission 93/00476/NOY). Amended Plans. Approved 2nd September 2005.

16/02678/B56 - Change of use of Nielsen House and annex from office (Use Class B1(a)) to residential (Use Class C3) to provide 30 x 1-bed flats and 63 x 2-bed flats. This application is for determination as to whether prior approval of the Council is required and, if required, whether it should be granted. This application is assessed solely in respect of transport and highway impacts and contamination and flooding risks. Approved 13th December 2016.

17/02969/B56 - Change of use of Nielsen House and annex from office (Use Class B1(a)) to residential (Use Class C3) to provide 114 x 1-bed flats and 20 x 2-bed flats. This application is for determination as to whether prior approval of the Council is required and, if required, whether it should be granted. This application is assessed solely in respect of transport and highway impacts, contamination risks, flooding risks, impacts of noise from commercial premises on the intended occupiers of the development on the site. Approved 27th December 2017.

18/02737/FUL - Replacement of windows and doors and installation of cladding and rendering. Erection of a cycle store and alterations to landscaping and car parking. Approved 20th December 2018.

20/00846/VAR - Variation of conditions 10 (Drainage) and removal of condition 11 (Validation report) of planning permission 17/02969/B56 (Change of use of Nielsen House and annexe from office (Use Class B1(a)) to residential (Use Class C3) to provide 114 x 1-bed flats and 20 x 2-bed flats. This application is for determination as to whether prior approval of the Council is required and, if required, whether it should be granted. This application is assessed solely in respect of transport and highway impacts, contamination risks, flooding risks, impacts of noise from commercial premises on the intended occupiers of the development on the site.) to allow the updated drainage scheme to reflect the adjustments and confirm no remediation is deemed necessary within the boundaries of the development site. Approved 8th July 2020.

Pre-application advice and Oxford Design Review Panel

Pre-application advice

7.2. Extensive pre-application engagement took place throughout 2019, 2020 and 2021 with ongoing engagement throughout the consideration of this formal application. During that time, the main amendments included:

- The number of proposed apartments reduced from 456 to 402;
- The floorspace of the 'innovation centre' reduced from 2,578sq.m. (GIA) to 2,104sq.m. (GIA);

- The number of hotel rooms reduced from 252 to 133;
- A re-design of the hotel and alterations to external materials throughout the site to respond more sensitively to the surrounding context;
- A reduction in height of all but one of the apartment blocks, hotel and 'Innovation Centre' with parapet walls also lowered to the minimum height required for safety during maintenance.
- Increased distance between the proposed blocks and neighbouring dwellings to the west.
- The re-opening of the footpath to the south western corner of the site for unrestricted use by residents and the public 24/7 to enhance connectivity;
- A strengthened landscape design with the central 'woodland walk';
- Re-organisation of cycle parking to ensure that each residential block is allocated an appropriate number of conveniently located spaces.

ODRP

- 7.3. On 30th July 2020, an ODRP workshop was held (please see appendix 2a). The Panel advised that the proposed development at the time was at least two storeys too tall (they were up to seven) and needed to reflect the low-rise character of the area. The Panel also recommended that the number of parking spaces be reduced to create a green and pedestrian friendly environment. The Panel considered the Innovation Centre to be a positive asset and welcomed the retention of the Lodge building. The Panel considered that the hotel use was appropriate for this location – in addition to easing the demand for short-stay accommodation within Oxford, the hotel would attract people to the site, helping to activate the space and increase viability of the ground floor commercial uses, which residents could also enjoy.
- 7.4. On 3rd December 2020, a full ODRP review was held (please see appendix 2b). The Panel advised that community facilities within the landscape should be provided e.g. allotments to enhance the well-being of residents. Tree planting needed to be ambitious and the quality of homes needed to be enhanced.
- 7.5. It is considered that the applicant has sufficiently addressed these comments since the submission of the formal application in July 2021, as set out in further detail within this report.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	NPPF	Local Plan	Other planning documents
Design	126-136	DH1 - High quality design and placemaking DH7 - External servicing features and stores	
Conservation/Heritage	189-208	DH2 - Views and building heights DH3 - Designated heritage assets DH4 - Archaeological remains	
Housing	119-125	H2 - Delivering affordable homes H4 - Mix of dwelling sizes H7 - Community-led housing/self-build housing H10 - Accessible and adaptable homes H14 - Privacy, daylight and sunlight H15 - Internal space standards H16 - Outdoor amenity space standards	
Commercial	81-83	V5 - Sustainable tourism	
Natural environment	152-188	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	

Social and community	92-103	G4 - Allotments and community food growing G5 - Existing open space, indoor and outdoor	
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	7-14, 119-125, 183-186.	RE1 - Sustainable design and construction RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE6 - Air Quality RE8 - Noise and vibration RE9 - Land Quality	Energy Statement TAN
Miscellaneous	7-14, 92-103, 114-118, 119-125.	S1 - Sustainable development RE2 - Efficient use of Land RE5 - Health, wellbeing, and Health Impact Assessment RE7 - Managing the impact of development V8 – Utilities V9 - Digital Infrastructure SP47 - Nielsen, London	

		Road Thornhill Park	
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9. CONSULTATION RESPONSES

- 9.1. Site notices were originally displayed around the application site on 16th July 2021 and an advertisement was published in The Oxford Times newspaper on 15th July 2021. Following receipt of amended plans, pink site notices were displayed, to replace the original yellow notices on 2nd September 2022 and a further advertisement was published in The Oxford Times newspaper on 29th September 2022. Following a minor amendment to the description of development, further site notices were posted on 24th October 2022 with an advertisement published in The Oxford Times newspaper on 27th October 2022.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

- 9.2. No objection, subject to a number of conditions, financial contributions and discussion with the applicants regarding the detailed access arrangement and parking enforcement plan prior to determination.

Oxfordshire County Council (Education and Property)

- 9.3. No objection, subject to financial contributions towards early years (£339,809) and special education (£188,456).

- 9.4. **Officer response:** Having liaised with the Council's CIL and policy teams on this matter, it is understood that CIL contributions from this development and others throughout the City would fund the shortfall in educational resources. Furthermore, the County Council was given the opportunity to comment on the proposed site allocation during the preparation of the Oxford Local Plan 2036, during which time no objections were made in relation to the under-resourcing of local educational facilities. It is therefore considered that this request for a financial contribution is unreasonable and, as such, will not be included within the S106 legal agreement.

Oxfordshire County Council (Waste Management)

- 9.5. The applicant's proposal to arrange private weekly commercial and domestic collections, due to the bin store sizes being smaller than required for Oxford City Council to provide the standard collection service is acknowledged. Concern was raised regarding this approach as it may lead to confusion amongst residents who may still approach Oxford City Council regarding missed collections etc. The officer deferred to the developer funding team to advise on S106 contributions. An additional 55,350sq. m. is required to cope with capacity issues and a cost of £93.96 is required per dwelling, equating to a total contribution of £37,772.
- 9.6. **Officer response:** Again, having liaised with the Council's CIL and policy teams on this matter, it has been confirmed that Waste Recycling centres are not

included within the 'Infrastructure List' (unlike Education) to be funded from CIL. It is therefore considered reasonable to include this financial obligation within the S106 legal agreement.

Oxfordshire Clinical Commissioning Group

- 9.7. An objection was raised due to capacity issues at the nearest branch surgery at Barton leisure Centre, run by Hedena Health. A financial contribution of £347,400 was requested to invest in local healthcare practices.
- 9.8. **Officer response:** Having liaised with the Council's CIL and policy teams on this matter, it is understood that CIL contributions from this development and others throughout the City would fund the shortfall in local health provision. Furthermore, the NHS was given the opportunity to comment on the proposed site allocation during the preparation of the Oxford Local Plan 2036, during which time no objections were made in relation to the under-resourcing of local educational facilities. It is therefore considered that this request for a financial contribution is unreasonable and, as such, will not be included within the S106 legal agreement.

Thames Water Utilities Limited

- 9.9. An objection is raised due to the sites proximity to a Thames Water Sewage Pumping Station which is contrary to best practice set out in Codes for Adoption. An informative has been recommended should planning permission be granted.
- 9.10. With regards to foul water, Thames Water have advised that the existing foul water network infrastructure would be unable to accommodate the needs of the proposed development and therefore, a condition has been recommended. With regards to the surface water network infrastructure, Thames Water raised no objection. An informative has been recommended given that the application site lies within 15m of Thames Water underground waste water assets. Thames Water has identified an insufficiency in the water network infrastructure to accommodate the proposed development. Therefore, a condition has been recommended.
- 9.11. The proposed development is located within 5m of a strategic water main. Thames Water do not permit the building over or construction within 5m of strategic water mains and therefore, a condition has been recommended.

Historic England

- 9.12. Advised that they have no comments to make.

Sport England

- 9.13. The site is not considered to form part of, or constitute a playing field as defined The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). Sport England raise no objection.

- 9.14. **Officer Response:** Whilst Sport England do not recognise the site as a playing field, the area is protected by the Oxford Local Plan policy.

Natural England

- 9.15. Raise no objection. Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Environment Agency

- 9.16. Substantive advice was provided as the EA were only providing bespoke advice in response to the highest risk cases due to capacity issues. The EA identified that the site lies over a secondary A aquifer and advised that if infiltration drainage is proposed then it must be demonstrated that it will not pose a risk to groundwater quality. Any infiltration SuDS greater than 3m below ground level is considered to be a deep system and generally not acceptable. All infiltration SuDS require a minimum of 1m clearance between the base of the infiltration point and the peak seasonal groundwater levels. All need to meet the criteria set out in the EA's Groundwater Protection publication. In addition, they must not be constructed in ground affected by contamination.

Oxford Preservation Trust

- 9.17. Aware of the site allocation to deliver much needed homes within the City. Wider landscape needs to be fully considered and incorporated into the scheme with links to Shotover Country Park. Sustainable travel options needed to encourage shift away from motor vehicle ownership and use.

Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT)

- 9.18. Raise an objection due to the proposed increase in recreational pressure (footfall, littering, dog fouling, etc.) which could result in adverse impacts on BBOWT CS Lewis reserve, Monkswood grassland LWS and Brasenose Wood and Shotover Hill SSSI. Further, the application does not provide adequate evidence of a net gain in biodiversity.
- 9.19. **Officer Response:** During the consideration of the application, the BNG metric has been amended and off-setting is now agreed with the Trust for Oxfordshire's Environment. Further, the applicant has agreed to make a financial contribution towards enhancements within the CS Lewis Reserve to mitigate impact on this recreational space.

Cyclox

- 9.20. No objection and supports the level of secure cycle parking proposed. Requests that there be no change in elevation along the cycle path as it crosses the vehicular access and wider islands for cyclists between the vehicular roads.

RSPB England

- 9.21. Request for condition in relation to the installation of 50 swift bricks.

Risinghurst and Sandhills Parish Council

- 9.22. Objection to the proposal as it constitutes over development of a small site with inappropriate heights, impacting on neighbouring amenity. Concerns regarding; overspill parking onto nearby residential roads, lack of justification for the inclusion of the office space, hotel, café and gym, the proposed drainage strategy given that neighbouring land is prone to localised flooding, pressure on local infrastructure as a result of increased population, highway safety concerns for cyclists, security risk as a result of opening up the footpath to the south west of the site and noise disturbance and safety risk from the rooftop gardens.
- 9.23. **Officer Response:** Please refer to comments made below at paragraphs 9.30-9.38.

Thames Valley Police (TVP)

- 9.24. Objection to the proposal due to concerns in relation to; a lack of secure hotel access, potential for conflict between residents over limited parking spaces, location of visitor cycle parking, risk of crime along alleyways between Terraces and location of bin stores within these alleyways. Concern is also raised in relation to the security of communal lobbies, recessed entrances and excessive permeability within and around residential blocks. TVP have requested amendments to the design of cycle and bin stores. Two conditions have been requested in relation to Secured by Design accreditation and an external lighting strategy.
- 9.25. **Officer response:** The applicant has confirmed that additional security can be provided within the hotel. For example, guest access would be limited to certain floors via key cards and a secure office would be provided within the hotel reception condition. These details would be secured via condition. Further, a condition would be attached to any planning permission requiring the relocation of bin stores from the alleyways between Terraces and these alleyways would be appropriately gated to reduce the potential for crime. Visitor cycle parking spaces would be relocated and the strip of public open space along the southern boundary would be activated to avoid the potential for anti-social behaviour. It is considered that the sufficient discharge of these additional conditions would overcome TVP objections.

South Oxfordshire District Council

- 9.26. No comments have been received.

Oxfordshire Architectural and Historical Society (OAHS)

- 9.27. Objected raised due to the demolition of the Cottage and partial demolition of The Lodge with an unsympathetic extension.

9.28. Officer Response: A condition requiring Level 4 Building Recording would be secured and following in depth discussions with Heritage and Design Officers, it is considered that the proposed design has mitigated impact on these non-designated assets as far as practicable.

Public representations

9.29. At the time of writing, 118 local people commented on this application from addresses in Pond Close, Grovelands Road, Collinwood Road, Ringwood Road, Forest Road, Merewood Avenue, Downside Road, Green Road, Linkside Avenue, Stanway Road, Bursill Close, Netherwoods Road, Burdell Avenue, Downside End, Lamarsh Road, Colemans Hill, St Anne's Road, Sweet Green Close, Kiln Lane, Collinwood Close, Observatory Street, Thornhill Court and Slaymaker Close.

9.30. In summary, the main points of objection in 2021 (91 residents) were:

- Quantum of development
- Height of development
- Impact on neighbouring amenity in terms of privacy, loss of light and noise
- Traffic and highway safety impact
- Overspill parking
- Flooding and drainage
- Impact on biodiversity and trees and loss of open green space
- Pressure on local infrastructure
- Increase in crime

9.31. Following the publication of amended plans and supporting information in September 2022, 41 residents responded from addresses in Slaymaker Close, Ringwood Road, Downside Road, Downside End, Grovelands Road, Collinwood Road and Stanway Road, Barracks Lane, Green Ridges, Ridgeway Road, Pond Close, Lewis Close, Green Road, Baker Close, Marewood Avenue and Netherwoods Road

9.32. In summary the main points of objection in 2022, in addition to those listed above, were:

- A request for the development to be carbon neutral
- Concerns raised in relation to comments made in the Health Impact Assessment
- Increase in crime as a result of the footpath to the SW of the site being reopened
- Objection to a CPZ in Risinghurst

Officer response

- 9.33. The vast majority of residents have raised objection to the quantum of development on site and the number of houses proposed. This concern is understood by officers, however it must be noted that the site is allocated for residential and employment development within the adopted Oxford Local Plan 2036 with a minimum number of 534 homes (including those already developed at Thornhill Court). The Local Plan examining Inspectors requested the insertion of this amount of housing development within their main modifications report during the examination process. The main modifications report was subject to public consultation between February and March 2020, during which time local residents had an opportunity to comment on the proposal.
- 9.34. With regards to the height of the proposed development, amendments have been made to reduce the heights of each block (as outlined at paragraph 7.2 above) whilst retaining the minimum number of homes required on site.
- 9.35. The amended scheme has increased the distance between the proposed development and neighbouring properties to the west in order to mitigate the impact of overlooking and perceived overlooking and reduce any impact on loss of light. The supporting Daylight and Sunlight Assessment addendum has been amended to reflect the latest proposal and ensures that impact on neighbours is mitigated in this respect. Further detail on this is set out in the relevant section below. Any noise from mechanical plant would be mitigated by noise attenuation measures, to be secured by condition.
- 9.36. In terms of highway safety, the proposed access arrangements have been amended in consultation with the Highways Authority and if permission is granted, the applicants would enter into a S278 Agreement to ensure that any works to the highways infrastructure maintain safety for all users. The potential for overspill parking is of concern to local residents. In order to prevent this, a parking enforcement plan – which has been the subject of discussion between the applicant, officers and the highway authority – would be conditioned and enforced. Additionally, double yellow lines would be laid within the vicinity of the site accesses (subject to public consultation).
- 9.37. In terms of flooding and drainage, the FRA and Drainage Strategy has been amended and discussed in detail to ensure that the proposed development does not result in increased risk of flooding on site or within the surrounding area and that sufficient drainage measures are put in place to mitigate surface water flooding.
- 9.38. Following amendments, the proposal would now achieve a 5% Biodiversity Net Gain by off-setting to be secured by legal agreement and a gain in tree canopy cover as required by local policy. The loss of the playing field on site would be compensated for by a financial contribution made by the applicant towards a new Pavilion on the sports ground, immediately to the south of the site. Further detail is provided at paragraphs 10.8 and 10.12.

- 9.39. Financial contributions, including those secured by legal agreement and Community Infrastructure Levy, would ensure that local infrastructure is supported to enable capacity to deal with the proposed development.
- 9.40. Thames Valley Police have been consulted on both the original and amended application (comments set out at paragraph 9.19 above.) To ensure that the scheme does not give rise to crime in the local area, the applicants would be required to achieve a 'Secured by Design' accreditation to silver level as secured by condition. This would require the provision of appropriate gated accesses within the site and approved lighting, amongst other measures. With specific regard to the re-opening of the footpath to the SW of the site, the proposal includes a 3.5m strip of soft landscaping between the rear boundary of the neighbouring properties and the footpath to deter any anti-social behaviour within the curtilage of the dwellings. Landscape design details would be secured by condition.
- 9.41. In response to the Parish Council's comments in relation to noise disturbance and risk to safety by providing a rooftop terrace at Block H, it is noted that a glazed balustrade would be provided along the perimeter of the terrace at 0.5m above the parapet wall. The Block is positioned approximately 141m to the west of the eastern site boundary and therefore a substantial distance from neighbours, mitigating noise pollution.

10. PLANNING MATERIAL CONSIDERATIONS

- 10.1. Officers consider the determining issues to be:
- a. Principle of development
 - b. Affordable housing
 - c. Self-build homes
 - d. Design and impact on non-designated heritage asset
 - e. Living conditions
 - f. Impact on neighbouring amenity
 - g. Health and wellbeing
 - h. Highways
 - i. Trees and landscaping
 - j. New public open space
 - k. Air Quality
 - l. Sustainable design and construction
 - m. Noise
 - n. Land quality
 - o. Drainage
 - p. Ecology
 - q. Utilities

a. Principle of development

Residential and employment uses

- 10.2. The site has been allocated for residential development under policy SP47 of the Oxford Local Plan 2036, the text of which is copied below for reference:

- 10.3. *Planning permission will be granted for a residential-led mixed use redevelopment of the Thornhill Park site. This should include some employment use, given the strategic location of the site. Other complementary uses will be considered on their merits. The minimum number of homes to be delivered is 534 which includes the conversion of the existing building to residential.*

Opportunities should be taken to improve connectivity to and within the site for pedestrians and cyclists.

The playing field must be retained unless its loss can be otherwise compensated for in line with the requirements of Policy G5. If an alternative site is found the City Council must be satisfied that it will be delivered.

- 10.4. Taking the policy requirements in order; the proposal involves the provision of 402 residential dwellings, in the form of an entirely flatted development. An office block, with a floorspace of 2,104sq. m. over four storeys, would be provided accommodating flexible office space, fulfilling the policy requirement to provide employment use on site.
- 10.5. The minimum number of homes would be delivered; taking into account the 134 residential units within the former office buildings 'Thornhill Court' and 'Marley House', a total of 536 homes would be accommodated on the site as a whole.
- 10.6. With regards to the improved connectivity to and within the site, a number of linkages have been proposed (to be discussed in more detail within the design section below), including the reopening of the former footpath to Nielsen House to the south, retaining the existing linkage to Downside End and creating a link to the Parish Council's footpath to the east of the site.
- 10.7. In terms of the disused playing field on the application site which once contained a tennis court, Policy G5 (Existing open space, indoor and outdoor sports and recreation facilities) is copied below:

Existing open space, indoor and outdoor sports and recreational facilities should not be lost unless:

an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

- 10.8. The preamble to policy G5 at paragraph 5.14 sets out that '*In suitable circumstances, the alternative provision could be in the form of significant improvements to existing outdoor sports facilities, such as the provision of pavilions/changing facilities, improved drainage or an all-weather surface, 3G pitches and floodlights, which would enable it to be more intensively used as an all-weather facility. Where this increased quality would also lead to significantly*

increased capacity beyond that which already existed, then this is likely to be considered an acceptable replacement.'

- 10.9. The existing pavilion is 25 years old and at the end of its lifespan, unable to comfortably accommodate the needs of the Headington Youth Football Club (now a 16 team club), the cricket team and the wider community with its inadequate changing facilities, communal showers, lack of wheelchair access and insufficient storage space. The Parish Council have identified a need for new and improved facilities on the sports pitch, to include a kitchen, changing rooms and showers, storage space for sports equipment and the grounds keeper's equipment and social space to improve the spectator experience, host community events including fireworks, the summer fete, meetings and Cricket teas etc.
- 10.10. It has therefore been agreed between Risinghurst Parish Council and the applicant that a contribution of £200,000 would be made towards a replacement pavilion on the Parish Council owned sports pitch immediately south of the application site. This contribution would be made at first occupation of the dwellings, to be set out within the S106 legal agreement.
- 10.11. Further, the contribution towards a new and improved pavilion, in addition to 15% of the total CIL contributions, would enable the Parish Council to concentrate separate funding they have obtained towards drainage improvements that would facilitate continuous use of the pitch by the football team during winter.
- 10.12. In light of the above, it is considered that the replacement pavilion would satisfy the requirements of policies SP47 and G5 in that it would significantly improve the current facilities, enabling comfortable, safe and accessible changing facilities for the ever growing sports teams in addition to accommodating social space for spectators and the wider community.
- 10.13. The principle of development is therefore considered acceptable in compliance with policies SP47 and G5.

Hotel use

- 10.14. In addition to the residential and employment uses on site, the scheme would incorporate a 133 bedroom hotel. This use is not required by the site allocation policy and therefore, this element of the scheme needs to be assessed against the requirements of the relevant Local Plan policy V5.
- 10.15. New sites for holiday and other short stay accommodation are permitted on Oxford's main arterial roads, including London Road.
- 10.16. Proposals for new short stay accommodation must meet all the following criteria as set out at policy V5:

it is acceptable in terms of access, parking, highway safety, traffic generation, pedestrian and cycle movements;

there is no loss of residential dwelling; and

it will not result in an unacceptable level of noise and disturbance to nearby residents.

10.17. Taking each criterion in turn:

10.18. The proposed access has been subject to a Stage 1 Road Safety Audit and is considered acceptable by the highways authority. The proposed level of parking, highways safety, traffic generation, pedestrian and cycle movements have also been assessed by the highways authority as acceptable, as set out in more detail at paragraphs 10.61-10.83 below.

10.19. The provision of the hotel would not result in a loss of residential dwellings.

10.20. Officers consider that the environmental noise impact arising from the proposal have been adequately assessed in the submitted Hann Tucker Acoustic Assessment. A number of conditions, including a control on noise emitted from plant and equipment located at the site, are recommended to ensure that the amenities of occupiers of other premises in the vicinity are protected. It is not anticipated that the noise arising from hotel guests would unacceptably impact on neighbours due to the short stay nature of the premises.

10.21. It is therefore considered that the principle of providing a hotel in this location is acceptable. As noted above, the hotel is an additional use which is not required as part of this residential-led scheme by policy SP47. Much consideration was given to the acceptability of this additional use at pre-application stage and again following the submission of the formal application in terms of its impact on the site as a whole and neighbouring amenity. During the consideration of the application, amendments were made to the siting, massing, height and design of the hotel to address concerns relating to the impact on neighbouring amenity and design quality, as set out in more detail below at paragraphs 10.44–10.46. Further, ODRP considered that, in addition to easing the demand for short-stay accommodation within Oxford, the hotel would attract people to the site, helping to activate the space and increase viability of the ground floor commercial uses, which residents could also enjoy.

10.22. On balance, it is concluded that the hotel would make an appropriate addition to the application site, providing a high quality activated gateway with café and gym at ground level, whilst protecting the amenity of neighbours in compliance with policy V5.

Gym and café/ restaurant (use class E)

10.23. Within the ground floor of the hotel, the proposal includes the provision of a gym (97.32sq. m.) and café/ restaurant (68.77sq. m.) for use by guests, residents of the site and the wider community. Accessibility to the public would be secured by legal agreement. It is considered that these uses within the envelope of the hotel would not give rise to an unacceptable impact on neighbouring amenity or highway safety in accordance with policies RE7 and RE8, as outlined in more detail below, of the Oxford Local Plan 2036. Further, these uses would enable

the activation of the ground floor frontages to the east and south, fronting the public realm, thus creating a vibrant gateway to the site and providing surveillance.

10.24. It is therefore considered that the principle of introducing a gym and café/ restaurant to the site is acceptable.

b. Affordable housing

10.25. The need to provide 50% on-site affordable housing is triggered, in accordance with policy H2 of the Oxford Local Plan 2036. This has been provided. Of the affordable units, the scheme would include 80% social rented units (rent calculated using the formula as defined in the Rent Standard Guidance of April 2020) and 20% intermediate units (housing at prices and rents above those of social rent, but below market or affordable housing prices or rents) to be managed by a Registered Provider, yet to be appointed.

10.26. Since 28th March 2022, any application providing affordable housing is now required to provide a minimum of 25% of all affordable housing units as First Homes either on site or a financial contribution for provision elsewhere. However, this proposed scheme would be 100% build to rent, meaning that the dwellings would not be available for sale on the open market. Paragraph 65 of the NPPF sets out the minimum percentage of affordable housing that Local Plans should expect from major residential developments and it continues that exemptions to this requirement should be made where the site or proposed development provides solely for Build to Rent homes.

10.27. Therefore, as a development for Build to Rent homes is exempt from the requirement to provide affordable housing under NPPF paragraph 65, it is also exempt from the requirement for First Homes under the Written Ministerial Statement.

10.28. Policy H4 sets out the appropriate mix for the affordable housing element on sites of 25 or more homes or on sites of 0.5ha or more, copied below:

Local Plan mix requirement	Proposed mix
1 bedroom homes - 20-30%	43.78%
2 bedroom homes - 30-40%	32.83%
3 bedroom homes - 20-40%	15.92%
4+ bedroom homes - 8-15%	7.46%

10.29. Whilst the tenure mix does depart from the policy requirement, it is considered acceptable in this instance given that the scheme is a 100% flatted development and therefore considered less desirable for families requiring 3 and 4 bed dwellings. Further, the scheme has been significantly amended by reducing heights which was important in design and amenity terms. This amendment has meant that the applicant has needed to accommodate 402 dwellings (400 being the minimum required by the site allocation) within a smaller floor area, thus resulting in fewer 3 and 4 bed dwellings. It is considered that, on balance, the

design amendments carry more weight than the need to strictly comply with the mix set out at policy H4 in this instance.

10.30. To ensure that the affordable units can be allocated correctly, a full affordable accommodation schedule with tenures linked to each unit would be conditioned in addition to the colour coded plans and schedules already submitted.

10.31. Figure 3 below illustrates that the varying tenures (social rent, intermediate and private) would be well distributed throughout the site. Figure 2 represents the second floor as an example, the distribution of each tenure varies from floor to floor.



Figure 3: Proposed tenure second floor plan

c. Self-build homes

10.32. On residential sites of 50 units or more, 5% of the site area developed for residential should be made available as self-build plots in accordance with Local Plan Policy H7. Such plots are to be within the 50% market housing on a site. The policy continues that residential development on brownfield sites where only flatted development is provided are excluded from this requirement. The scheme proposes a 100% flatted scheme on a brownfield site and therefore the scheme is not appropriate for self-build plots and the requirement is not triggered in accordance with policy H7.

d. Design and impact on non-designated heritage asset

Design

- 10.33. The NPPF makes it clear that the purpose of planning is to help achieve sustainable development (Section 2), and that design (Section 12) and effects on the natural environment (Section 15) are important components of this.
- 10.34. Section 11 of the NPPF notes in paragraph 124 that in respect of development density the considerations should include whether a place is well designed and “the desirability of maintaining an area’s prevailing character and setting...or of promoting regeneration and change”.
- 10.35. Paragraph 130 of the NPPF states that decisions should ensure that developments will a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic in local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place to create attractive, welcoming and distinctive places and e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public open space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 10.36. Local Plan Policy DH1 requires developments to demonstrate high quality design and placemaking.
- 10.37. With regards to the proposals response to the site itself and surrounding context, it is considered that the masterplan responds positively to the topography of the site. Whilst the proposals do not demonstrate a strong response to the existing street layout and scale of Risinghurst, this is considered justified as the proposals present a new typology for Oxford which would achieve a much higher density than existing, deemed necessary in order to address Oxford’s unmet housing need and fulfil the requirements of site allocation policy SP47.
- 10.38. There is a clear logic to the structure of the site, with legible routes through and block arrangements. The hotel and innovation centre are clustered to the north of the masterplan adjacent to the A40, with residential continuing on from this. This arrangement also provides some protection to the new residents on the site from the noise of the A40.
- 10.39. The grain is markedly different to the surrounding context, though given the density achieved this is to be expected, considered acceptable and in compliance with Local Plan Policy RE2.

10.40. As above, the scheme has been amended following thorough discussions with officers. The built form now steps down to 3 or 4 storeys at the edges of the site, helping to soften the development's relationship with the existing site context.

10.41. The 3 storey 'Terrace' along the western edge of the site appears as a row of houses, demonstrating a positive response to the existing grain of the surrounding context of rows of houses.

10.42. Taking each of the proposed built elements in turn:

Hotel

10.43. The hotel is positioned at the north eastern corner of the site, adjacent to the two storey housing of Risinghurst. The four storey building, at 15 high, has a simple form which prevents the building from appearing overly conspicuous. To prevent the building from appearing overbearing to Downside End, the building has been set away from the site boundary, with high quality materials and detailing proposed. Given the scale of the proposed development, it is not possible to mitigate its impact entirely, but its impact has been mitigated since the originally proposed scheme and is now considered acceptable.

10.44. Muted materials are proposed for most of the building – including white brick, pale multi brick and glass reinforced concrete (GRC) cladding. Muted materials are welcome here as these would help prevent the building from appearing overly dominant from Downside End.

10.45. Green glazed brick is proposed for the ground floor of the building which is considered positive as it brings character to this part of the site and would allow the hotel to appear distinct from the residential blocks.

Innovation Centre (office building)

10.46. This is a quirky and playfully designed part 4, part 2 storey building, with a maximum height of 16m to the flat roof, adding interest to the site as well as views of the site from the A40. The elevations are well considered and high quality, making visual reference to the attached Lodge (non-designated heritage asset) through the use of brick arches and detailing. The presentation of material sample panels would be conditioned to ensure a high quality finish.

10.47. The resultant loss of landscaping that currently surrounds the Lodge building is considered an acceptable compromise for retaining this non-designated heritage asset.

Block A

10.48. Though a markedly different building type to the neighbouring two storey pitched roof houses, the response of Block A to the site context is considered acceptable, as efforts have been made to soften the relationship of the building to the site context. Block A now steps down to a single storey (4m high) at the western boundary before stepping up to four storeys (10m high) further into the site which is considered an acceptable height given the distance to the edge of the site here.

10.49. The proposed use of two complimentary brick colours is considered positive, again the specification of materials would be conditioned.

Terraces

10.50. The three storey blocks at 10m in height along the western edge of the site appear as a row of houses, demonstrating a positive response to the existing grain of the surrounding context of rows of houses. Heights have been reduced, roofs have been articulated and a palette of light buff, cream and dark red brick has been used, all successfully softening their massing.

Block D

10.51. The height of this part 3, part 4 storey block has been reduced to a maximum of 13m where possible and the distance from neighbours fronting Ringwood Road has been increased making the design of this block acceptable.

10.52. The proposed use of two complimentary brick colours is considered positive, adding interest and breaking up the massing. Again, specifications of bricks would be conditioned with a requirement that high quality multi bricks that are hand cut or waterstruck, rather than wirecut, are used.

Blocks E and F

10.53. Block E is located south of Thornhill Court, within the central part of the site and has remained at 6 storeys with a maximum height of 21m. Block F is directly south of Block E and varies in height from 17m to 12m over 4 and 5 storeys. The retention of the originally proposed height is considered most appropriate in this central location of the site whilst protecting neighbouring amenity as set out in more detail within the relevant section below. Again, the use of complementary brick colours and metal cladding on these blocks is positive, creating an interesting façade. Arches at ground floor level have been incorporated here as it successfully complements the Lodge and Innovation Centre. The rooflines have been articulated to help breakdown the massing.

10.54. Ground floor flats would have their own access, helping to animate the ground floor. Direct access for residents on the ground floor would also encourage residents of all ages to access the outside amenity spaces.

Blocks G, H and I

10.55. These blocks are now 4 storeys at 13m tall following removal of the fifth floor and reduced parapet height. The design approach across the three blocks would be uniform employing a two tone finish and a sense of verticality produced by the regular fenestration which is articulated by balconies. The proposed materials would include the use of GRC and light buff brick to add texture and character which would contribute to good placemaking.

Boundary treatments

10.56. Fences of varying scales are proposed at the site boundaries. Generally, in urban design terms, this may be considered negative in that it prevents the development site from knitting in with its surroundings. However, given the neighbouring uses of agriculture and a sports pitch it is considered that these fences are necessary in this instance.

10.57. The design rationale in relation to the boundary treatments is to retain existing where possible and where necessary, to the NW, SE and E of the site, boundaries would be replaced by high quality post and rail fences to match existing and a paladin fence to the SE to replace the damaged chain link fence delineating the Parish Council owned footpath. Details of boundary treatments would be conditioned to ensure a high quality.

Movement and permeability

10.58. With regards to movement throughout the site, walking and cycling is encouraged with well-designed public open space and pathways. Access to amenities beyond the red line boundary has been considered and clear routes to these have been incorporated in the landscape design, including to the Park and Ride, Risinghurst, playing fields to the south and the A40 cycle path.

10.59. Turning to the landscaping and play space strategy, the series of public open spaces throughout the site are varied and well considered with six distinct character areas (please refer to figure 4 below), making for a legible landscape design with a clear hierarchy. Blue infrastructure has been well considered with the sustainable drainage incorporated into the woodland walkway running north to south within the site.

Hard landscaping

10.60. The hard landscaping would include a palette of herringbone paviors for the main internal roads, cellular gravel and herringbone gravel for the parking areas and resin bound gravel through the woodland walk and adjacent to 'Thornhill Square'. Sample panels would need to be provided prior to works commencing on the hard landscaping to ensure a high quality and appropriate colour palette. This would be secured by condition.

10.61. The materiality of the public realm, in particular the paving, will be key to defining the overall quality of the development, as it is through the public realm people will characterise and get a sense of the development. As such, these details would be conditioned to ensure high quality.



Figure 4. Landscape character areas

10.62. Pedestrian and cycle links are incorporated to the east, west and south. The disused link to the SW that formerly served Nielsen House would be re-opened with enhanced landscaping to help knit the scheme into the existing neighbourhood.

10.63. Overall, the proposals are well-designed, incorporating good quality architecture and public realm which would provide an attractive and pleasant place to live and work. The scheme makes efficient use of land and would make a positive contribution to Oxford's urban fringe. It is considered that the proposed development accords with the NPPF and policies DH1 and RE2 of the Oxford Local Plan 2036.

Impact on non-designated heritage assets

10.64. Policy DH5 requires due regard to be given to the impact on the asset's significance and its setting and that it is demonstrated that the significance of the asset and its conservation has informed the design of the proposed development.

10.65. The NPPF requires proposals to be based upon an informed analysis of the significance of all affected heritage assets and expects applicants to understand the impact of any proposal upon those assets with the objective being to sustain their significance (paragraph 194). When assessing the impact of a proposal on a non-designated heritage asset the NPPF requires the Local Planning Authority to undertake a balancing judgement having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 203).

- 10.66. Forest Lodge and The Cottage were originally built in the mid-19th century as part of the Shotover Park Estate. Whilst the buildings have been truncated from the surviving Estate, they clearly have some associative value as part of that historic estate and sit in a prominent location on what was the former turnpike road, evident on 18th century maps. It is therefore considered that the buildings are non-designated heritage assets.
- 10.67. The complete loss of 'The Cottage' would result in substantial harm to a non-designated heritage asset of moderate significance. However, a condition requiring level 4 building recording prior to demolition would mitigate this harm to a degree.
- 10.68. The methods and materials to be used for the proposed renovation of Forest Lodge would be required to be submitted prior to the commencement of works, as secured by condition. Further, the proposal to undertake a level 4 recording would help to balance some of the harm that would be caused to the architectural significance of the building through the alterations and renovation. However, there would be a contribution to the overall level of harm through the impact on the setting of the non-designated heritage asset from the proposed extension which would not be able to be mitigated through recording. This harm is considered to be a high level of less than substantial harm by virtue of the proximity of the new building, its overall size and the very different scale of its architecture.
- 10.69. Therefore, as per the requirements of paragraph 203 of the NPPF and Local Plan policy DH5, a balanced judgement must be made having regard to the moderate local heritage significance of the asset and the partial loss and alteration to this significance as balanced against the public benefits that would result from the development proposals. The public benefits offered by the proposal include making more efficient use of a sustainable brownfield site with the development of a high quality mixed use scheme providing much needed housing (50% of which would be affordable). Further, the proposal would provide areas of public open space, a publically accessible gym and café, the provision of a toucan crossing at the A40, enhanced cycle infrastructure and contributions towards a new and improved sports pavilion on the adjacent sports ground. It is considered that, undertaking the balancing act, in this particular instance the public benefits offered by the scheme would outweigh the harm caused to the non-designated heritage asset.
- 10.70. It is therefore considered that the proposed development would adhere to the requirements of policy DH5 of the Oxford Local Plan and paragraph 203 of the NPPF.

d. Living conditions

- 10.71. Policies H15 and H16 require new residential developments to provide acceptable indoor and outdoor living conditions. Policy RE7 seeks to ensure that the amenity of communities, occupiers and neighbours is protected.

Space standards

- 10.72. Policy H15 requires that all residential proposals comply with the Nationally Described Space Standard Level 1. As set out within the submitted proposed floorplans and schedules of accommodation, the dwellings either meet or marginally exceed national space standards in compliance with the Local Plan.

10.73. All of the proposed flats would have access to the communal gardens and in addition, all flats (including the 1 and 2 bed units) would be provided with a private balcony above ground floor level, in line with required dimensions, or a private area of amenity space at ground level, in compliance with policy H16.

Daylight/ sunlight

10.74. Care has been taken to minimise the number of single aspect dwellings, in order to maximise the level of daylight and sunlight into each unit. The majority of dwellings (267 out of 402) are dual or multi aspect. Single aspect dwellings are predominantly east and west facing with multiple windows and balcony doors and only 8 of the single aspect dwellings (7no. 1 beds and 1no. 2 bed) face north within blocks F and G. These units are provided with multiple windows to allow as much daylight in as possible.

10.75. The submitted Daylight and Sunlight Assessment (May 2022) demonstrates that of the 219 ground floor rooms assessed throughout the scheme, only 25 (3 of which would be bedrooms) would fall below the Average Daylight Factor (ADF) guidelines. This equates to 89% of the scheme achieving the ADF guidelines. The ground floors of each block were assessed as they provide a worst case scenario with the least access to direct light from the sky. It is considered that access to natural light would improve throughout the upper floors, such that the scheme would be able to demonstrate in excess of 90% overall ADF compliance. With regards to sunlight, 83% of the main living rooms would achieve Annual Probable Sunlight Hour (APSH) guidelines. Again, this percentage would increase on upper floors with more direct access to sunlight.

10.76. It is considered that, on balance, the daylight/ sunlight into units as a whole would be acceptable taking into account that the vast majority of rooms within units would pass BRE standards.

10.77. With regards to outdoor amenity space, the submitted Daylight, Sunlight and Shadowing Assessment (April 2021) demonstrates that 86% of the amenity space would receive at least two hours of sunlight on 21st March as required by the BRE guide. The areas that would not achieve this target are generally isolated to areas immediately north of the apartment blocks; the proposed landscape strategy has addressed this constraint by directing the main social and amenity areas towards well-lit parts of the site. Taking this into account, it is considered that the outdoor areas would provide acceptable amenity spaces with regards to daylight and sunlight.

Privacy

10.78. Throughout the development of the scheme, the proposed blocks have been orientated and designed to avoid overlooking from neighbours as far as possible by increasing distances between directly facing windows and in-setting balconies where appropriate. Where pinch points arise, it is considered that on-balance this is acceptable given the density of proposed development within a relatively sustainable location.

10.79. Taking into account all of the above, it is considered that the proposed internal and external living standards for prospective residents would be acceptable in accordance with Local Plan policies RE7, H15 and H16.

e. Impact on neighbouring amenity

10.80. Policy H14 of the Oxford Local Plan 2036 requires new development to provide reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy RE7 requires the amenity of neighbours to be protected with regards to visual privacy, outlook, sunlight, daylight and overshadowing and impacts of the construction phase. Policy RE8 seeks to control nuisance from noise.

10.81. Immediate neighbours of the site include; two storey semi-detached and terraced dwellings to the west and south west, fronting Downside End, Downside Road, Pond Close and Ringwood Road. The three storey Thornhill Court residential flatted development, owned by the applicants, lies to the north of the site and Thornhill Park and Ride lies to the north east.

10.82. The hotel as proposed sits 30m east of the side elevation of 39 Downside End. The single storey element of Block A sits 12m from the side elevation of 32 Downside End with the three storey element set 25 metres away from the side boundary of this property. Terrace 1 sits 21m to the east of the Rowlands House rear elevation on Downside Road, Terrace 2 sits a minimum of 18m away from the side elevation of 18 Pond Close and Terrace 3 sits 23m from the rear elevation of 16 Pond Close and 30m from 19 Pond Close. Block D sits approximately 42m from the closest rear elevation of properties fronting Ringwood Road. With regards to Thornhill Court, Blocks E and G sit between 23m and 28m to the south of the rear elevation.



10.83. Given the distance between the dwellings to the west of the application site and the proposed hotel and residential blocks, as set out above, it is considered that the proposed development would not unduly impact on neighbouring privacy. Where the distance between properties falls below 20m i.e. between Terrace 2 and 18 Pond Close, there are no windows to habitable rooms along the side elevation of this neighbouring property. Further, the Terrace has been designed to include inset balconies at this pinch point so the distance between the Terrace windows and the neighbouring property would actually exceed 20m. With regards to Block A and 32 Downside End, only the single storey element would sit less than 20m from this neighbouring side elevation and therefore any habitable windows would not directly overlook each other.

10.84. Concern has been raised regarding potential overlooking from the rooftop terrace at Block H. Block H is positioned approximately 141m away from the eastern boundary of the site and as such, it is considered that this would not give rise to a loss of privacy for neighbours.

Overbearing

10.85. Again, the distance between the proposed blocks and neighbouring properties, in addition to the sites orientation to the east and north east of neighbours, would ensure that the proposed development would not be unduly overbearing on neighbours.

10.86. Whilst it is acknowledged that the proposed blocks would range from one to six storeys in height, in contrast with the prevailing two storey character of residential neighbours, and would present a significant change in outlook, it is considered that due to the distance between the proposal and neighbours, as well as the landscaping on site, the blocks would not appear unacceptably overbearing to neighbours.

Daylight/ Sunlight

10.87. A daylight, sunlight and shadowing report was submitted in support of the originally proposed scheme in 2021 (prior to proposed heights being reduced and distances from neighbours being increased) with an addendum report submitted in September 2022, including potential impacts on neighbours residing in Thornhill Court. The results of the 2021 report indicate that all neighbouring properties to the west would retain suitable levels of daylight and sunlight. Surrounding facades to the west were assessed to verify the amount of light reaching each window through the Vertical Sky Component (VSC) both before and after the introduction of the scheme (as originally proposed). The results show that 89% would achieve a VSC of at least 27% with the remainder achieving at least 20.25%. The average proposed VSC result would be 35.35%, exceeding the BRE guideline of 27%. This is compared to the existing baseline of 96% achieving a VSC of at least 27% with an average VSC result is 38.37%. The report demonstrates that 88% of neighbouring building facades would comfortably comply with the BRE criteria, experiencing reductions of 20% or less. 8% of neighbouring facades would experience minor adverse effects, 4% would experience moderate adverse reductions and only 0.16% would experience major adverse reductions. It is considered that the proposed scheme would largely have a negligible impact on neighbouring daylight.

- 10.88. With regards to levels of sunlight, 99.85% of neighbouring facades would achieve Annual Probable Sunlight Hours (APSH) of at least 25%, with 100% achieving at least 20%, in line with BRE guidelines.
- 10.89. The 2021 report assesses potential overshadowing (of the previously proposed scheme) on the existing neighbouring open amenity spaces. The assessment demonstrates that whilst there would be some shadow cast across neighbouring gardens to the west on 21st March (the equinox), these shadows would have passed just before 10am and no further shadowing of neighbouring amenity would occur beyond this time. Furthermore, all neighbouring gardens would receive 2 hours or more of sunlight on at least 50% of their area on 21st March, and therefore, meet the BRE recommendation. The 2021 report demonstrates that land to the rear of Thornhill Court would be partially overshadowed by the new development from 10am onwards. However, this space provides hard surfaced car parking only. The amenity space to the north of Thornhill Court would be unaffected by the proposed development.
- 10.90. With regards to the impact on Thornhill Court to the north of the application site, the 2022 report states that the average retained VSC for Block 1 would be 29.0% and for Block 2 will be 30.7%, again exceeding BRE guidelines. In terms of sunlight to these dwellings, the report states that 100% would achieve BRE guidelines.
- 10.91. It is therefore considered that the proposed development would not lead to a material loss of daylight or sunlight to neighbouring properties and gardens, particularly given that the 2021 report relates to the originally submitted scheme which was taller and closer to properties along the western boundary.

Construction phase

- 10.92. In order to protect the amenity of neighbours during the construction process (including demolition), a condition would be imposed to require the submission of a Construction Management Plan prior to the commencement of development. The Plan would identify the steps and procedures that would be implemented to minimise the creation and impact of noise, air quality, vibration, dust and waste disposal resulting from the site preparation, groundwork and construction phases of the development and manage Heavy Goods Vehicle (HGV) access to the site.
- 10.93. Taking all of the above into account, it is concluded that the proposed development fully complies with policies RE7 and H14 of the Oxford Local Plan.

f. Health and wellbeing

- 10.94. Local Plan policy RE5 seeks to promote strong, vibrant and healthy communities and reduce health inequalities. The application has been supported by a Health Impact Assessment (HIA) which considers the health impacts of the proposed development based on the NHS London Healthy Urban Development Unit (HUDU) Rapid Health Impact Assessment (HIA) as required by policy RE5.
- 10.95. The HIA highlights that, as with the vast majority of Oxford, house prices in the Risinghurst and Sandhills ward are well above the national average at £471,057. This leads to an affordability gap of £204,561 compared to the national average of

£42,272. The affordability gap is defined in the Local Insight report as “An estimate of the gap between the cost of local houses and the amount residents can borrow. This is defined as the difference between the local house price (either median or lower quartile) and 4.5 times local annual earnings.” This proposed development would provide 402 new apartments, with 201 being affordable, in the ward that will go some way to reducing the affordability gap and overcrowding and thus improving the health and wellbeing of the local population.

- 10.96. With regards to local healthcare facilities, the applicants would be required to pay CIL payments of £5,536,945.28 which would be allocated to projects on the Infrastructure List, including funding towards local GP practices. Thus local infrastructure would be supported to mitigate pressure on these facilities as a result of the increased population from the proposed development. The same applies to local schools and other educational facilities.
- 10.97. In terms of the proposal’s contribution towards accessibility to open spaces for all and outdoor recreation, the proposal would provide an area of public open space equating to 35% of the site area covered by residential development. The applicants have also agreed to make a financial contribution to Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust towards replacement fences, steps, boardwalk, installation of waymarkers and additional staff to help improve the amenity of the nearby C.S. Lewis Nature Reserve. The exact financial contribution is currently subject to negotiations between the applicant and BBOWT. Once agreed, the amount would be secured within the S106 legal agreement.
- 10.98. The Innovation Centre would be available for hire to the local community for events and, as mentioned above at paragraph 10.8, the applicant would make a financial contribution of £200,000 towards a new and improved Pavilion on the sports ground to the south. Thus, the proposal would bring about enhanced opportunities for community cohesion.
- 10.99. The proposed development has been designed to provide natural surveillance over shared open spaces. To enhance this further, conditions would be imposed requiring details of visitor cycle spaces and bin stores to ensure that the scheme does not result in an increase in crime and opportunities for anti-social behaviour.
- 10.100. In light of the above, and the contents of this report as a whole, it is considered that the proposed development would comply with policy RE5 of the Oxford Local Plan 2036.

g. Highways

- 10.101. Oxford has the ambition to become a world class cycling city with improved air quality, reduced congestion and enhanced public realm. Road space within the city is clearly limited and to achieve its ambition there is a need to prioritise road space and promote the sustainable modes of travel. Policies M1, M2, M3, M4 and M5 of the Oxford Local Plan 2036 seek to deliver these objectives.
- 10.102. Policy M1 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport. In accordance with policy M2, a

Transport Assessment for major developments should assess the impact of the proposed development and include mitigation measures to ensure no unacceptable impact on highway safety and the road network and sustainable transport modes are prioritised and encouraged. A Travel Plan, Delivery and Service Management Plan and Construction Management Plan are required for a development of this type and size.

Sustainability

10.103. The site is located adjacent to the Thornhill Park & Ride on the eastern side of Oxford, within the Risinghurst area of the City which does not currently benefit from a Controlled Parking Zone (CPZ).

10.104. The highways authority currently considers the site to be unsustainable. Whilst the site is served by relatively good bus transport links, the most frequent and direct service into the City centre is the number 8 which runs from Barton. There are currently limited crossing opportunities along the A40 and it is therefore considered necessary for the applicant to deliver a new at-grade Toucan crossing to the east of Collinwood Road via a S278 agreement (please see figure 5 below). This crossing would not only be beneficial for residents accessing the high-frequency bus route and amenities, including Bayards Hill Primary School, but also staff travelling to the proposed Innovation Centre from Barton.

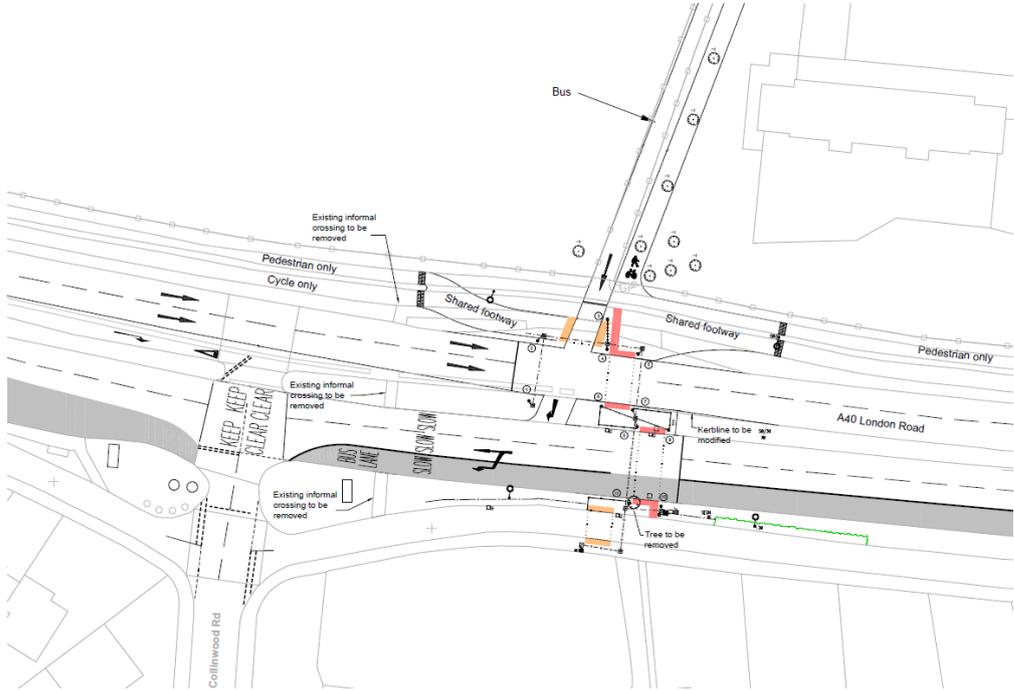


Figure 5: Preliminary traffic signal design (subject to change)

10.105. The highways authority has confirmed that there are plans for a cycle route along Downside Road through Risinghurst to the crossing point at the A40 (please see OXR11 route at figure 6 below). This would create a safer, more attractive route for the existing community, prospective residents and staff and with the low-level of proposed car parking on the site, and would ensure the site has sustainable travel

options. This route would be much safer for pupils travelling to and from Cheney School and residents accessing the numerous amenities in the Headington area.

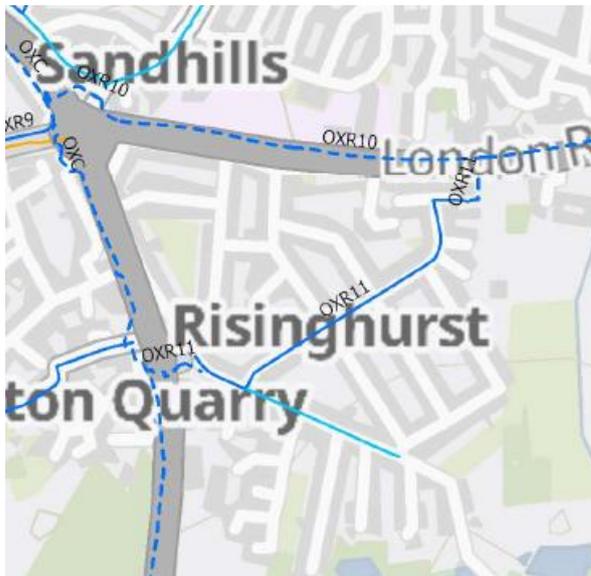


Figure 6: Extract from Oxford Cycling and Walking Network

10.106. The applicant has agreed to deliver the toucan crossing and financially contribute towards the extended cycle route in Risinghurst which provide a benefit to the local area and ensure that the proposed low level of parking is feasible.

Access

10.107. Thornhill Court, the residential flats to the north of the application site, is currently accessed directly off the A40 dual carriageway which is limited to 50mph at the point of access. On the northern side (eastbound) there are two regular vehicular lanes and in order to access these lanes from the site, vehicles would need to travel west along the A40 and use the Headington Roundabout. The proposal incorporates a new left-in/left-out only junction onto the A40 in between the proposed Innovation Centre and hotel, to be utilised by Thornhill Court and the proposed scheme. The existing vehicular access to Thornhill Court would be closed and used for emergency access only. The existing access to the west would also be closed to vehicles and serve cycles and pedestrians only. This would require the footway/cycle ways to be reinstated along the A40 carriageway. The proposed accesses are considered acceptable following discussions with the highways authority. Approved works would be subject to a S278 agreement with the highways authority.

Vehicular parking

10.108. The application proposes a low level of car parking across the site which is welcomed, in line with the objectives of the Local Plan. For the residential element of the site (402 units) there would be 95 unallocated spaces (including 20 accessible and 2 car club bays), 25% of which would be fitted with Electric Vehicle Charging Points. The hotel, with 133 bedrooms, would be served by 26 parking bays, including 2 accessible bays and again, 25% would be fitted with EV charging points. The Innovation Centre would be car-free.

10.109. The internal roads would not be offered for adoption by the County Council so to ensure that the low level of parking would not lead to informal parking within the site and conflict between neighbours, a parking enforcement plan would be conditioned. Full details of this plan are to be determined, however the applicants have confirmed that whilst all residents would be given the opportunity to bring their cars on site, the development would be clearly advertised as a low parking scheme which would likely deter individuals and families who are dependent on a vehicle. To control unauthorised parking, a registration plate recognition system would be put in place, as is the case at Thornhill Court. Residents would register their vehicles upon signing for a flat and visitors would register upon arrival at the site. This system would alert the on-site management team when an unauthorised vehicle enters the site which would then be removed.

10.110. With regards to overspill parking on surrounding streets, this has been the subject of much discussion between officers, the applicant and the highways authority as it is recognised that the potential for overspill parking is of great concern to local residents. As above, the applicant would be delivering and contributing towards improvements to sustainable transport infrastructure making walking, cycling and accessing the nearest bus stop a more convenient and attractive option. Further, the scheme would provide 2no. car club spaces. All of these measures would reduce reliance on the private motor vehicle.

10.111. Risinghurst is not covered by a CPZ, however the Local Plan has committed to City-wide CPZs which are currently anticipated to be in place by 2025, just one year after completion of the proposed scheme is scheduled for. In the interim, it has been agreed that double yellow lines would be laid within the vicinity of the site access at Downside End and Ringwood Road. A public consultation would have to be carried out before parking restrictions could be applied and during that time, a more detailed examination of the most appropriate location for the parking restrictions would take place. The applicant has agreed to provide the required financial contribution towards the cost of an order to facilitate the double yellow lines.

10.112. It is considered that these mitigation measures would be sufficient in addressing overspill parking in surrounding streets and unauthorised parking within the application site.

Cycle parking

10.113. The proposed scheme would provide the following level of cycle parking spaces, in line with appendix 7.4 of the Oxford Local Plan:

- 928 spaces for residents
- 6 spaces for the hotel
- 46 spaces for the innovation centre
- 201 visitor spaces

10.114. The proposed residential cycle parking would be located internally at the ground floor level of blocks A, D, E, F, G, H and I. The Terraces would be served by a number of external cycle stores within close proximity to the rear of the units. During the consideration of the application, provision has been redistributed to ensure that each block is self-sufficient with necessary space for e-bikes and cargo bikes etc.

- 10.115. The number of spaces provided for residents and visitors is acceptable, in accordance with appendix 7.4 of the Oxford Local Plan which requires 926 spaces for this scale of residential development.
- 10.116. The 'Innovation Centre' would extend to 2,104sq. m. and as set out within appendix 7.4 of the Oxford Local Plan 2036, 1 cycle parking space is required for every 90sq. m. of business floorspace, equating to 23 spaces for the Innovation Centre. As above, 46 spaces are proposed in excess of the Local Plan requirements and therefore the number of spaces provided is acceptable. The cycle store would be located at ground floor level within an internal secure cycle store.
- 10.117. Hotels are required to provide a minimum of 1 cycle parking space per 5 non-resident staff plus 1 space per resident staff. As above, 6 spaces would be provided. It is understood from the applicants that there would be no more than 30 members of hotel, gym and café staff on site at any one time and there would be no resident staff, therefore the proposed cycle provision would be acceptable.
- 10.118. Uncovered visitor cycle parking spaces would be provided immediately adjacent to the 'Innovation Centre', within close proximity to the café and gym. It is considered that this would provide more than sufficient parking for these uses when assessed against Local Plan requirements (1.5 spaces for the café and 1 space per 5 staff for the gym).
- 10.119. To ensure that convenient bicycle parking is provided for all residents and types of bicycles (e.g. cargo, trailer and e-bikes), a condition would be imposed requiring details of parking areas prior to the commencement of development.

Trip generation

- 10.120. The proposed total number of vehicle trips throughout the site would equate to 142 trips in the AM peak hour and 133 trips in the PM peak hour; 172 and 162 respectively when taking Thornhill Court into consideration. When comparing against the previous use as B1 office space (Nielsen House), there would only be a 21 vehicle increase in the AM peak hour and 25 vehicle increase in the PM peak hour.
- 10.121. In terms of wider junction impact, as a left-out only junction, all vehicles would have to travel west towards the Headington Roundabout. The predicted trips from the development equate to approximately 4.10% of the two-way vehicle trips in the AM peak hour and 3.82% of two-way trips in the PM peak hour. Although all vehicular trips would be using the Headington Roundabout, the impact is very low as the percentages show, especially when considering a large number of vehicles would be using the un-signalised south-bound lane (towards Cowley) which has a large flair length to improve traffic movements in that direction. As such, the trip generation has a small increase from the previous use and the survey data shows the impact of this development on the highway network is not severe. The highways authority does not object to the proposal on traffic impact grounds.

Travel Plan

10.122. Due to the size and nature of the proposed development a Framework Travel Plan, including measures to encourage active and sustainable travel, and associated monitoring fee are required, to be secured by condition and legal agreement.

10.123. Taking into account all of the above, it is considered that the proposal complies with policies M1, M2, M3, M4 and M5 of the Oxford Local Plan 3026.

h. Trees and Landscaping

10.124. Policy G7 of the Oxford Local Plan 2036 requires that any unavoidable loss of tree canopy cover should be mitigated by the planting of new trees or introduction of additional tree cover. Policy G8 continues that development proposals affecting existing Green Infrastructure features should demonstrate how these have been incorporated within the design of the new development where appropriate.

10.125. An 'Area' designation Tree Preservation Orders ((94/00004/OMR) Oxford City Council London Road (No.1) Tree Preservation Order 1994) applies to the site; this confers legal protection on all trees of whatever species which have been in existence since the order was made in 1994.

10.126. The construction of the proposed development would require the removal of 12 individual trees and removal (in part and full) of 10 tree groups ranging from categories B to C, no Category A trees are to be removed as part of the proposal. Please refer to the Arboricultural Implications Plan below at figure 7.

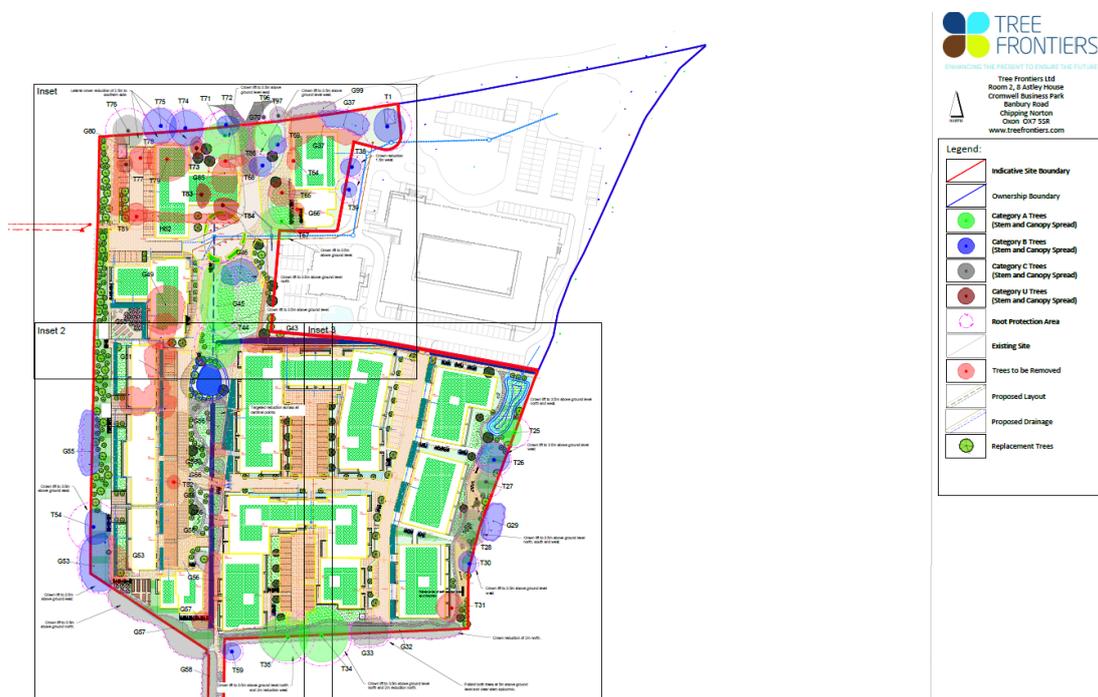


Figure 7: Arboricultural Implications Plan

10.127. The Council's Green Spaces Technical Advice Note (TAN) requires a Tree Canopy Cover Assessment to be submitted for various types of applications. For major residential developments of up to 199 units, it needs to be demonstrated that there

would be no net loss in canopy cover compared with a no development baseline scenario + 25 years.

- 10.128. A Canopy Cover Assessment has been undertaken which considers a 'no development' scenario and a 'development' scenario over a period of 10, 25 and 40 years. This assessment indicates that following an immediate 32% initial tree canopy loss as a result of the development, canopy cover would increase across the site by approximately 42.7% in comparison to a 'no development' scenario of 9.2% within 25 years. In addition to the proposed replacement planting, approximately 3,735sq. m. of green roof space is proposed.
- 10.129. The proposed tree strategy is considered appropriate and utilises a suite of tree species, which have various typologies and performance characteristics that are deployed according to the hierarchy of public realm typologies created in the proposed scheme; i.e. their land use and the space available.
- 10.130. Tree selections indicated in the canopy cover assessment contain a range of native trees, cultivars and non-cultivars, with non-native exotics, generally where space limitations dictate. The proportion and balance of these types is considered appropriate, although details landscape designs would be conditioned to enable a full appraisal of the landscape scheme's qualities.
- 10.131. In light of the above, the proposals are considered to meet the requirements under Local Plan policies G7 and G8 and the Green Spaces TAN.

i. New public open space

- 10.132. Policy G8 of the Oxford Local Plan 2036 requires that, for mixed-use schemes on sites of 1.5ha or more, 10% of the area covered by residential development shall be allocated as public open space. The scheme would provide 35% of publically accessible space in the form of the central 'woodland walk', the informal play space to the west of the site and land along the southern boundary as illustrated at figure 8 below. In line with Local Plan policy G4, community food growing spaces would form part of this public open space. The accessibility of these spaces to the public would be secured by legal agreement.



Figure 8: Purple denotes public open space (3,229sq.m.), yellow denotes land covered by residential development (9,156sq.m.).

j. Air Quality

10.133. Policy RE6 of the Oxford Local Plan 2036 states that planning permission will only be granted where the impact of new development on air quality is mitigated and where exposure to poor air quality is minimised or reduced.

10.134. The application site sits within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council for exceedances in the annual mean NO₂ air quality objective (AQO). Analysis of DEFRA's urban background maps and of all pollutant concentrations at monitoring locations surrounding the application site, show clear compliance with the annual mean NO₂ AQO. The results of the Air Quality Assessment indicate that concentrations at proposed receptor locations within the site boundary are well below relevant air quality objectives for NO₂, PM₁₀ and PM_{2.5} concentrations.

10.135. As set out within the submitted Energy Statement, Air Source Heat Pumps (ASHP) are the most appropriate low or zero carbon technology to be included in the development proposals and promote a future transition to zero carbon. These will meet the entirety of the space heating demands within the Terraces, Hotel and the Innovation Centre, as well as providing cooling within the commercial developments. Additionally, the development would incorporate a photovoltaic array on the roof of all but one of the proposed buildings as a means of on-site renewable electricity generation. There would therefore be no combustion plant on site, no associated combustion emissions and no potential impacts on local air quality.

- 10.136. As set out within the Transport Statement, the proposed development traffic represents a maximum of 4.1% of the total two-way flow on the A40 during each peak period. Taking into account daily fluctuations in traffic observed along the road, the proposed development is considered unlikely to have a perceptible impact on the local highway network. Further, the level of parking would go some way to limit car ownership and in turn, limit the level of vehicle trip generation to and from the development. Car club spaces are proposed which would provide residents with an alternative to owning a car, further reducing traffic, as would the proposed walking and cycling connections to routes through adjacent urban areas and into Oxford city.
- 10.137. The impacts of demolition and construction work on dust soiling and ambient fine particulate matter concentrations have been assessed and the risk of dust causing a loss of local amenity and increased exposure to PM10 concentrations has been used to identify appropriate mitigation measures. Provided these measures are implemented and included within a dust management plan, to be secured by condition, the residual impacts are considered to be not significant.
- 10.138. It is therefore considered that the proposed development would be acceptable in accordance with policy RE6 of the Oxford Local Plan 2036.

k. Sustainable design and construction

- 10.139. The Council is committed to tackling the causes of climate change by ensuring developments use less energy and assess the opportunities for using renewable energy technologies. As such, policy RE1 of the Oxford Local Plan 2036 requires schemes to incorporate a number of sustainable design and construction principles.
- 10.140. Policy RE1 requires developments for new build residential dwellings to achieve at least a 40% reduction in carbon emissions from a 2013 Building Regulations (or future equivalent legislation) compliant base case.
- 10.141. As Planning Committee will be aware, the new 2021 building regulations were introduced in June 2022. However, it is considered reasonable to accept a 40% reduction on the 2013 regulations in this instance given that the application was submitted in July 2021 and largely designed ahead of the introduction of the new regulations.
- 10.142. The submitted Energy Statement demonstrates that a fabric first approach has been adopted by improving air tightness, improving levels of insulation, maximising daylighting whilst controlling solar gain with the placement of balconies and appropriate window sizes. The Innovation Centre, Hotel and Terraces would be served by Air Source Heat Pumps (ASHP) whilst the remaining residential blocks would be heated by electric room heaters. Roof mounted solar PV panels would be placed on all roofs, except block H where the roof terrace would be located. Specifications and large scale details of the solar panels would be conditioned to ensure they do not detract from visual amenity. The water consumption for the residential units has not been provided within the Energy Statement, nor has information on how materials would be recycled throughout the development process. Therefore a condition would be attached requiring an addendum, including this information to ensure full compliance with policy RE1.

- 10.143. The scheme would achieve an overall reduction in carbon emissions by 53% (43% for the residential element and 69% for the commercial element).
- 10.144. It is considered that the proposal complies with the requirements of policy RE1 of the Oxford Local Plan 2036, subject to the submission of an addendum to the statement.

I.Noise

- 10.145. Policy RE8 of the Oxford Local Plan 2036 requires new developments to manage noise in order to safeguard or improve amenity, health, and quality of life for local communities.
- 10.146. An acoustic assessment has been submitted in support of the application within which, appropriate target internal noise levels have been proposed which are achievable using conventional mitigation measures. The proposal would include the use of suitably specified double glazing throughout the site and uprated acoustic glazing for the hotel. Acoustically attenuated ventilation would also be incorporated throughout the site, in order to reduce the adverse impact on health and quality of life arising from environmental noise.
- 10.147. With regards to external amenity areas, the design has achieved the lowest practicable noise levels. The submitted noise model indicates that the guideline values are achievable everywhere except the north façade of Block A and a small selection of fourth and fifth floor balconies on Block E which do not benefit from screening from existing buildings. Notwithstanding this, the worst effected balconies would not exceed the upper guideline values by more than 103dBA and as such is considered a negligible exceedance. Further, these elevated noise levels need to be balanced with the convenience of living within a sustainable suburban part of Oxford.
- 10.148. The proposal is therefore acceptable in compliance with Local Plan policy RE8; subject to conditions relating to sound insulation measures, daytime noise levels in outdoor living areas and a construction management plan as referred to earlier in this report.

m.Land quality

- 10.149. The Council has a statutory duty to take into account, as a material consideration, the actual or possible presence of contamination on land. As a minimum, following development, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990. In accordance with policy RE9 of the Oxford Local Plan 2036, a Phase 1 Desk Study and contaminated land questionnaire was submitted as part of the application.
- 10.150. As set out within the Phase 1 Desk Study, it is apparent that there are several potential on-site contamination sources that have not been adequately investigated during previous on-site contamination risk assessments, including the former private above ground fuel storage and elevated levels of lead found in the northern and western sections of the site. As a result of these findings, there is a requirement to conduct further detailed intrusive site investigation work to refine the Conceptual Site Model and determine what remedial works may be necessary to mitigate any potentially significant contamination risks and render the site suitable for use. The

proposals within the submitted Desk Study are considered acceptable subject to a number of conditions that have been set out at section 13 below.

n. Drainage

- 10.151. Local Plan policy RE4 requires all development proposals to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. Surface water runoff should be managed as close to its source as possible.
- 10.152. The general topography of the application site slopes from south to north; the ground also slopes to the east and west from an indiscernible ridgeline that runs through the middle of the site. The nearest significant surface waterbody is the River Cherwell tributary, Bayswater Brook which flows in an east to west direction approximately 500m north of the site at its closest point.
- 10.153. A small watercourse runs through the middle of the site in a northerly direction. This watercourse enters the site from the south in a 300mm culvert, runs partly as an open channel before being culverted in a 450mm pipe through the rest of the site and terminates to the north of Thornhill Court, with no verified outfall. A separate watercourse is located adjacent to the eastern site boundary beyond a public footpath. A further ditch line runs along the northern boundary of the site in an east west direction, with a 100mm outfall pipe connecting to the culverted Ditch. A small pond is located to the north of this ditch outside the redline boundary. Please refer to figure 9 below.

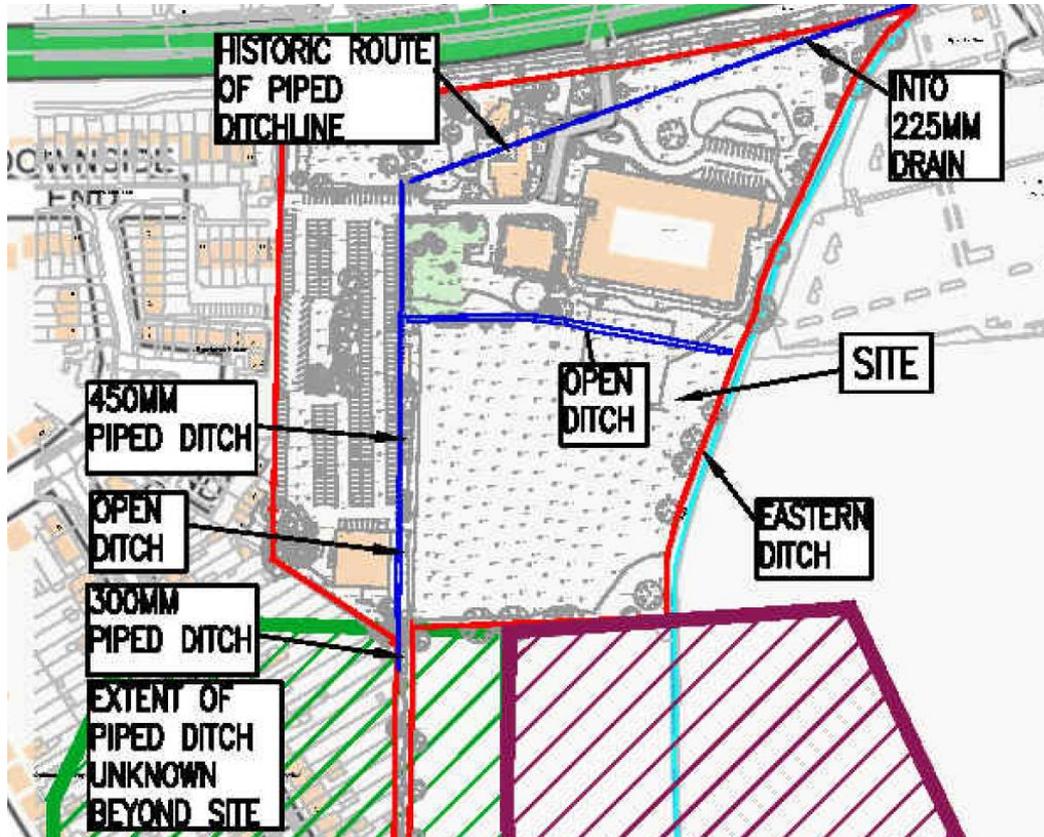


Figure 9: Catchment plan

- 10.154. The EA's flood map for planning indicates that the site lies wholly within Flood Zone 1 (lowest probability of flooding) and there have been no records of flooding at the site or its immediate vicinity.
- 10.155. Surface water ponding has been noted, by the flood risk and drainage consultants, within the low-lying north-western part of the site. It is considered that this ponding could have been exacerbated as the 450mm piped ditch resurfaces in this area, with no evident outfall. The culverted watercourse would be opened up where possible, increasing its capacity; the watercourse would then be provided with a positive outfall to alleviate the current surface water flooding situation.
- 10.156. Finished floor levels across the new properties would be set at least 300mm above the adjoining bank levels to afford protection should overbank flooding occur.
- 10.157. It is proposed that the development site drains into the existing ditchline running through the site, with a new outfall laid through the Thornhill Court development to the north into the existing 225mm drain. The new outfall pipe would drain into the as-built storage basin within the Thornhill Court site before discharging into the 225mm outfall pipe located within the northern extent of the wider site. The eastern part of the development site would drain into the onsite eastern Ditch which would connect back to an onsite Ditch. This arrangement avoids the reliance on Thornhill Court's piped system which already overwhelms in the 100 year flood event.
- 10.158. Surface water runoff within the development would be managed within green/brown roofs, large areas of permeable paving, rain garden corridors, storage basins and open ditches, all provided with flow controls to maximise storage within each element. The controlled discharge from the site would then discharge into the Thornhill Court storage/infiltration basin.

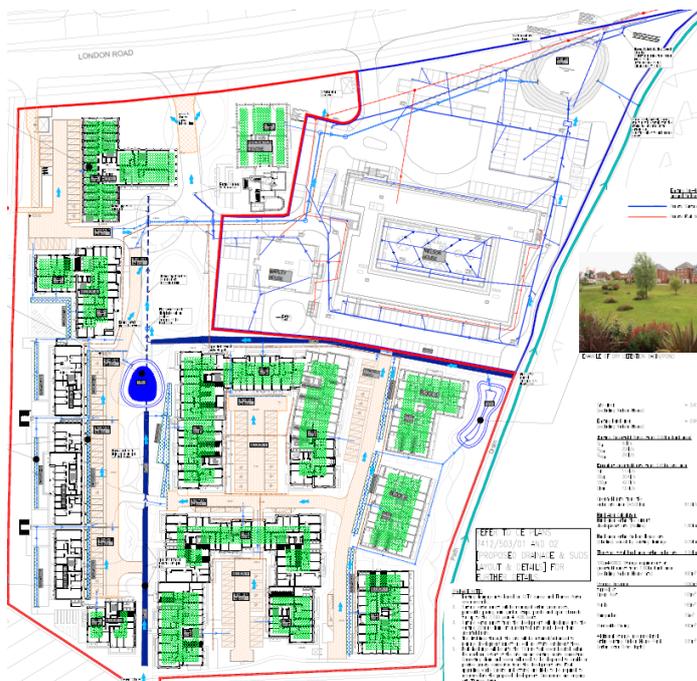


Figure 10: Proposed drainage strategy

- 10.159. All onsite piped networks, outfall pipe, flow controls, headwalls and SuDS (green roof, permeable paving, ponds and rain gardens) would remain private under the ownership of the applicant.
- 10.160. The potential foul connection location from the site is into the 150mm foul sewer located to the north of the Thornhill Court site.
- 10.161. Thames Water has advised that their local sewerage network does not have enough capacity for the needs of the development, and that appropriate upgrades or offsite reinforcement works would be required within the local sewerage network to serve the development. In this respect, Thames Water has advised that they would carry out necessary modelling work, design a solution and build the necessary improvements to serve the development.
- 10.162. With respect to the modelling work itself, Thames Water have advised that extensive drainage network modelling works are currently progressing for the whole of Oxford area including Headington. Thames Water has recently advised the applicant that:
- 'the proposed site is pending Full Planning decision and should the development be granted planning permission we would carry out a quick high level model run to check for any flooding detriment points further downstream from your point of connection. Outcome of the high model run for your individual site will provide feedback on whether any upgrades or reinforcement works are required to support flows from your site into our existing sewer network.'*
- 10.163. Thames Water has recommended conditions in relation to waste and water and therefore it is considered that Thames Water capacity would be resolved adequately as the development is commenced.
- 10.164. The LLFA has raised no objection to the proposal, subject to a number of conditions requiring compliance with the proposed drainage strategy and documentation of the SuDS once installed. It is therefore considered that the proposal complies with policy RE4 of the Oxford Local Plan 2036.

o. Ecology

- 10.165. Local Plan policy G2 states that development that results in a net loss of sites and species of ecological value will not be permitted. On sites where there are species and habitats of importance for biodiversity that do not meet criteria for individual protection, development will only be granted where a) there is an exceptional need for the new development and the need cannot be met by development on an alternative site with less biodiversity interest; and b) adequate onsite mitigation measures to achieve a net gain of biodiversity are proposed; and c) offsite compensation can be secured via legal obligation. Compensation and mitigation measures must offset the loss and achieve an overall net gain for biodiversity of 5% or more from the existing situation and for major development this should be demonstrated using a biodiversity calculator.
- 10.166. One of the main ecological interests of the site is the presence of roosting bats with a total of two Common Pipistrelle day roosts present within the Cottage and a tree within the car park. These roosts would be lost as part of the proposed development.

10.167. All species of bat and their roosts are protected under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010. In considering whether permission should be granted the Local Planning Authority must be satisfied that the three tests stated in the Conservation (Natural Habitats, &c.) Regulations 2010 listed below can be met:

1. The activity to be licensed must be for imperative reasons of overriding public interest of a social or economic nature or for public health and safety;
2. There must be no satisfactory alternative; and
3. The favourable conservation status of the species must be maintained.

10.168. Taking the above in turn; it is considered that the provision of 402 dwellings, 50% of which would be affordable, is of significant benefit to the public, justifying the need for a licence. Having considered alternative layouts at pre-application stage, officers are satisfied that there is no satisfactory alternative and finally, officers are content that the conservation status of the species would be maintained by the provision of at least 18 bat roosting devices on site and other mitigation measures to be secured by condition. A condition that requires obtaining a European Protected Species Mitigation Licence from Natural England to agree the mitigation measures set out in the PEA/ Ecological Report would be attached to the planning permission.

10.169. Officers consider it likely that a license would be granted by Natural England.

10.170. A medium population of Great Crested Newts (GCN) has been identified in a pond adjacent to the application site. The GCN is a European protected species. The animals and their eggs, breeding sites and resting places are protected under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2017 (as amended). The proposed works would entail the loss of suitable terrestrial habitat and therefore risk killing and injuring newts, while destroying resting places. The development could however proceed under the District Level License, held by the Oxford City Council and operated by NatureSpace and it is therefore considered that the impacts of the development on GCN are capable of being fully addressed in a manner which complies with the requirements of the Habitats Regulations referenced above. Conditions would be attached to the planning permission to ensure the GCN would be translocated to suitable nearby ponds as required by NatureSpace.

10.171. With regards to other protected species, a condition requiring ecological enhancements would include the provision of 50 swift boxes and a condition requiring the submission of a Construction Environmental Management Plan (CEMP) would secure sensitive vegetation clearance in order to protect any slow worms present (2022 surveys indicated there were no reptiles present).

10.172. The Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT) has raised concerns about the potential for recreational impacts on the CS Lewis reserve and two designated sites: Monks Wood Grassland Local Wildlife Site (LWS) and Brasenose Wood and Shotover Hill Site of Special Scientific Interest (SSSI). The submitted Designated Sites Impact Analysis report identified increased recreational

pressure at the CS Lewis reserve and proposes mitigation measures, but concludes impacts will be negligible on the LWS, which is closed to the public, and the SSSI. Officers find this acceptable, further Natural England has raised no concern over the potential for any significant adverse impacts to arise on the SSSI.

- 10.173. With regards to biodiversity net gain, a biodiversity metric has been submitted which demonstrates a net loss of 2.48 habitat units (-19.49%) and a net gain of 0.28 hedgerow units (+10.95%) and 0.12 river units (+71.07%). Therefore the applicant must provide at least 3.12 habitat units of biodiversity offsetting to achieve the necessary 5% net gain in compliance with Local Plan Policy G2.
- 10.174. Officers have assessed the feasibility of delivering offsetting measures within the vicinity of the site. As the applicant does not own adjacent land or land within the immediate vicinity of the site, direct offsetting on land under the applicants ownership would not be possible. Likewise the feasibility of delivering offsetting on land falling under the Council's ownership has also been explored but is not considered feasible.
- 10.175. The applicant has been in liaison with the Trust for Oxfordshire's Environment (TOE) as a third party broker to deliver biodiversity net gain. The additional deficit in biodiversity units which cannot be provided on site could be delivered by TOE, providing they come to an agreement with the Council regarding the mechanism to secure this, as offsite provision as part of suitable identified projects in Oxfordshire, with priority given to schemes in close proximity to Oxford. If, for any reason, TOE are not in a position to deliver off-setting when the time comes, as a fall-back position the applicant could buy credits from the Environment Bank. The selection of sites for offsetting, and the specific details of offsetting, including the offsetting provider, as well as future maintenance and management of new habitats created would be detailed within a biodiversity scheme secured under the Section 106 agreement. This approach aligns with the Government's Environment Act 2021 and Policy G2 of the Oxford Local Plan in terms of securing biodiversity net gain through offsetting, giving priority to local biodiversity projects.

p. Utilities

- 10.178. Local Plan Policy V8 requires developers to explore existing capacity (and opportunities for extending it) with the appropriate utilities providers.
- 10.179. A Utilities Statement has been submitted with the application in accordance with policy which outlines that:
- Existing drainage connections within the Thornhill Court development would be utilised. This has been designed to accept the flow from the proposed development and new connections have already been installed.
 - Water for potable (drinking) and firefighting use would be fed from a new Thames Water connection for the proposed scheme from London Road
 - Electrical power for the scheme would be provided from three new transformer sub-stations on the site (details of which to be conditioned), fed from the HV supplies on London Road
 - A Fibre Optic connections application would be made to the fibre network for the proposed scheme.

- BT self-install of fibre would be installed to every residential unit. Allowance would also be made for fibre to the commercial units.

10.180. The proposal therefore complies with policy V8 of the Oxford Local Plan 2036.

11. PLANNING OBLIGATIONS

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

- Affordable housing– 50% affordable housing of which 80% of affordable homes to be social rented and 20% to be intermediate tenure.
- Agreement that the residential units would remain as rented units (affordable or otherwise).
- Contribution of £200,000 to Risinghurst Parish Council towards a replacement Pavillion. Monies to be paid upon first occupation of the dwellings.
- Agreement that the open space would be open to the public 24/7.
- Agreement that the gym and café/ restaurant at the ground floor of the hotel would be accessible to the public.
- Agreement that the ‘Innovation Centre’ would be accessible to the public.
- Entering into a S278 Agreement with the Highways Authority to carry out highways works e.g. creation of new access, provision of Toucan crossing and localised double yellow lines.
- Contribution of £4,896 to the Highways Authority towards the placement of double yellow lines in order to mitigate overspill car parking within the surrounding area;
- Contribution of £2,379.00 to the Highways Authority towards monitoring the Framework Travel Plan.
- Contribution of £2,379.00 to the Highways Authority towards monitoring the Residential Travel Plan.
- Contribution of £1,446.00 to the Highways Authority towards monitoring the Hotel Travel Plan.
- Contribution of £100,000 to the Highways Authority Cycle route towards the creation of a cycle route between the application site and crossing on the Eastern by-pass via Downside Road
- Contribution of £37,772.00 to the County Council towards the expansion and increased efficiency of Household Waste Recycling Centres.

- Contribution to Berkshire, Buckinghamshire and Oxon Wildlife Trust towards enhancements at the C.S. Lewis Nature Reserve. Contribution to be confirmed during legal agreement negotiations.

12. CONCLUSION

- 12.1. This application proposes a high quality residential-led mixed-use scheme that would respond appropriately to the requirements of Local Plan policy SP47 whilst providing 402 homes to help meet Oxford's housing need. 201 of the residential units would be affordable with an appropriate dwelling mix for the type of accommodation proposed. The site is allocated for residential and employment development within the Local Plan and the scheme is considered to satisfy the requirements of policy SP47.
- 12.2. The proposed dwellings would achieve acceptable internal and external living standards for the prospective residents and the development as a whole would not materially impact on the amenity of neighbours. The scheme would deliver highways improvements including a toucan crossing at the A40 and contributions towards an enhanced cycle route through Risinghurst, promoting sustainable modes of transport.
- 12.3. The scheme would accord with the Local Plan policies with regards to the natural environment and in turn would help to achieve a safe and healthy community.
- 12.4. In terms of any material considerations which may outweigh these development plan policies, the NPPF has a presumption in favour of sustainable development. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted. Policy SR1 of the Oxford Local Plan 2036 repeats this.
- 12.5. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF and policy SR1 for the reasons set out within the report. Therefore in such circumstances, planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 12.6. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the consideration 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.
- 12.7. 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.

- 12.8. Therefore 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.
- 12.9. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the NPPF, and relevant policies of the Oxford Local Plan 2016-2036, when considered as a whole, and that there are no material considerations that would outweigh these policies.
- 12.10. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

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

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

Innovation Centre – use class

3. The 'Innovation Centre' shall only be used for purposes within Use Classes E(g)(i) as defined in Part A of Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (the Order) and for no other purposes including any other purpose in Use Class E of the Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure that the Local Planning Authority can properly consider any alternative use of the premises in accordance with the relevant policies of the Oxford Local Plan 2036.

Hotel – security

4. Prior to commencement of works on the hotel, updated floorplans to include a secure hotel reception office and measures to limit guest access to only necessary floors shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the safety and amenity of guests and visitors in accordance with policy RE7 of the Oxford Local Plan 2036.

Materials

5. Prior to the commencement of development, excluding enabling works, large scale sample panels of the following shall be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved sample panels which, where feasible, shall remain on site for the duration of the development works:
 - a) All new brickwork and stonework demonstrating the colour, texture, face bond, mortar and pointing; and
 - b) All new ceramic claddings, metal claddings and screens demonstrating the colour, texture, reflectivity and joints.
 - c) All new hard landscaping.
 - d) Street furniture.
 - e) Lighting.

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

Signage

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

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

Boundary treatments

7. Prior to the commencement of above ground works, details and specifications of all boundary treatments, shall be submitted to and approved in writing by

the Local Planning Authority. Only the approved details shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

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

Gates to Terrace alleyways

8. Prior to the commencement of above ground works, large scale details of gates to be installed at either end of the alleyways between the Terraces shall be submitted to and approved in writing by the Local Planning Authority. The approved gates shall be installed prior to the first occupation of the Terraces and remain on site in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

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

Lighting strategy

9. Prior to the commencement of development, excluding enabling works, a comprehensive lighting strategy, to meet the general standards of BS5489-1:2020, serving the entire scheme shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be carried out unless otherwise agreed in writing by the Local Planning Authority and thereafter retained.

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

Solar panels

10. Prior to the commencement of above ground works, large scale drawn details and specifications of the proposed roof mounted solar PV panels shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

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

Green roofs

11. Prior to the commencement of above ground works, specifications of and a maintenance plan for the proposed green roofs shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation and maintained thereafter.

Reason: To ensure the longevity of this new green infrastructure in

accordance with policy G8 of the Oxford Local Plan 2036.

Historic building recording

12. No development shall take place until the applicant, or their agents or successors in title, secured the implementation of a programme of Level 4 historic building recording of Forest Lodge and Cottage in accordance with a written scheme of investigation that has been submitted by the applicant and approved by the planning authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to advance our understanding of the significance of the local heritage asset, which will be lost as a result of the development, in accordance with policy DH5 of the Oxford Local Plan 2036.

The Lodge – method statement and materials

13. Prior to the commencement of development, a Method Statement for the proposed renovation of The Lodge including proposed materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the conversion is sympathetic to the non-designated heritage asset in accordance with policy DH5 of the Oxford Local Plan 2036.

Bin and cycle stores and sub-station enclosures

14. Prior to the commencement of above ground works, floorplans and elevations with material details of the following shall be submitted to and approved in writing to the Local Planning Authority. The development shall be completed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority:

- a) External bin stores – with single leaf doors
- b) External cycle stores – with single leaf doors
- c) Sub-station enclosures

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

Land quality

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

authority.

Phase 1 has been completed and approved.

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

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

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

Land quality – remedial works

16. The development shall not be occupied until any approved remedial works have been carried out and a full validation report has been submitted to, and approved in writing by, the Local Planning Authority.

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

Land quality – watching brief

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

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

Secured by Design

18. Prior to commencement of above ground works, an application shall be made for Secured by Design (SBD) Silver accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of SBD accreditation has been received in writing by the Local Planning Authority.

Reason: To ensure the safety and amenity of residents and the wider community in accordance with policy RE7 of the Oxford Local Plan 2036.

EV charging

19. Prior to the commencement of above ground works, details of the Electric Vehicle charging infrastructure that is proposed to be installed on-site shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include the following:
- Location of EV charging points
 - Charging points to cover at least 25% of the total parking provision and charging points for each allocated residential space
 - Appropriate cable provision to prepare for increased demand in future years.

The electric vehicle infrastructure shall be formed, and laid out in accordance with approved details before the development is first occupied and shall remain in place thereafter.

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

Noise to habitable rooms

20. All habitable rooms exposed to external road traffic noise in excess of 55dBA Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 45dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 35 dBA Leq 16 hour during the day and 30dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be able to be effectively ventilated without opening windows.

No dwelling shall be occupied until the approved sound insulation and ventilation measures have been installed to that property in accordance with the approved details. The approved measures shall be retained thereafter in perpetuity.

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

Noise level in outdoor living areas

21. The maximum daytime noise level in outdoor living areas exposed to external road traffic noise shall not exceed 50 dBA Leq 16 hour [free field]. The scheme of noise mitigation as approved shall be constructed in its entirety prior to the first occupation of any dwelling and shall be retained thereafter in perpetuity.

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

Sound insulation

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

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

Noise emitted from plant

23. Noise emitted from plant and equipment located at the site shall be controlled such that the rating level, calculated in accordance with BS4142 2014, does not exceed a level of 10dB below the existing background level, with no tonal element to the plant.

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

Construction Environmental Management Plan (CEMP)

24. Prior to the commencement of the development, including demolition, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, air quality*, vibration, dust** and waste disposal resulting from the site preparation, ground work and construction phases of the development and manage Heavy Goods Vehicle (HGV) access to the site. Measures to minimise the impact on air quality shall include HGV routes avoiding Air Quality Management Areas and avoid vehicle idling. The CEMP shall include a complete list of site specific dust mitigation measures and recommendations that are identified on page 37 of the submitted Air Quality Assessment. The approved CEMP shall be adhered to at all times, unless otherwise agreed in writing by the Local Planning Authority.

*The Institute of Air Quality Management <http://iaqm.co.uk/guidance/>

**The applicant shall have regard to BRE guide 'Control of Dust from Construction and Demolition' February 2003.

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

Extraction of cooking fumes

25. If at any time the use of parts of the development are to involve the preparation and cooking of hot food, the extraction of all fumes from the food preparation areas shall be mechanically extracted to a point to be agreed in writing by the Local Planning Authority, and the extraction system shall be provided with de-greasing and de-odourising filters. Details of the above equipment (including scaled schematics, location plans, odour attenuation measures and future maintenance) shall be submitted to and approved in writing by the Local Planning Authority prior to the installation and the equipment shall be installed in accordance with the approved details prior to commencement of use for the cooking of food. The equipment shall thereafter be maintained in accordance with the approved details.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected in accordance with policy RE7 of the Oxford Local Plan 2036.

BREEAM

26. Prior to first occupation of the development hereby approved, the full BREEAM assessment, confirming the achievement of a level of Excellent, for the non-residential elements of the scheme, shall be provided to and confirmed in writing by the Local Planning Authority.

Reason: To ensure the development incorporates sustainable construction and operational measures in compliance with policy RE1 of the Oxford Local Plan 2036.

Energy Statement addendum

27. Prior to the commencement of above ground works, an addendum to the approved energy statement shall be submitted to and approved in writing by the Local Planning Authority. The addendum shall include details of how materials will be recycled throughout the development process and demonstrate Part G2 water consumption target of 110 litres per person per day for residential development. The development shall be carried out in accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

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

Landscape plan

28. Prior to the commencement of above ground works, a landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include a survey of existing trees showing sizes and species, and indicate which it is requested should be removed, and shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner. The plan shall correspond to a schedule detailing plant numbers, sizes and nursery stock types.

Reason: In the interests of visual amenity in accordance policy G8 of the Oxford Local Plan 2036.

Landscape plan – implementation

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

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

Landscape proposals – reinstatement

30. 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 2036.

Landscape management plan

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

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

Landscape surface design – tree roots

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

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

Arboricultural Monitoring Programme (AMP)

33. Development, including demolition and enabling works, shall not commence until details of an AMP have been submitted to and approved in writing by the Local Planning Authority. The AMP shall include a schedule of a monitoring and reporting programme of all on-site supervision and checks of compliance with the details of the Tree Protection Plan and/ or Arboricultural Method Statement, as approved by the Local Planning Authority. The AMP shall include details of an appropriate Arboricultural Clerk of Works (ACoW) who shall conduct such monitoring and supervision, and a written and photographic record shall be submitted to the Local Planning Authority at scheduled intervals in accordance with the approved AMP.

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

Underground services – tree roots

34. Prior to the commencement of development, details of the location of all underground services and soakaways shall be submitted to and approved in writing by the Local Planning Authority. The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas of retained trees as defined in the current British Standard 5837 "Trees in Relation to Design, Demolition and Construction - Recommendations". Works shall only be carried out in accordance with the approved details unless otherwise agreed in writing beforehand by the local planning authority.

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

Tree Protection Plan

35. The development shall be carried out in strict accordance with the tree protection measures contained within the planning application details shown on the following drawing numbers unless otherwise agreed in writing beforehand by the Local Planning Authority:
- 101-THO-DRW-TPP-ADDENDUM-01 SW 220322 – Overview
 - 101-THO-DRW-TPP-ADDENDUM-01 SW 220322 – Plan 1
 - 101-THO-DRW-TPP-ADDENDUM-01 SW 220322 – Plan 2
 - 101-THO-DRW-TPP-ADDENDUM-01 SW 220322 – Plan 3

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

Arboricultural Method Statement (AMS)

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

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

Foul Water

37. The development shall not be occupied until confirmation has been provided to the Local Planning Authority in writing that either:- 1. All foul water network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A development and infrastructure phasing plan has been agreed with the Local Planning Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning.

Reason: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

Construction within 5m of strategic water main

38. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset/ align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, shall be submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure. Please read Thames Water guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near Thames Water pipes or other structures. Should you require further information please contact Thames Water developer.services@thameswater.co.uk

Piling method statement

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

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure. Please read Thames Water guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near Thames Water pipes or other structures. Should you require further information please contact Thames Water developer.services@thameswater.co.uk

Water network capacity

40. No development shall be occupied until confirmation has been provided in writing to the Local Planning Authority that either:- 1) all water network

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

Reason: The development may lead to no/ low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

Cycle parking

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

Reason: To encourage the use of sustainable modes of transport and reduce the potential for crime in accordance with policies M5 and RE7 of the Oxford Local Plan 2036.

Car parking enforcement plan

42. Prior to first occupation of the development, a car parking enforcement and management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall remain in place for the duration of the scheme's life.

Reason: To enforce the low-car nature of the development and avoid conflict between residents in accordance with policies M3 and RE7 of the Oxford Local Plan 2036.

Construction Traffic Management Plan (CTMP)

43. Prior to the commencement of development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall follow Oxfordshire County Council's template. This should identify;
- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman.
 - Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
 - Details of wheel cleaning / wash facilities to prevent mud, etc. from migrating onto the adjacent highway,

- Contact details for the Site Supervisor responsible for on-site works,
- Travel initiatives for site related worker vehicles,
- Parking provision for site related worker vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
- Engagement with local residents/

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 M2 and RE7 of the Oxford Local Plan 2036.

Travel Plans

44. Prior to first occupation, the following Travel Plans shall be submitted to and approved in writing by the Local Planning Authority:
- Framework Travel Plan
 - Residential Travel Plan
 - Hotel Travel Plan
 - Class E Travel Plan

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

Drainage strategy compliance

45. Prior to first occupation, the approved drainage system shall be implemented in accordance with the following plans and documents:
- Flood Risk Assessment and Drainage Strategy (Cole Easdon Consultants, Issue 5 July 2022)
 - Typical paving details (dwg. No. BMD.20.011.DR.501)
 - Impermeable area plan (dwg. No. 7412/502, Rev C)
 - Proposed drainage and SuDS layout and details (dwg. No. 7412/503/01)
 - Proposed drainage and SuDS layout and details (dwg. no. 7412/503/02)
 - All relevant hydraulic calculations produced via Microdrainage (10th June 2022)

Reason: To ensure that the principles of sustainable drainage are incorporated into the proposed development in accordance with policy RE4 of the Oxford Local Plan 2036.

SuDS

46. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority

for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- As built plans in both .pdf and .shp file format;
- Photographs to document each key stage of the drainage system when installed on site;
- Photographs to document the completed installation of the drainage structures on site;
- The name and contact details of any appointed management company information.

Reason: To ensure compliance with policy RE4 of the Oxford Local Plan 2036.

District Licensing for Great Crested Newts

47. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's organisational licence (WML-OR112) and with the proposals detailed on plan "Thornhill Park: Impact plan for great crested newt District Licensing (Version 5)", dated 3rd November 2022.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence WML-OR112.

48. No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR112), confirming that all necessary measures in regard to great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the local planning authority and the local authority has provided authorisation for the development to proceed under the district newt licence.

The Delivery Partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts.

49. No development hereby permitted shall take place except in accordance with Part 1 of the GCN Mitigation Principles, as set out in the District Licence WML-OR112 and in addition in compliance with the following:

- Works to existing ponds onsite may only be undertaken during autumn/winter, unless otherwise in accordance with the GCN Mitigation Principles.
- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.
- Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e. hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development).

- Amphibian fencing and pitfall trapping must be undertaken at suitable habitats and features, prior to commencement of the development.

Reason: In order to adequately mitigate impacts on great crested newts.

Protection of roosting bats

50. Prior to the commencement of any works affecting bats or their roosts, evidence of the receipt of a European protected species licence from Natural England, or the successful registration of the site under the bat mitigation class licence, specific to this development, shall be submitted to the local planning authority.

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

Compliance with existing detailed biodiversity method statements

51. The development hereby approved shall be implemented strictly in accordance with the mitigation measures stated in Section 6.3 of the 'Bat Survey Report' produced by Greengage and dated November 2022, or as modified by a relevant European Protected Species Licence. All bat roosting devices shall be installed by the completion of the development and retained as such thereafter.

Reason: To comply with The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats Regulations 2017 (as amended) and enhance biodiversity in Oxford City in accordance with the National Planning Policy Framework.

Time limit on development before further bat surveys are required

52. If the development hereby approved does not commence within eighteen months from the date of the last bat emergence survey, in this instance by March 2024, further ecological survey(s) shall be commissioned to establish if there have been any changes in the presence or abundance 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).

Lighting design strategy for light-sensitive biodiversity

53. Prior to occupation, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To comply with the Wildlife and Countryside Act 1981 (as amended) and Conservation of Habitats and Species Regulations 2017 (as amended).

Badgers

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

Reason: To ensure these protected species are unharmed by the proposed development in accordance with policy G2 of the Oxford Local Plan 2036.

Construction Environmental Management Plan (Biodiversity)

55. No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of “biodiversity protection zones” in respect of protected and notable species and habitats;
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on biodiversity during construction (may be provided as a set of method statements) and biosecurity protocols;
- d) The location and timing of sensitive works to avoid harm to biodiversity features;

- e) Contingency/emergence measures for accidents and unexpected events, along with remedial measures;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of a qualified ecological clerk of works (ECoW) or similarly competent person if required, and times and activities during construction when they need to be present to oversee works; and
- h) Use of protective fences, exclusion barriers and warning signs;

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

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

Landscape scheme

56. Before the occupation of the development hereby approved, a comprehensive landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme must show details of all planting areas, tree and plant species, numbers and planting sizes. The entire landscaping scheme shall be completed by the end of the planting season immediately following the completion of the development or the site being brought into use, whichever is the sooner.

Reason: To enhance biodiversity in the City in accordance with the National Planning Policy Framework.

Landscape Ecological Management Plan (LEMP)

57. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- 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.

Reason: To comply with the Wildlife and Countryside Act 1981 (as amended) and Conservation of Habitats and Species Regulations 2017 (as amended) and to enhance biodiversity in Oxford City in accordance with the National Planning Policy Framework.

Ecological enhancements

58. Prior to the commencement of development, a scheme of ecological enhancements shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme will include specifications and locations of landscape planting of known benefit to wildlife, including nectar resources for invertebrates. Details shall be provided of artificial roost features, including bird and bat boxes. This shall include a minimum of 50 swift bricks. Other features, such as hedgehog domes and invertebrate houses shall be included. Any new fencing will include gaps suitable for the safe passage of hedgehogs.

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

Informatives:

1. The proposed development is located within 20m of a Thames Water Sewage Pumping Station and this is contrary to best practice set out in Codes for Adoption (<https://www.thameswater.co.uk/developers/larger-scale-developments/sewers-and-wastewater/adopting-a-sewer>) Future occupiers of the development should be made aware that they could periodically experience adverse amenity impacts from the pumping station in the form of odour, light, vibration and/or noise.
2. It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.
3. It is recommended that the NatureSpace certificate is submitted to this planning authority at least 6 months prior to the intended commencement of any works on site.
4. It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority (which permits the development to proceed under the District Licence WML-OR112) are not licensed under the GCN District Licence. Any such works or activities have no legal protection under the GCN District Licence and

if offences against GCN are thereby committed then criminal investigation and prosecution by the police may follow.

It is essential to note that any ground investigations, site preparatory works and ground / vegetation clearance works / activities (where not constituting development under the Town and Country Planning Act 1990) in a red zone site authorised under the District Licence but which fail to respect controls equivalent to those in the condition above (relating to the use of best practice and measures outline in the Great Crested Newt Mitigation Principles) would give rise to separate criminal liability under District Licence condition 12 (requiring authorised developers to comply with the District Licence) and condition 17 (which requires all authorised developers to comply with the GCN Mitigation Principles) (for which Natural England is the enforcing authority); and may also give rise to criminal liability under the Wildlife & Countryside Act 1981 (as amended) and/or the Conservation of Habitats and Species Regulations 2017 (for which the Police would be the enforcing authority).

14. APPENDICES

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

15. HUMAN RIGHTS ACT 1998

15.1. 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.

16. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

16.1. 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.