

## OXFORD CITY PLANNING COMMITTEE

21st March 2023

<b>Application number:</b>	22/02799/FUL		
<b>Decision due by</b>	20th March 2023		
<b>Extension of time</b>	29 <sup>th</sup> March 2023		
<b>Proposal</b>	Erection of three storey student accommodation building (use class C2). Provision of vehicular parking and soft landscaping.		
<b>Site address</b>	Wolfson College , Linton Road, Oxford, Oxfordshire – see <b>Appendix 1</b> for site plan		
<b>Ward</b>	Summertown		
<b>Case officer</b>	Jennifer Coppock		
<b>Agent:</b>	Jean Wang	<b>Applicant:</b>	Mr Richard Morin
<b>Reason at Committee</b>	Major development		

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### 1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

- 1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission; and
- 1.1.2. **delegate authority** to the Head of Planning Services to:
- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.
  - resolve any outstanding comments and objections from the Lead Local Flood Authority (LLFA) and finalise recommended conditions.

### 2. EXECUTIVE SUMMARY

- 2.1. This report considers the proposal for the erection of 1no. three storey student accommodation building with en-suite bedrooms, kitchens/ living rooms and common rooms within the Wolfson College campus. Officers consider that the proposed development would respond appropriately to the site context, adjacent listed buildings and wider Conservation Area. The proposal would accommodate 50 students who would otherwise be displaced within the City's private housing

market, thereby releasing additional homes for occupation by individuals and families.

- 2.2. The development would result in a net gain in tree canopy cover through new and retained soft landscaping and a Biodiversity Net Gain of 7.53% as required by policy. There would be no harm to any identified protected species. The development would be of sustainable design and construction, achieving a 46% reduction in carbon emissions when set against the 2021 Part L Building Regulations. The proposed development would effectively be car free with the significant reduction in existing parking and the 3no. proposed spaces (2no. accessible and 1no. loading bay) being made available for existing staff and visitors. Students would not be permitted to park on site. Adequate cycle parking is already provided on site to serve existing and prospective students. There would be no adverse land contamination, noise pollution or air quality impact. The LLFA has objected to the revised Drainage Strategy which does not include sufficient infiltration testing results, however it is anticipated that any outstanding concerns can be satisfactorily resolved by officers following Committee.
- 2.3. Subject to appropriately worded conditions, the development would accord with all policies in the Oxford Local Plan 2036 and NPPF.

### **3. LEGAL AGREEMENT**

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

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

- 4.1. The proposal is liable for CIL payments totalling £289,930.00.

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

- 5.1. The application site sits within the wider Grade II listed Wolfson College campus, accessed from Linton Road. The existing listed buildings at Wolfson, designed by architects Powell and Moya, occupy the majority of the campus with varying quad forms, responding to the riparian setting. The application site comprises an existing ground level, hard surfaced and impermeable car park with provision for approximately 34 standard spaces plus 1 accessible space. Immediately west of the car park lies an area of lawn surrounded by landscaping which also forms part of the application site.
- 5.2. Surrounding land uses include College accommodation and dining facilities to the north, landscaping and the River Cherwell to the east, a residential dwelling accessed from Bardwell Road to the south and residential dwellings fronting Chadlington Road to the west.
- 5.3. The application site falls within the North Oxford Victorian Suburb Conservation Area. The site lies wholly within flood zone 1 (lowest probability of flooding).



**Figure 1: Proposed site plan**

## **6. PROPOSAL**

- 6.1. The College is in the process of developing a masterplan for the whole Wolfson campus which seeks to explore how the Estate might be developed over the next 15-20 years. The masterplan would make it possible for more members of its community to live on campus. The masterplan provides space for a range of possible academic and research activities and functions; a mix of accommodation for individuals, couples and families; workspace for external academic and/or research institutes; gym and fitness facilities; staff offices and welfare facilities; flexible multi-use spaces; and new cycle and electric vehicle parking.
- 6.2. The proposals, that form this planning application, include the erection of 1 no. three storey flat roof building 'the Garden Building' with a floorspace of approximately 1,835sq. m. to provide 50 en-suite student rooms with kitchens, dining and social spaces on each floor. The building would not be physically linked to the existing college campus buildings, but would be linked visually with its entrance in line with the adjacent walkway to block B. The proposed building would largely sit on the footprint of the existing car park. Replacement car parking, at a much reduced quantity of 3 spaces, is proposed on the area of lawn immediately to the west of the Garden Building.

## **7. RELEVANT PLANNING HISTORY**

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

90/00909/NRH - Erection of 12X1 bed flats and 12X2 bed maisonettes- in 3 blocks. (Reserved Matters of NOH/271/87). Approved 9th January 1991.

90/01008/NFH - Erection of Institute for Chinese Studies on two floors and basement, 2 room flat, raised courtyard, parking for 24 cars(4 at ground level, 20 under courtyard) new access road (amended plans). Approved 13th November 1991.

94/01506/NFH - Change of use of 4 guest bedrooms and common room to form library extension, including external alterations and enclosure of staircases at ground level. (Amended plans). Approved 14th December 1994.

96/01662/NXH - Erection of Academic Research Centre for Wolfson College on two floors and basement; 2 room flat, raised courtyard, parking for 20 cars under courtyard and new access road. (Extension of permission NFH/1008/90). Approved 13th February 1997.

07/01806/FUL - Erection of new accommodation block to provide 18 study bedrooms and 4 study flats. Repositioning of tennis courts. Approved 25th April 2008.

09/02578/FUL - Construction of extension to college to provide new academic offices, seminar rooms, lecture theatre, porters lodge and foyer. Provision of replacement cycle parking spaces, 3 car parking spaces and bus bay. Approved 18th January 2010.

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:  Summertown and St Margaret's Neighbourhood Plan
Design	126-136	DH1 - High quality design and placemaking  DH7 - External servicing features and stores		HOS2 – Local character and distinctiveness  HOS3 – Density, building design standards and energy efficiency
Conservation/ Heritage	189-208	DH3 - Designated heritage assets  DH4 - Archaeological remains		

<b>Housing</b>	60-77	H8 - Provision of new student accommodation  H14 - Privacy, daylight and sunlight		
<b>Natural environment</b>	174-188	RE4 - Sustainable and foul drainage, surface  G2 - Protection of biodiversity geo-diversity  G7 - Protection of existing Green Infrastructure  G8 - New and enhanced Green and Blue Infrastructure		ENC3 – Protecting tree cover
<b>Social and community</b>	92-103	RE5 - Health, wellbeing, and Health Impact Assessment		
<b>Transport</b>	104-113	M1 - Prioritising walking, cycling and public transport  M2 - Assessing and managing development  M3 - Motor vehicle parking  M4 - Provision of electric charging points  M5 - Bicycle Parking	Parking Standards SPD	TRS2 – Sustainable transport
<b>Environmental</b>	152-173	RE1 - Sustainable design and construction  RE6 - Air	Energy Statement TAN	ENS2 – Renewable energy  ENS4 – Air pollution

		Quality  RE8 - Noise and vibration  RE9 - Land Quality		ENC2 – Renewable and low carbon energy
Miscellaneous	7-14	S1 - Sustainable development  RE2 - Efficient use of Land  RE7 - Managing the impact of development	External Wall Insulation TAN,	

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 20th December 2022 and an advertisement was published in The Oxford Times newspaper on 29th December 2022.

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

#### Oxfordshire County Council (Highways)

9.2. No objection, subject to conditions.

#### Oxfordshire County Council (Drainage)

9.3. The LLFA has objected to the proposal on the basis that insufficient infiltration test results have been provided.

9.4. **Officer response:** Officers have corresponded with the applicant regarding this objection and await a further amended Drainage Strategy which addresses the outstanding objection. Planning permission would not be granted until the LLFA has removed its objection and recommended appropriate conditions.

#### Thames Water Utilities Limited

9.5. No objection, subject to conditions.

#### Thames Valley Police

9.6. No objection, subject to conditions.

9.7. **Officer response:** An objection was initially raised, however following correspondence with the TVP Officer it is now understood that the proposal sits within the wider Wolfson College campus which is managed by staff located in the entrance lodge and around the site. The proposal does not include cycle

parking provision as the existing provision within the campus exceeds Local Plan standards for the existing and proposed development. Given the nature of the proposal, within the wider College campus, it is not considered necessary by officers to require additional details prior to determination nor is the management of the postal service and security of concern. This was agreed by TVP in an email dated 20<sup>th</sup> February 2023.

Historic England

9.8. No comment.

Oxford Preservation Trust

9.9. No objection.

**Public representations**

9.10. No local people commented on this application.

**10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- a) Principle of development
- b) Design and impact on the historic environment
- c) Archaeology
- d) Impact on neighbouring amenity
- e) Landscaping and trees
- f) Sustainability
- g) Air Quality
- h) Noise
- i) Land Quality
- j) Highways and parking
- k) Ecology
- l) Flood risk and drainage

**a) Principle of development**

10.2. The NPPF sets out the presumption in favour of sustainable development and the Core Principles encourage the efficient use of previously developed land. Policies S1 and RE2 of the Oxford Local Plan 2036 are consistent with this approach, policy RE2 requires that development proposals must make best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford. The development proposal must have a density appropriate for the proposed use, with an appropriate scale

and massing, maximise the appropriate density with a built form and site layout appropriate to the capacity of the site.

10.3. Local Plan Policy H8 permits new student accommodation on existing College campus sites where the use during university terms or semesters is to accommodate students being taught or conducting research at that site. The development would need to comply with parking standards that allow only operational and disabled parking, and a mechanism to prevent residents from parking their cars anywhere on the site, (unless a disabled vehicle is required), would need to be provided.

10.4. Policy H8 continues that planning permission will only be granted for student accommodation if:

- a) student accommodation will be restricted in occupation to fulltime students enrolled in courses of one academic year or more, subject to the provisions of criterion e below; and
- b) for developments of 20 or more bedrooms, the design includes indoor communal amenity space for students to gather and socialise; and
- c) a management regime has been agreed with the City Council that will be implemented on first occupation of the development (to be secured by a planning obligation); and
- d) the development complies with parking standards that allow only operational and disabled parking, and the developer undertakes and provides a mechanism to prevent residents from parking their cars anywhere on the site, (unless a disabled vehicle is required), which the developer shall thereafter monitor and enforce; and
- e) a management strategy is agreed if it is intended there will be occupants other than students meeting the definition set in criterion a) outside of term times.

10.5. Taking each criterion in turn:

- a) The postgraduate students residing in the accommodation would be enrolled at Wolfson College for at least one academic year. A condition would be attached, requiring a copy of the student tenancy agreements with a clause stipulating that tenancies are to be a minimum of 12 months.
- b) The proposed accommodation provides easily accessible internal communal space for students to socialise in the form of kitchen/ living rooms and quiet common rooms on each floor. Furthermore, the accommodation forms part of the wider College campus where there is a dining hall, gym and social spaces.
- c) The provision of a sufficient management regime would be secured by condition.
- d) The proposal seeks to reduce the existing staff and visitor parking spaces on site from 35 to 3 (2no. blue badge and 1no. loading bay), there is no parking proposed in association with the new student accommodation building which is



considered acceptable in compliance with Local Plan policy M3 – as set out in more details at paragraph 10.26 below. A copy of the student's tenancy agreements would be required by condition to ensure that there is a clause preventing students from parking anywhere on the campus in order to comply with policy H8.

e) A management strategy would be secured by condition.

10.6. In light of the above, it is considered that the proposed development would comply with Local Plan policy H8 subject to the completion of satisfactory management agreements as set out above. It is therefore considered that the proposal to provide new student accommodation within the Wolfson College campus would be acceptable in principle subject to other material considerations set out below, and would make more efficient use of land when compared to the existing car park.

10.7. For clarity, this proposal would be exempt from making a financial contribution towards affordable housing, in accordance with policy H2, as the site is within an existing student campus.

#### **b) Design and impact on the historic environment**

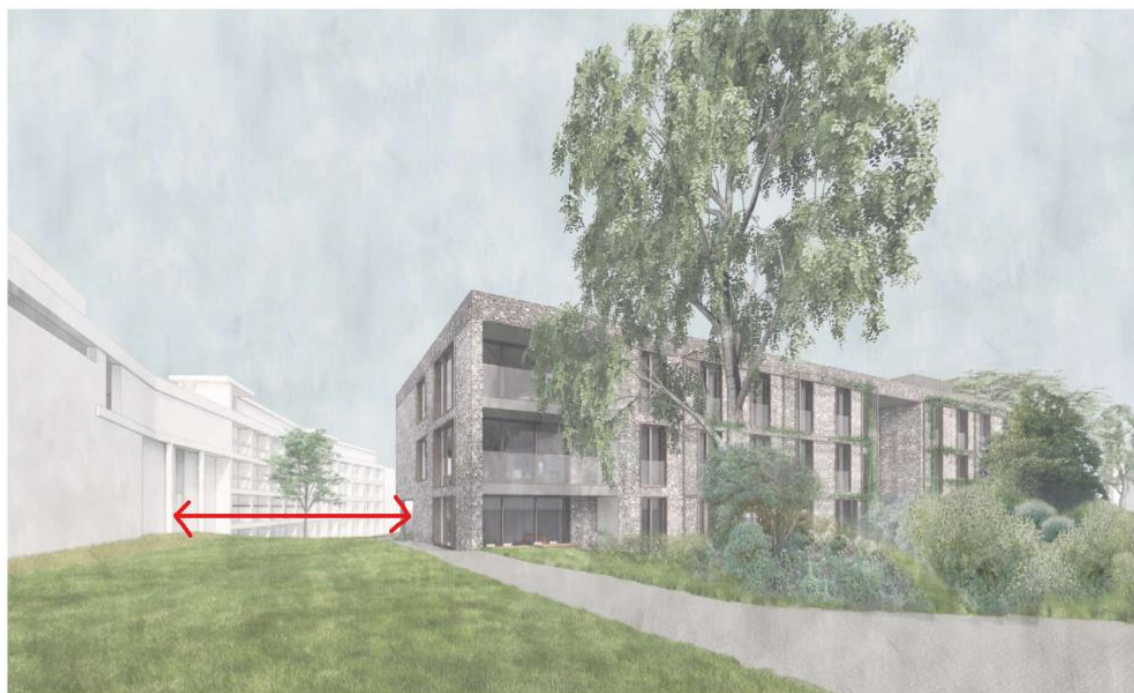
10.8. Policy DH1 states that planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness. Policy DH3 requires development to respect and draw inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset and locality.

10.9. When determining an application affecting a Conservation Area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended and Chapter 16 of the NPPF which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.

10.10. In accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant planning permission, special regard should be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

10.11. The application site lies on the southern side of the Wolfson College campus designed by Powell and Moya (P&M) in the late 1960's, adjacent to the dining hall and 'B' Block of that original group of buildings in an area of more discrete, enclosed gardens but where there are glimpsed views through to the expansive landscape which provides the eastern setting to the College buildings. The transition from the solid, punctuated facades of the dining hall and kitchens to the more open and rhythmic architecture in the expressed concrete frame of Block 'B' is significant and has been recognised as such. It is evident that the clarity of a connection through the sequence of semi-outdoor, covered walkways through the P&M buildings back to the entrance foyer of the College is considered to be

important in the siting and alignment of the Garden Building, which allows a visual connection between the two. The clearly demarcated inset entrance, generous lobby and expanse of glazing along the northern elevation allow a strong and clear connection through to the P&M campus whilst maintaining a physical separation between the buildings and reinforcing that important sense of inside out which punctuates journeys through the existing College spaces. Please refer to figure 2 below:



View from west elevation

**Figure 2: View of proposed building from the west elevation**

- 10.12. The proposed use of knapped flint walling is an interesting response to the textured concrete faces of the P&M buildings. Further, the strong horizontality of the P&M buildings has been referenced in the proposal whilst still holding onto the distinctive architecture of the new building, a clearly 21<sup>st</sup> century addition to the site.
- 10.13. The use of climbing plants to bed the building into its immediate garden setting is intelligent and the connection of the inside and out, a strong theme of the original architecture, is well considered. The internal layout has also been carefully developed with functional and flexible rooms and shared spaces.
- 10.14. Mechanical plant is to be placed on the rooftop. Rooftops are considered as the fifth elevation and the approach to set the timber louvered plant enclosures back and line them up with the louvres at the east and west elevations, as illustrated below, successfully ensures that the enclosures are read as an integral part of the built form.



View from east elevation

**Figure 3: east elevation illustrating louvred rooftop mechanical plan enclosures.**

- 10.15. As required by Local Plan policy DH2, the City Council will seek to retain significant views both within Oxford and from outside.
- 10.16. The view below (figure 4) is included within the submitted Landscape and Visual Assessment and has been taken from the edge of the eastern river bank rather than the footpath which is sited further back due to vegetation largely screening the site when on the footpath. The view indicates that the proposal would have a minor impact on this due to the layered vegetation, even in winter months, and distance from the proposed building. The proposed building would likely be viewed as an extension to the existing College roofscape and is not considered harmful.



**Figure 4: View from across the River Cherwell (yellow dashed line denotes proposed building)**

- 10.17. The view below at figure 5 was taken from the Cherwell Boathouse car park (accessed off Bardwell Road). A small section of roof would be visible throughout the year, however the branch structure of the layered vegetation within the site and surrounding gardens would provide year round screening, softening the presence of the building which is considered acceptable.





**Figure 5: View from Cherwell Boathouse car park (yellow dashed line denotes proposed building)**

- 10.18. From Chadlington Road, to the west of the application site, the building would be well screened by mature trees and shrubs within the site and neighbouring gardens as illustrated below in figure 6.



**Figure 6: View from Chadlington Road (yellow dashed line denotes proposed building)**

- 10.19. The architectural significance of the P&M listed buildings and their setting are the two fundamental aspects that should be preserved and not harmed, as well as the setting of the North Oxford Victorian Suburb Conservation Area. Taking into account all of the above, it is considered that the proposal sits comfortably in both its immediate and wider context and responds intelligently to both the robust architecture of its host buildings as well as to the very particular landscape setting that surrounds them. It is concluded that the proposal would not harm the setting of the P&M listed buildings and would preserve the character and appearance of the Conservation Area, in accordance with Section 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Local Plan Policies DH1 and DH3 and chapter 16 of the NPPF.

### **c) Archaeology**

- 10.20. Local Plan policy DH4 states that where archaeological deposits and features are suspected to be present (including upstanding remains), applications should include sufficient information to define their character, significance and extent of such deposits so far as reasonably practical.
- 10.21. The site is of archaeological interest due to its scale and its location on the Summertown Radley gravel terrace, adjacent to the River Cherwell in an area that has not previously been subject to significant archaeological investigation but that has general potential for dispersed prehistoric and Roman settlement and related rural activity (field systems, burials etc.).

- 10.22. In light of the above, a condition requiring archaeological trial trenching and stage 2 mitigation by re-design of recording as appropriate shall be attached to any planning permission to ensure that the development would not have a damaging effect on known or suspected elements of the historic environment in accordance with Local Plan Policy DH4 and paragraphs 203 and 205 of the NPPF.

**d) Impact on neighbouring amenity**

- 10.23. 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.
- 10.24. The nearest residential neighbour lies approximately 4m south of the site boundary with its landing window (a non-habitable room) overlooking the existing car park at first floor level. The ground floor windows are shielded from view by boundary treatments and mature trees that are to be retained.
- 10.25. The proposed plans indicate that the student accommodation building would sit approximately 16m from the neighbouring dwelling and only 3no. small windows to the corridors would be located at the southern elevation, avoiding any potential overlooking. Due to the sites position to the north of the neighbouring dwelling, it is not considered that the proposal would impact on the amount of sunlight received by neighbours nor would it be deemed overbearing to neighbours given the distance between the two buildings and existing and proposed intervening vegetation.
- 10.26. With regards to neighbours fronting Chadlington Road that would be located approximately 77m to the west of the proposed building, it is considered that the proposal would not lead to overlooking nor would it appear overbearing due to the distance between the two and intervening vegetation, as demonstrated at figure 6 above. In terms of loss of daylight and sunlight, the proposal would sit to the east of these neighbours and, again, given the distance of the proposal from these dwellings, it is not considered that neighbours would experience a loss of daylight or sunlight.
- 10.27. In order to protect the amenity of neighbours during the construction process, a condition would be imposed to require the submission of a Construction Environmental Management Plan, including dust mitigation measures, prior to the commencement of development. Further, a condition would be attached to any planning permission requiring confirmation that noise emitted from the proposed mechanical plant would not exceed the existing background level at any noise sensitive receptors (residential neighbours).
- 10.28. 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.

### **e) Landscaping and trees**

- 10.29. 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.
- 10.30. Seven category B and C trees are proposed for removal, including for reasons of arboricultural management unrelated to the proposed development, which is considered acceptable.
- 10.31. 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 non-residential developments, it needs to be demonstrated that there would be no net loss in canopy cover compared with a no development baseline scenario + 25 years. The submitted Assessment demonstrates a net gain in canopy cover of 2.74% at year 25 years and 3% at year 30, therefore complying with Local Plan Policy G7.

### **f) Sustainability**

- 10.32. Policy RE1 requires developments for new build non-residential development of over 1,000sq. m. to achieve at least a 40% reduction in carbon emissions from a 2013 Building Regulations (or future equivalent legislation) compliant base case. As Planning Committee will be aware, the new 2021 building regulations were introduced in June 2022 and form the basis of the submitted Energy Statement.
- 10.33. The submitted Energy Statement demonstrates the proposed development can achieve a 46% reduction in carbon emissions by using high quality building fabric, the use of Air Source Heat Pumps (ASHP) and 200 sq. m. of solar PV array on the roof.
- 10.34. In light of the above, 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.

### **g) Air Quality**

- 10.35. Policy RE6 of the Oxford Local Plan 2036 requires new development to mitigate its impact on air quality and minimise or reduce exposure to poor air quality.
- 10.36. The air quality baseline desk assessment demonstrates that current air quality levels at the application site are below relevant air quality objectives for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations. Therefore, its location is considered suitable for the introduction of future residents without mitigation.
- 10.37. As above, the proposed development would incorporate an all-electric approach consisting of ASHP as the main energy source and mechanical ventilation with heat recovery for ventilation purposes and therefore, no combustion emission sources associated with heat and/or electricity generation are proposed. As such,



an assessment of emissions from energy systems during the operational phase of the development has been scoped out.

- 10.38. The proposed development is considered to be 'car free', resulting in a net reduction in parking provision and therefore, a reduction in developmental vehicle trips relative to the existing use. As such, road traffic impacts associated with the operational phase would have an insignificant effect on local air quality and no further assessment is required.
- 10.39. The impacts of construction work on dust soiling and ambient fine particulate matter concentrations have been assessed in the AQA, 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 which would be secured by condition.
- 10.40. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE6, subject to suggested conditions set out at section 12 below.

#### **h) Noise**

- 10.42. 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.
- 10.43. Mechanical plant units would be installed on the roof of the proposed building and have the facility to operate 24/7. The nearest identified noise sensitive receptor has been identified as the residential dwelling to the south of the site, at approximately 16m from the closest proposed façade.
- 10.44. Proposed plant noise level criteria have been adequately predicted at the identified receptors taking into consideration distance losses, surface acoustic reflections and, where applicable, screening provided by the building. Based on the results of the submitted noise assessment, noise limits for the proposed plant have been adequately calculated and should not have an adverse impact on the nearest sensitive receivers.
- 10.45. Conditions requiring proposed plant noise to fall below existing local background levels and the installation of anti-vibration isolators would be attached to any planning permission to ensure that amenity of occupiers and neighbours is protected.
- 10.46. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE8.

#### **i) Land Quality**

- 10.47. 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.

- 10.48. Historical documentation and plans indicate that the site has not had previous potentially contaminative use, although the current parking area could give rise to slight potential contamination risks and there is likely to be a mantle of made ground across the site which could harbour slight contamination risks.
- 10.49. The submitted Phase I Desk Study report recommends that a Phase II intrusive site investigation is completed to confirm likely absence of potential ground contamination risks to potential receptors – this approach is considered reasonable. It is therefore recommended that intrusive investigative works are conditioned along with a remediation strategy to ensure compliance with Local Plan policy RE9.

#### **j) Highways and parking**

- 10.50. 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. For non-residential development, the presumption will be that vehicle parking will be kept to the minimum necessary to ensure the successful functioning of the development. Further, Policy H8 (provision of new student accommodation) allows only operational and disabled parking for student accommodation developments and requires the developer to undertake and provide a mechanism to prevent residents from parking their cars anywhere on the site. Policies M1, M2, M3, M4 and M5 of the Oxford Local Plan 2036 seek to deliver these objectives.
- 10.51. As set out above, the proposed building would replace the existing 36 space car park with the placement of 2no. accessible spaces and 1no. loading bay for use by existing staff and visitors. The students residing in the new building would not be permitted to park on-site. This strategy fully accords with policies M1, M3 and H8 of the Oxford Local Plan 2036. As set out within the submitted Travel Plan, four EV charging points are to be installed to serve existing parking spaces throughout the campus. Details of the EV charging infrastructure would be secured by condition in accordance with policy M4.
- 10.52. With regards to cycle parking, there are currently 458 cycle parking spaces within the campus, of which 282 are covered. Approximately 300 existing students and fellows live on site, therefore there is adequate existing provision to serve the 50 prospective students in line with the requirements of Local Plan Policy M5.
- 10.53. In light of the above, it is considered that the proposed development complies with Local Plan policies M1, M2, M3, M4 and M5.

#### **k) Ecology**

- 10.54. 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. Section 98 and Schedule 14 of the Environmental Protection Act 2021 that require biodiversity of 10% is not yet in force and the policy therefore prevails.

- 10.55. The submitted Ecological Appraisal identifies potential impacts and appropriate mitigation in relation to roosting bats, badger, otter, hedgehog, nesting birds, reptiles, amphibians and invertebrates. To ensure appropriate mitigation, a Construction Ecological Management Plan (CEMP) and Landscape and Ecological Management Plan (LEMP) would be conditioned.
- 10.56. It is important that the River Cherwell – a likely important corridor for bats – is not subject to any artificial illumination, in accordance with professional guidelines ('Bats and artificial lighting in the UK'). The submitted illuminance contour plans indicate effective darkness would be achieved along the river corridor. To ensure that there would be no impacts on foraging and commuting bats as a result of the proposal, a finalised lighting strategy would be secured by condition.
- 10.57. The submitted Biodiversity Metric 3.1 indicates the development would result in a 7.53% increase in Biodiversity Net Gain.
- 10.58. In light of the above, it is considered that the proposed development would accord with policy G2 of the Oxford Local Plan 2036, subject to the conditions listed at section 12 below.

## **I) Flood Risk and Drainage**

- 10.59. Local Plan policy RE3 states that new development will be directed towards areas of low flood risk (Flood Zone 1). The site lies wholly within flood zone 1 and is therefore considered acceptable in this regard. Further, the site area falls below 1ha meaning that the application does not need to be accompanied by a Flood Risk Assessment.
- 10.60. 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.
- 10.61. As set out above, the LLFA has objected to the proposal on the basis that sufficient infiltration testing results have not been provided. It is therefore recommended that Committee delegate authority to the head of planning to work with the applicant to resolve this objection and attach recommended conditions.

## **11. CONCLUSION**

- 11.1. Officers consider that the proposed development to provide additional student accommodation within the Wolfson College campus would respond appropriately to the site context. The proposal would accommodate 50 students who are currently displaced within the City's private housing market, thereby releasing

additional homes for occupation by individuals and families (approximately up to 20 units). The development would result in a net gain in tree canopy cover through new and retained soft landscaping and a Biodiversity Net Gain of 7.53% as required by policy.

- 11.2. The scheme would accord with the Local Plan policies with regards to the natural environment and in turn would help to achieve a healthy local community.
- 11.3. In terms of any material considerations which may outweigh these development plan policies, the NPPF has a presumption in favour of sustainable development. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted. Policy S1 of the Oxford Local Plan 2036 repeats this.
- 11.4. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF and policy S1 for the reasons set out within the report. Therefore in such circumstances, planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 11.5. 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.
- 11.6. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.
- 11.7. 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.
- 11.8. 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. 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.

### *Materials*

3. Prior to above ground 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 external materials demonstrating the colour and texture;
  - b) Mechanical plant screening;
  - c) All new hard landscaping; and
  - d) 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.

### *Solar panels*

4. Prior to installation, large scale drawn details and specifications of the proposed vertical and horizontal 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 roof*

5. Prior to installation, specifications of and a maintenance plan for the proposed green roof 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.

### *Archaeology*

6. Prior to the commencement of development, a Written Scheme of Investigation (WSI) shall be submitted to and approved in writing by the Local Planning Authority. The WSI shall consist of two stages: 1) archaeological trial trenching and 2) further mitigation by redesign or archaeological recording (up to and including full archaeological recording of areas impacted by groundworks if required), as appropriate. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and:

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and;
- The programme of post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure that the development does not have a damaging effect on known or suspected elements of the historic environment in accordance with policy DH4 of the Oxford Local Plan 2036.

### *Student occupation*

7. During term time (any parts of a whole academic year that fall outside of the published term dates for the University of Oxford which may vary from year to year) the development hereby permitted shall be used for student accommodation occupied by students on full time courses (being not less than 24 weeks per academic year) and for no other purpose without the prior written approval of the Local Planning Authority. Outside term time (any parts of a whole academic year that fall outside of the published term dates for the University of Oxford which may vary from year to year) the permitted use may be extended to include accommodation for cultural and academic visitors and for conference and summer school delegates. The buildings shall be used for no other purpose without the prior written approval of the Local Planning Authority.

Reason: To avoid doubt and to allow the Local Planning Authority to give further consideration to other forms of occupation which may result in the loss of student accommodation, in accordance with Policy H8 of the Oxford Local Plan 2036.

*Tenancy agreements – no cars on site and student enrolment*

8. Prior to the first occupation of the approved development, details relating to tenancy agreement clauses that a) prohibits occupiers of the approved development from parking vehicles on site and b) states that the occupiers shall be enrolled on a full time course at the College for a minimum of 12 months shall be submitted to and approved in writing by the Local Planning Authority. The approved tenancy clauses shall be included with all tenancy agreements and signed by each occupier of the approved development prior to the commencement of their occupation of the approved building unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure compliance with policy H8 of the Oxford Local Plan 2036.

*Drop off arrangements*

9. Prior the first occupation of the approved development, details relating to the arrangements for a phased drop off of occupiers at the approved development at the start and end of term shall be submitted to and approved in writing by the Local Planning Authority. The submitted details will include information relating to the different periods of arrival and departure for occupiers of the building in the form of a timetable and corresponding plan indicating the time periods for drop off and collection of occupiers and their possessions from each of the student rooms. The information provided will also include the identified areas within the vicinity of the application site that shall be used as drop off or collection zones and how these spaces will be managed to minimise the impact of inconsiderate parking on nearby residential roads. The approved details and timetable shall be adhered to throughout each year unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies RE7 and H8 of the Oxford Local Plan 2036.

*Day-to-day management of student accommodation*

10. Details of the day to day management of the student accommodation permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The details as approved shall be brought into operation upon first occupation of the development and shall remain in place and be adhered to at all times thereafter unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To avoid doubt and in order to ensure the development is appropriately managed so as to protect the amenities of neighbouring occupiers, in accordance with policies RE7 and H8 of the Oxford Local Plan 2036.

*Construction Environmental Management Plan (CEMP)*

11. Prior to the commencement of development, a revised Construction Environmental Management Plan (CEMP), including a complete list of the site specific dust mitigation measures and recommendations that are identified on Table 7.1 (pages 19-20) of the submitted Air Quality Assessment, shall be submitted to and approved in writing by the Local Planning Authority.

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

*Electric Vehicle Charging Infrastructure*

12. Prior to the commencement of development, details of the Electric Vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following provision:
  - Location of EV charging points;
  - The amount of electric car charging points should cover at least 25% of the amount of permitted parking of the commercial development;
  - Appropriate cable provision to prepare for increased demand in future years.

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

Reason: To contribute to improving local air quality in accordance with policy M4 of the Oxford Local Plan 2036 and enable the provision of low emission vehicle infrastructure.

*Travel Plan*

13. Prior to first occupation a Travel Plan Statement and Residential Travel Information Pack shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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



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

14. Prior to the commencement of development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include:

- the routing of construction vehicles; and
- access arrangements for construction vehicles, details of times for construction traffic and delivery vehicles (which must be outside network peak and school peak hours to minimize the impact on the surrounding highway network)

The approved Construction Traffic Management Plan shall be implemented as approved unless otherwise first agreed in writing by the Local Planning Authority.

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

### *External noise level*

15. Prior to commencement of the development, details of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate shall be submitted to and approved in writing by the Local Planning Authority. The measures shall ensure that the rating level of the noise emitted from the proposed installation located at the site shall not exceed the existing background level at any noise sensitive premises when measured and corrected in accordance with BS4142:2014 +A1:2019 "Methods for rating and assessing industrial and commercial sound."

Reason: To ensure the amenity of occupiers and neighbours is not impacted by the proposed development in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

### *Anti-vibration isolators*

16. Prior to first occupation, the proposed plant installation and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such in perpetuity.

Reason: To ensure the amenity of occupiers and neighbours is not impacted by the proposed development in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

#### *Noise impact internally*

17. The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35dB LAeq 16hrs daytime (6am – 10pm) and of more than 30dB LAeq 8hrs in bedrooms at night (10pm-6am).

Reason: To ensure the amenity of occupiers is not impacted by the proposed development in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

#### *Secured by Design*

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

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

#### *Lighting strategy*

19. Prior to commencement of development, details of a proposed external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall set out the steps that will be taken to ensure that external lighting, including zonal/security lighting, particularly around parking areas, promotes a secure environment and does not cause a nuisance to local residents. The development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

#### *Landscape Plan*

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

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

#### *Landscape proposals – implementation*

21. The landscaping proposals as approved by the Local Planning Authority shall be carried out no later than the first planting season after first occupation or

first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

*Landscape proposals – reinstatement*

22. 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*

23. 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 policies G7, G8 and DH1 of the Oxford Local Plan 2036.

*Tree protection plan*

24. Prior to the commencement of development, a Tree Protection Plan (TPP) has been submitted to and approved in writing by the Local Planning Authority. The TPP shall include such details as are appropriate for the protection of retained trees during development, and shall be in accordance with the current BS. 5837: "Trees in Relation to Design, Demolition and Construction – Recommendations" unless otherwise agreed in writing by the Local Planning Authority.

The TPP shall include a scale plan indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. The approved physical protection measures shall be in place prior to the commencement of any development, including demolition or enabling works, and shall be retained for the duration of construction, unless otherwise agreed in writing beforehand by the Local Planning Authority.

The Local Planning Authority shall be informed in writing when physical measures are in place, in order to allow Officers to make an inspection prior to the commencement of development. No works or other activities including storage of materials shall take place within designated Construction Exclusion Zones 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.

*Landscape surface design – tree roots*

25. Prior to the commencement of development, details of the design of all new hard surfaces and a method statement for their construction shall be submitted to and approved in writing by the Local Planning Authority. 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 policies G7 and G8 of the Oxford Local Plan 2036.

*Underground services – tree roots*

26. 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.

*Arboricultural monitoring programme (AMP)*

27. Prior to the commencement of development, details of an Arboricultural Monitoring Programme (AMP) shall be 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

*Energy Strategy - compliance*

28. The development shall be implemented in strict accordance with the approved Energy Statement. Prior to the full occupation of the development evidence (including where relevant Energy Performance Certificate(s) (EPC), Standard Assessment Procedure (SAP) and Building Regulations UK, Part L (BRUKL) documents) shall be submitted to the Local Planning Authority to confirm that the energy systems have been implemented according to details laid out in the approved Energy Statement and achieve the target performance as approved.

Reason: To ensure compliance with policies S1 and RE1 of the Oxford Local Plan 2036.

*CEMP Biodiversity*

29. No development shall take place (including demolition, 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: To prevent harm to species and habitats within and outside the site during construction in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), The Wildlife and Countryside Act 1981 (as amended) and Policy G2 of the Oxford Local Plan 2036.

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

30. A Landscape and Ecological Management Plan (LEMP) shall be submitted to and 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 policy G2 of the Oxford Local Plan 2036 and the Wildlife and Countryside Act 1981.

#### *Badgers*

31. 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 shall 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 comply with the Protection of Badgers Act 1992.

### *Lighting strategy for biodiversity*

32. Prior to commencement, 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 internal and 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 bats using their territory or having access to their breeding sites and resting places.

All internal and 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 shall any other external lighting be installed without prior written consent from the Local Planning Authority.

Reason: To prevent harm to species and habitats within and outside the site during construction in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), The Wildlife and Countryside Act 1981 (as amended) and Policy G2 of the Oxford Local Plan 2036.

### *Ecological enhancements*

33. 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 bird nesting devices, bat roosting devices, a hedgehog nesting boxes, insect nest boxes and a reptile hibernaculum, as detailed in Section 5 of the Ecological Appraisal produced by The Landmark Practice and dated March 2023. Details must include the proposed specifications, locations and arrangements for any required maintenance of these items. The approved items shall be fully constructed prior to occupation of the approved dwellings and retained as such thereafter, unless otherwise approved in writing by the local planning authority.

Reason: To improve the biodiversity in Oxford City in accordance with Policy G8 of the Oxford Local Plan 2036 and the National Planning Policy Framework.

## **INFORMATIVES**

1. This development is liable for CIL.
2. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is

deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures they will undertake to demonstrate what measures they will undertake to minimise groundwater discharges into a public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed online via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

3. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/ minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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

4. Construction and demolition works and associated activities at the development, audible beyond the boundary of the site should not be carried out other than between the hours of 07:00 – 19:00 Monday to Friday daily, 08:00 – 13:00 on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer.
5. At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works should be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.
6. All waste materials and rubbish associated with demolition and/or construction should be contained on site in appropriate containers which, when full, should be promptly removed to a licensed disposal site.

### **13. APPENDICES**

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

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

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



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

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

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