

OXFORD CITY PLANNING COMMITTEE

20th June 2023

Application number:	22/03067/FUL		
Decision due by	10th April 2023		
Extension of time	21 st July 2023		
Proposal	Demolition of existing office building and erection of 1no. laboratory and office building for research and development (use class E). Erection of gas store. Provision of motor vehicle and cycle parking and landscaping.		
Site address	Trinity House , John Smith Drive, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Temple Cowley Ward		
Case officer	Jennifer Coppock		
Agent:	Mr Harri Aston	Applicant:	Mr Thomas Renn
Reason at Committee	Major development		

1. RECOMMENDATION

1.1. The Oxford City Planning Committee is recommended to:

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

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

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

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary; and
- respond to comments made by the Environment Agency with regards to groundwater contamination, resolve any concerns or objections and finalise any recommended conditions;
- 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 development at Trinity House at ARC Oxford, John Smith Drive which comprises the demolition of the existing building and erection of a six storey building in Research and Development use with CL2 and 3 laboratories and offices. Officers consider that the proposed development would respond appropriately to the site context, Local Plan policies and the Oxford Business Park site allocation. The proposal would provide enhanced pedestrian connectivity and improved wider transport infrastructure through financial contributions and it is considered that 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, including the extensive green wall.
- 2.2. There would be no harm to any identified protected species and the proposal would achieve a Biodiversity Net Gain of 16%. The development would be of a sustainable design and construction, achieving a 45% reduction in carbon emissions when set against the 2021 Part L Building Regulations. The ambitious reduction in car parking provision is considered acceptable in accordance with the objectives of the Oxford Local Plan 2036 and adequate cycle parking would be provided, with further details to be secured by condition. The scheme would result in a medium level of less than substantial harm to the setting of the Central Conservation Area and a number of individual listed buildings due to its impact on views out to the rolling eastern hills. However, Officers consider that the public benefits that would derive from the proposed development would outweigh the harm caused. There would be no adverse land contamination, noise pollution, air quality or flood risk and drainage impact as a result of the proposal. The Environment Agency (EA) are yet to comment on the application with regards to ground water contamination due to ongoing resourcing issues, however Officers would liaise with the EA to address any queries and negotiate appropriate conditions prior to granting planning permission.
- 2.3. Subject to addressing comments made by the Environment Agency, the imposition of appropriately worded conditions and a section 106 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:

- A requirement to enter into a S278 agreement with the Highways Authority.

- £398,995 towards bus services serving the Oxford Business Park.
- £80,340 towards active travel improvements.
- £2,563 towards Travel Plan monitoring.
- £329,474.00 towards the Cowley Branch Line or an equivalent local transport infrastructure project that would provide comparable public benefits.
- The provision and implementation of a Community Employment and Procurement Plan with the City Council.
- A requirement to apply for planning permission for an alternative elevational treatment should the green wall fail.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for CIL totalling £3,483,802.02

5. SITE AND SURROUNDINGS

5.1. The site comprises a rectangular parcel of land at the junction of Garsington Road and John Smith Drive, accessed off John Smith Drive within Advanced Research Clusters 'ARC' Oxford (previously known as the Oxford Business Park). Built development on site is currently in the form of a three storey office building with dual pitched roof. Surface parking extends over the majority of the site to the north east of the building, interspersed with soft landscaping. The site is bound by trees and hedges.

5.2. Surrounding built form comprises two and three storey buildings in a range of employment uses. Two storey residential dwellings fronting Phipps Road lie over 100m to the west of the site.

5.3. ARC Oxford is a Category 1 Employment Site and as such is a key site for delivering the Local Plan's aim of managed economic growth to 2036. The Park has been specifically allocated within the Oxford Local Plan 2036 for employment and complimentary uses and the Cowley Branch Line Area of Change sits immediately south of the Eastern By-Pass. These designations are set out below in more detail. The site is not subject to any specific planning policy constraints and lies within flood zone 1 (lowest probability of flooding).

5.4. See site location below:

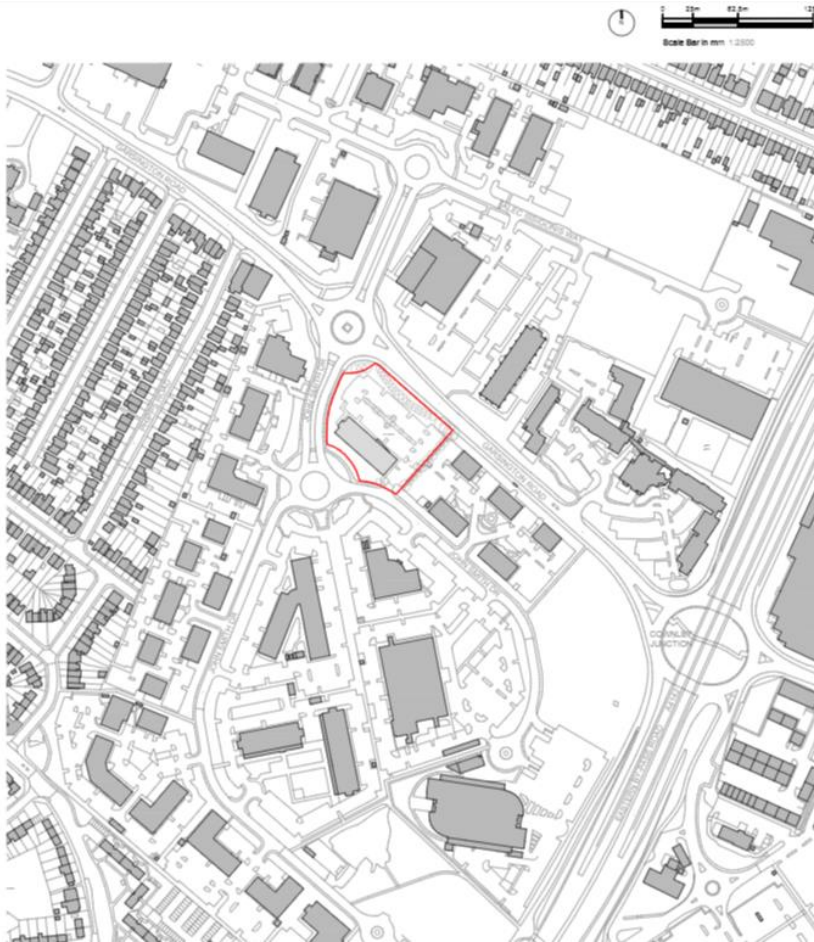


Figure 1: Site Location Plan

6. PROPOSAL

- 6.1. This full application proposes to demolish the existing three storey office building and replace it with a six storey flat roof building with a stepped form at a maximum height of 32m (30m above Garsington Road due to site topography). The building, with a Gross Internal Area of 25,448 sq. m., would accommodate Containment Level 2 (medium risk biological agents and hazards, genetically modified organisms, animals and plants) and potentially an element of Containment Level 3 (high risk biological agents and hazards, genetically modified organisms, animals and plants) laboratories depending on tenant demands. Part of the ground floor would be reserved for ancillary amenity uses but details are yet to be confirmed as the application is speculative with no current end user. A single storey enclosure to store gases would be located to the east of the building
- 6.2. A new footpath would be created from Garsington Road to enhance connectivity to the building and wider Park.
- 6.3. 142 parking spaces would be located within a new single storey basement. This would equate to just under 18% of the estimated 815 staff on site. Included within the 142 spaces would be 7 disabled and 3 visitor bays. In terms of cycle parking provision, 222 spaces would be provided for staff with an additional 12 spaces for visitors. The Highways Authority supports the proposal, subject to conditions.

6.4. Please see proposed site plan below at figure 2:



Figure 2: Proposed block plan

7. RELEVANT PLANNING HISTORY

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

Application Ref	Description	Decision
91/01303/NO	Demolition of all buildings. Construction of buildings for B1 business use (125,023 square metres) & a hotel (10,451 square metres) incl. new roads, car parking, infrastructure & landscaping (Amended Plans) (Oxford Business Park, Garsington Road).	Approved 27.11.92
93/00706/NR	Details of access and landscaping on Garsington Road and some internal site roads. Details of landscaping on Eastern Bypass (part reserved matters of outline approval NO/1303/91)	Approved 02.02.94

93/00708/NR	Erection of 3 storey building for business purposes (2815sq.m.) 137 parking spaces, access, electricity substation, bin store and landscaping (part reserved matters outline approval NO/1303/91)(amended plans)	Approved 02.02.94
97/01220/NR	3 storey building for business (details of siting, design, external appearance & landscaping reserved as part of NO/1301/91 including 144 car spaces, cycle parkway, refuse store). (Amended plans). Revised from 93/708/NR.	Approved 11.09.97

Pre-application advice

7.2. Extensive pre-application engagement took place throughout 2022 with ongoing engagement throughout the consideration of the formal application. A summary of amendments that were made during this engagement is listed below:

- The building has been pulled back from the north western site boundary, fronting the Morris monument roundabout and John Smith Drive to increase the public realm and ensure that the building better relates to the monument.
- The elevations have been stepped to better articulate the building in local and long distance views, reduce its massing and increase distance from the residential dwellings fronting Phipps Road.
- A colonnade has been incorporated along the southern and western elevations to increase the public realm and further break down the massing.
- The building is now sinuous in its form which softens the buildings appearance and delivers a more elegant structure. The mechanical plant enclosure is now an integrated part of the building.
- A footpath from Garsington Road is now proposed to enhance connectivity.

7.3. Responses from the Oxford Design Review Panel (ODRP) are attached at appendices 2a and b.

7.4. Throughout the pre-application process, it has been understood that a balance needs to be struck between designing a building that responds to the local context and long distance heritage views and delivering a building that provides purpose-built flexible lab and office buildings that would attract market leaders in life sciences. To meet these aspirations, it is understood that the building must achieve the following:

- Large floor plates to enable scientific efficiency and adjacency of rooms;
- Dedicated passenger and goods lifts with redundancy provision and large ventilation risers, contributing to large cores;
- Significantly more plant than a comparably sized office building due to the highly serviced nature of laboratories and the need to achieve and maintain closely controlled internal environments to support the science;
- A greater floor to floor height to provide a ceiling void (floor to floor height 4.4 metres) to accommodate the on floor horizontal mechanical and electrical systems, which is significantly more than found in a typical office due to the high servicing requirements of laboratories; and
- Significant floor loading to accommodate specialist equipment and achieve acceptable vibration response factors.

7.5. It is considered by Officers that an appropriate balance has been struck with this proposal, taking into account the sites location within the allocated Oxford Business Park (now ARC Oxford), the demand for life science buildings, the local architectural context and the heritage impact of tall buildings within this location.

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	High Buildings TAN
Housing	60-77	H14 - Privacy, daylight and sunlight	
Commercial	81-83	E1 - Employment sites - intensity of uses SP10 - Oxford Business Park	Employment Skills TAN
Natural environment	174-188	G2 - Protection of biodiversity geodiversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	
Social and community	92-103	RE5 - Health, wellbeing, and Health Impact Assessment	

Transport	104-113		Parking Standards SPD
Environmental	152-173	RE1 - Sustainable design and construction RE4 - Sustainable and foul drainage, surface RE6 - Air Quality RE8 - Noise and vibration RE9 - Land Quality RE4 - Sustainable and foul drainage, surface	Energy Statement TAN
Miscellaneous	7-14	S1 - Sustainable development RE2 - Efficient use of Land RE7 - Managing the impact of development	

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 16th January 2023 and an advertisement was published in The Oxford Times newspaper on 19th January 2023.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

- 9.2. No objection, subject to conditions.

Lead Local Flood Authority (LLFA)

- 9.3. No objection, subject to conditions.

Thames Water Utilities Limited

- 9.4. No objection, subject to condition and informative.

Thames Valley Police (TVP)

- 9.5. Objection due to concerns about surveillance over footpaths and car park.

- 9.6. **Officer Response:** The footpath adjacent to the service yard, that caused concern for TVP, has been omitted in response to their comments. With regards to surveillance of the car park, a condition requiring Park Mark accreditation has been attached.

Oxford Preservation Trust

- 9.7. No objection.

Historic England

- 9.8. No comments to make.

Public representations

- 9.9. ARC, the landowner of multiple plots within the Park, objected to the proposal in relation to the previously proposed footpaths fronting John Smith Drive, the footprint of the building and resultant impact on public realm, the removal of a tree on land within its ownership and the scheme's original failure to adhere to the requirements of Local Plan policy RE1.
- 9.10. **Officer response:** Whilst regrettable, the footpaths in contention have been removed in light of ongoing discussions with the neighbouring landowner. The tree mentioned above has been retained. The scheme's ability to achieve a 40% reduction in carbon emissions was subject to much discussion during the pre-application and formal application process, the scheme now exceeds the policy requirement as set out in more detail within the sustainable design and construction section below. Amendments that were made during the pre-application process are considered sufficient in reducing the scale of the building and providing an enhanced public realm.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- a) Principle of development
- b) Design, views and impact on heritage assets
- c) Archaeology
- d) Impact on neighbouring amenity
- e) Health and wellbeing
- f) Highways and parking
- g) Trees and landscaping
- h) Air Quality
- i) Sustainable design and construction
- j) Noise
- k) Land quality
- l) Flood Risk and Drainage
- m) Ecology
- n) Utilities

a. Principle of development

- 10.2. The NPPF sets out a 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 consideration 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. The Oxford Local Plan recognises at paragraph 128 that Oxford has "one of the highest concentrations of knowledge intensive businesses in the UK. It has the

fastest growing and one of the best educated workforces in the country and is the main centre of research and spin outs in the country. The Local Plan supports the growth of these sectors and puts in place measures to manage the effects of success". The Oxfordshire Strategic Economic Plan (2017) sets out the long term vision and ambitions for economic growth in the County, which is that overall by 2030 "Oxfordshire will be recognised as a vibrant, sustainable, inclusive world leading economy driven by innovation, enterprise and research intelligence". The Oxfordshire Local Industrial Strategy (2019) looks to position Oxfordshire as one of the top 3 global innovation ecosystems highlighting the County's world leading science and technology cluster.

- 10.4. As above, the site forms part of a Category 1 employment site and as such, under the requirements of policy E1 of the Oxford Local Plan 2036, the site is protected for employment floorspace only. Planning permission will be granted for the intensification, modernisation and regeneration for employment purposes of any employment site if it can be demonstrated that the development makes the best and most efficient use of land and does not cause unacceptable environmental impacts and effects. Further, the wider Park is allocated under policy SP10 for employment and, potentially, other complimentary uses. The policy encourages the promotion of sustainable travel modes to the Park and there is a requirement to mitigate any harm to biodiversity value.
- 10.5. It is therefore considered that intensifying development on the site for business (Use Class E(g)) uses within the research led employment sector, as proposed, is acceptable in principle subject to compliance with all requirements of policies E1, SP10 and the Local Plan as a whole.
- 10.6. The submitted Economic Statement estimates that approximately 715 jobs would be created during the 29 month construction period with 850-975 jobs created on site once operational, an increase of 625 jobs compared to what the vacant site could feasibly support if it were operational. According to the Statement, when accounting for displaced jobs from elsewhere and indirect and induced impacts from the supply chain and worker expenditure, the proposals would support up to 855 net additional jobs across the South East. The Statement also estimates that the economic activity on site would result in up to £98 million of Gross Value Added (GVA) each year, once fully operational.
- 10.7. In addition to the above, the applicant has committed to entering into a Community Employment and Procurement Plan which would ensure that local people are employed and local businesses are supported during the construction and operational phases of the development. This would be secured by legal agreement.

b) Design, views and impact on heritage assets

- 10.8. 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.
- 10.9. 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”.

10.10. 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.

10.11. Local Plan Policy DH1 requires developments to demonstrate high quality design and placemaking.

10.12. Trinity House is one of the first new life sciences buildings to come forward on the ARC Oxford and represents a new typology, in line with the Local Plan’s ambitions for the Park to achieve a step-change in the type, scale and quality of development coming forward.

10.13. The application proposes a distinct sinuous ‘gateway’ building which clearly responds to the sites corner plot position with the massing stepping up from the corner (please refer to figure 3 below). The proposed massing steps down to John Smith Drive and the ground floor is also set in from John Smith Drive by 13.5m which is a welcome response to the smaller scale buildings to the west, including the Oxford Factory. The building façade is on a single plane on the south-east elevation, however this is considered acceptable given further development is expecting on the adjacent site.



Figure 3: Visual page 3 Design and Access Statement

10.14. The profiled terracotta panels appear high quality and appropriate for a 'gateway' building, materials would be conditioned and sample panels would be assessed on site to ensure design quality. The proposed green wall is a commendable way of incorporating more biodiversity within the design but was subject to scrutiny during the pre-application process given the changing climate and subsequent maintenance challenges. The applicants visited the manufacturer, who would maintain the installation, on numerous occasions and examples of their successful work has been presented which has allayed Officers' concerns. A detailed maintenance plan would be conditioned to ensure longevity of the green infrastructure and should the green wall fail, a planning application shall be submitted proposing an alternative elevational treatment – this would also be secured by condition.

10.15. The proposed new footpath at the corner of Garsington Road and John Smith Drive would successfully enhance connectivity and legibility which is very welcomed.

10.16. As required by Local Plan policy DH2, the City Council will seek to retain significant views both within Oxford and from outside. Policy DH3 requires development to respond positively to the significant character and distinctiveness of heritage assets.

10.17. Oxford's historic built environment, including its central core and surrounding townscape, is intrinsically linked to its landscape setting. The city's character has been influenced by its physical and topographical environment, which has three fundamental elements:

- River meadows – these flat open areas permeate the city north to south.
- Wooded farmland, estates & hills – these high and nearby hills form a natural green backdrop and 'amphitheatre' to the east and west of the city.
- Alluvial lowland & vale farmland – these areas of lower lying hills are predominant to the north and south of the city and signal the location of the rivers.

10.18. Oxford's historic built environment features an architectural history that comprises:

- Medieval historic core, originating from C9th Saxon burgh, built on a raised gravel terrace at the confluence of the rivers which contains a cluster of tall buildings of exceptional architectural significance that form its iconic skyline and are collectively known as the 'dreaming spires'. The historic core is designated as Oxford's Central Conservation Area.
- Surrounding outlying villages of medieval origins, designated as individual conservation areas, which have been subsumed by later C19 and C20 development.
- C19 suburban expansion which subsumed the outlying villages and forms, which the poet Matthew Arnold termed "Oxford's base & brickish skirt".
- C20 expansion including the industrial development of the Cowley Motor Works to the south of the city.

- 10.19. The landscape and built environment elements identified above and their interrelationship with one another and the intrinsic connection of Oxford's historic development to its landscape setting is fundamental to the significance of the city's Central Conservation Area and can be appreciated from a number of views, both from viewpoints outside of the city looking in (i.e. view cones) and from high level viewpoints within the city looking out.
- 10.20. At the southern edge of the city, the east and west containing hills fall away to a much lower ridge / hill line with the backdrop of the Chiltern Hills beyond, which signals the river route and is where the areas of C20 expansion have taken place below and beyond the lower ridge line. The ability to visually appreciate the location, extent and forms of the hills and ridgelines that surround the city is essential to understanding its historic development and heritage significance.
- 10.21. Any new tall building development that extends above the ridgeline along the southern edge has the potential to disrupt and detract from the setting of Oxford's historic built environment and its Central Conservation Area, as well as affect the setting of other heritage assets. Notwithstanding this, the south-eastern suburbs, within which the site sits, are an 'Area of Greater Potential' which is less constrained by heritage considerations and therefore has the potential for growth in the form of tall buildings, as outlined in the High Buildings TAN. The High Buildings TAN identifies that buildings taller than 15m high at the Business Park would skyline in views from St Mary's Tower. In correlation with the TAN, the submitted TVIA views suggest that the upper storeys of the proposed development would be visible from the towers of St Mary's (Grade I), Carfax (Grade II), St George's (Grade I) and St Michael's (Grade I) and in all of these views it would break the skyline (please refer to figure 4 below), although it doesn't appear to break the far horizon line of the Chiltern hills which can only be seen on clear days.



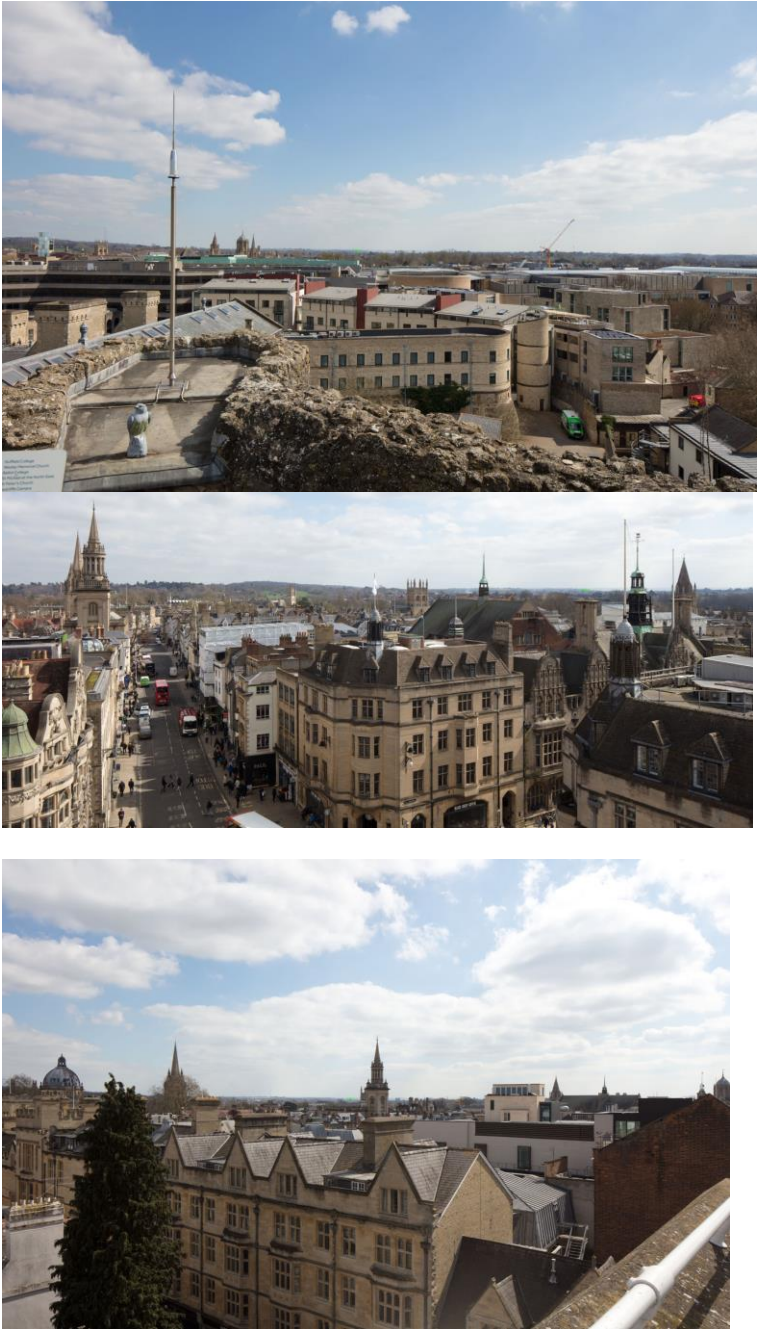


Figure 4: verified views of the proposed building from St Mary's Tower, St George's Tower, Carfax Tower and St Michael's Tower. Green wireline outlines all views except for St Mary's which is rendered.

10.22. It is considered that the proposed building would be a substantial addition to this part of the skyline when viewed from the Central Conservation Area due to its large floorplate and horizontal roof profile and would impact on the setting of St George's Tower, Oxford's Town Hall (Grade II*) and Lincoln College Library (Grade I). Taking into consideration the very high level of heritage significance that the Central Conservation Area possesses, of which its landscape setting and the wider urban environment contribute to, together with the high level of heritage significance that the individual listed buildings comprise, the cumulative impact of the harm caused to the setting of the Central Conservation Area, the setting of St George's Tower, the Town Hall and Lincoln College Library would constitute a medium level of less than

substantial harm. It is also considered that the proposal would cause a low level of less than substantial harm to St Luke's Church (Oxfordshire History Centre, a non-designated heritage asset) due to the proposal's close proximity to the Church, distracting from its prominence and setting in the view from St Mary's Tower.

- 10.23. 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. Paragraph 199 requires great weight to be given to conserving a designated heritage asset.
- 10.24. Paragraph 200 of the NPPF states that, *'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.'* Paragraph 202 continues that *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*
- 10.25. 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.
- 10.26. With regards to the proposal's impact on the non-designated St Luke's Church, 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. 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).
- 10.27. In terms of considering the planning balance of public benefits against harm to designated heritage assets, NPPF paragraph 200 states that there should be a clear and convincing justification for the harm, whilst paragraph 202 weighs the harm against public benefits including the optimum viable use. Given that the harm caused would be a medium level of less than substantial, a greater level of public benefit is clearly required than if the harm caused had been a low level of less than substantial. Accordingly, the applicant has worked collaboratively with Officers to ensure this is the case.
- 10.28. In terms of providing a clear and convincing justification for the harm, the application has been developed following extensive pre-application discussions with officers on the design, including the Oxford Design Review Panel. As explained in paragraphs 7.2 to 7.5 of this report the form of Biotech facilities are different to typical office buildings in order to ensure the delivery of market leading R&D facilities. As such officers consider that sufficient evidence has been provided to justify the overall height and form of the building.

- 10.29. In terms of public benefits, National Planning Practice Guidance states that public benefits that flow from a development could be anything that delivers economic, social, or environmental objectives. They need to flow from the development and should be of benefit to the public at large and not just a private benefit, although benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.
- 10.30. The appellant has provided a list of the public benefits that the development would bring.
- 10.31. Economic: As outlined at paragraphs 10.2 to 10.7 of this report, the provision of approximately 20,409sq. m. of specialist and state of the art life science floorspace within one of Oxford's Category 1 employment sites would sit squarely within the Local Plan's objectives to maintain these sites as a nationally and regionally important element of the knowledge economy by contributing to Oxford's R&D cluster and the wider R&D network within the Oxford – Cambridge Arc. The economic activity at the site would result in between £87.5 - £97.5 million in GVA each year, supporting tax revenues of up to £39 million.
- 10.32. The development would support approximately 715 construction jobs on site over a 29 month construction period. There would also be 745 – 850 direct FTE's created by the development which would be equivalent to 850-975 jobs with the estimated spend by employees during the operational stage estimated at around £1.5 - £1.6m per employee. There would also be additional annual business rate payments of approximately £1.39 – £1.42m. A CIL contribution in excess of £3 million would be made. Further, the applicant would also make a financial contribution towards the Cowley Branch Line (or equivalent local transport infrastructure project), bus services serving the Business Park and active travel improvements as outlined above.
- 10.33. Social: As outlined above, the proposed development would lead to far reaching economic benefits within the City with the applicant also committed to providing and implementing a Community Employment and Procurement Plan which would ensure that employment in the construction and operational phases is made available to local candidates, particularly those within deprived areas and with disadvantages backgrounds that would typically not be considered, or have the opportunity to apply, for jobs within the life science sector.
- 10.34. The development has been designed to create a place that is inclusive, embraces diversity, and benefits the local community as well as promoting social value through design, construction and operation. Including commitments to local procurement through local suppliers and use of local labour.
- 10.35. As set out within the Social Values Strategy, the applicant has also given commitments to fostering education and career growth within the life sciences field through working with local organisations such as Schools Plus and hosting careers fairs as well as cultivating work experiences with youth communities.
- 10.36. Environmental: The scheme would provide a Biodiversity Net Gain and reduction in carbon emissions, in excess of Local Plan requirements, as detailed below in the relevant sections.

- 10.37. The development would result in a reduction in on-site car parking spaces and a total of 220 cycle parking spaces.
- 10.38. Taking these benefits into account, and whilst giving great weight to the conservation of the setting of the Conservation Area, listed buildings and non-designated heritage asset, it is considered that the medium level of less than substantial harm caused to the setting of the Central Conservation Area and individual listed buildings is outweighed by the public benefits that the proposal would bring with it.
- 10.39. In light of the above, it is considered that the proposal accords with policies DH1, DH2 and DH3 of the Oxford Local Plan 2036 and the NPPF.

c. Archaeology

- 10.40. 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.
- 10.41. The site is located within a corridor of activity along the Dorchester-Alchester Roman Road where there is general potential for Roman activity relating to pottery manufacturing (multiple dispersed compounds and related rural infrastructure) and in a part of Oxford that has not seen much previous archaeological investigation.
- 10.42. Given the scale of proposed development, the site constraints and development history of the site, a condition requiring post-demolition archaeological trial trenching and further mitigation by archaeological recording or design as required would be attached to the planning permission.
- 10.43. With the above mitigation measures in place, it is considered that the proposed development would comply with policy DH4 of the Oxford Local Plan 2036.

d) Impact on neighbouring amenity

- 10.44. 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.
- 10.45. The nearest residential dwellings, fronting Phipps Road to the west, would sit between 114m and 123m from the proposed building. The rear boundaries of these neighbouring gardens would sit between 96m and 99m from the proposed building at its nearest point. The two storey Oxford Factory building would sit between approximately 40m and 53m west of the proposed building due to the proposed stepped western elevation. The two storey office buildings to the east of the site would sit between 30m and 40m from the proposed building.

Privacy

10.46. Given the significant distances between the proposed development and surrounding residential properties, as mentioned above, it is considered that the buildings would not compromise neighbouring privacy. The same can be said for the adjacent commercial uses although the impact on amenity of occupiers and visitors is given less weight than that of residential neighbours.

Overbearing

10.47. Again, the separation distances would mitigate the potential for the proposed building to have an overbearing impact on residential and commercial neighbours. In addition, officers are mindful that ARC Oxford has been subject to a long standing allocation for employment use within the current and previous Local Plans and therefore reasonable intensification of the application site is expected within this context. Please see figures 4 and 5 below of local verified views.

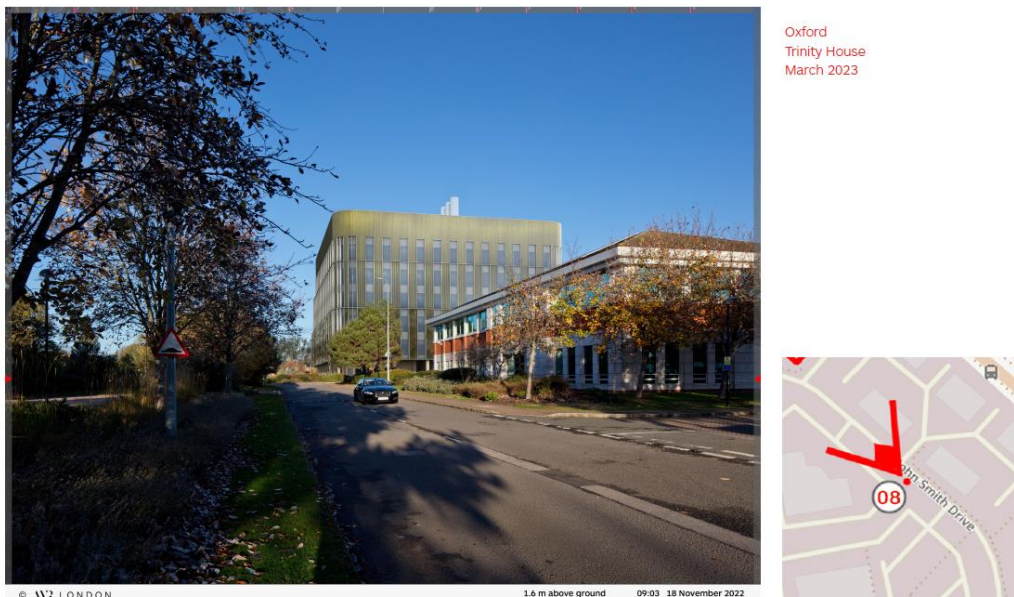
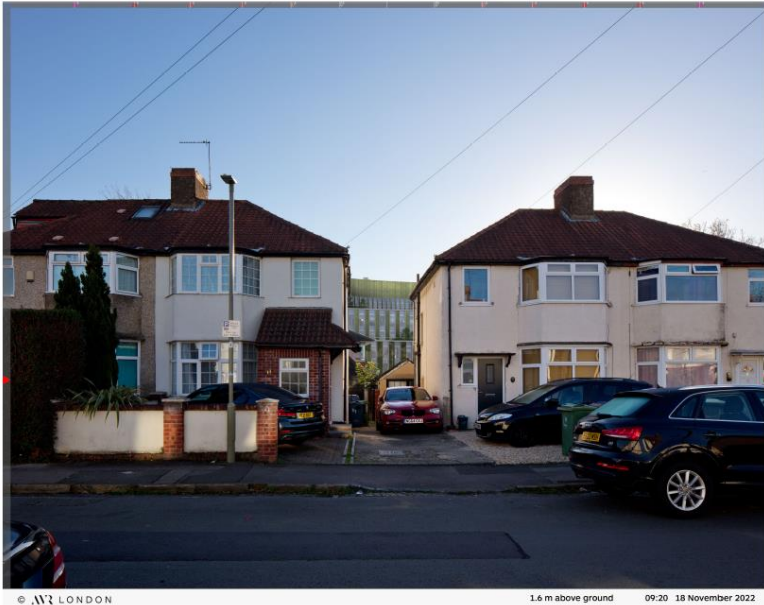


Figure 4: Verified view from John Smith Drive



Oxford
Trinity House
March 2023

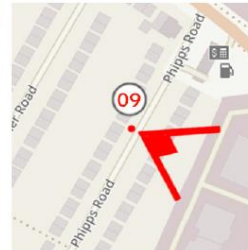


Figure 5: Verified view from Phipps Road

Daylight/ sunlight

10.48. The submitted Sunlight Availability Report demonstrates that the proposed building sits wholly within the 25 degree section line when set against the lowest window of the neighbouring Phipps Road properties – for clarity, the proposal would sit within a 13 degree section line. As such, the neighbouring property should not be adversely affected by the development. Further, all surrounding commercial and residential spaces would receive at least 2 hours of sunlight on 21st March and so would meet the BRE guidelines. It is important to note that the commercial outdoor spaces do not actually need to adhere to this guidance.

Construction phase

10.49. In order to protect the amenity of neighbours during the construction process, conditions would be imposed requiring the submission of a Demolition Method Statement, Construction Management Plan and a Construction Traffic Management Plan prior to the commencement of development. The Plans 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 construction vehicle access to the site.

10.50. Taking all of the above into account, it is concluded that the proposed development fully complies with policies RE7, RE8 and H14 of the Oxford Local Plan 2036.

e) Health and wellbeing

10.51. 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.

- 10.52. Inclusive design has been considered both internally and externally throughout the scheme with wheelchair accessibility and flexibility available. Further, a new pedestrian access from Garsington Road would be created to enhance connectivity and an external amenity space would be provided for staff and visitors.
- 10.53. As above, the scheme would provide employment locally in both the construction and operational phases and the applicant has committed to entering into a Community Employment and Procurement Plan.
- 10.54. 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.

f) Highways and parking

- 10.55. 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. Policies M1, M2, M3, M4 and M5 of the Oxford Local Plan 2036 seek to deliver these objectives.
- 10.56. 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. These would be secured by planning conditions.

Sustainability

- 10.57. The site is located within a densely populated area of the City with a large number of residents within walking and cycling distance to ARC Oxford. The site is considered sustainable, however, there are some improvements required in order to make active and sustainable travel to the site the preferred choice. Financial contributions towards creating entry treatments for pedestrians and cyclists at local junctions have been requested and would be secured by legal agreement.
- 10.58. The site is well connected by bus, with nearby stops close to the site on Garsington Road, Hollow Way and Barns Road. However, these services mainly serve the City centre and do not offer a great level of service to other parts of the City. As a large number of staff would be expected to travel to the site by bus, it is essential that a better level of service connecting the site to other parts of the City is in place before the site is operational. Therefore, financial contributions towards the new 'eastern arc' bus service – connecting the site with Marston, Headington and North Oxford - have been requested and would be secured by legal agreement. As the Planning Committee is aware, it is currently anticipated that the Cowley Branch Line will be

operational at the end of 2026, with financial contributions being made toward this infrastructure project by the applicant. A new station is proposed adjacent to the Tesco Supermarket to the east of ARC Oxford which would further enhance sustainability.

Access

10.59. The site would utilise the existing vehicular access from John Smith Drive which is considered acceptable in highway safety terms. As above, a new pedestrian access would be created from Garsington Road which is welcome. This would require the completion of a S278 Agreement with the Highways Authority.

Vehicular and cycle parking

10.60. The site is currently served by 142 car parking bays. The application proposes no increase to this number but would locate the bays within a single storey basement. With the additional 17,669sqm of floor space, this level of parking is welcomed in this sustainable location.

10.61. It is estimated that the proposed building would be occupied by a maximum of 1,020 members of staff, with approximately 815 on site at any one time. This equates to a change in parking ratio from 1 space per 20sqm to 1 space per 144sqm which would allow just under 18% of staff to drive to the site. As above, included within the 142 spaces would be 7 accessible and 3 visitor bays.

10.62. 220 cycle parking spaces would be provided for staff within the basement with a further 12 external visitor bays. This level of provision is considered acceptable, details of the cycle parking stands would be conditioned to ensure convenience and high quality.

Traffic generation

10.63. The submitted trip generation which demonstrates a significant increase in staff travelling sustainably to the site is accepted by the Highways Authority. Given that car parking provision would remain unchanged from existing, it is not considered that there would be an impact on the highway network or local junctions and as such, it is not considered that capacity assessments are required.

10.64. In light of the above, it is considered that the proposed development complies with Local Plan policies M1, M2, M3, M4 and M5.

g) Trees and landscaping

10.65. 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.

10.66. The proposed development would result in the loss of 12no. Category B trees and 2no. Category C trees, 4no. Category C groups and 1no. Category C hedge. To

mitigate this loss, new trees would be planted with species to be conditioned to ensure that place making is enhanced. The larger tree belts located along the northern and eastern boundaries would all be retained with proposed mitigation measures put in place during construction and operational phases.

10.67. The Council's Green Spaces 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. It is predicted that the proposed planting would result in a 1.2% increase in canopy cover after 25 years compared to a no-development scenario.

10.68. 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.

h) Sustainable design and construction

10.69. 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.

10.70. 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 the Planning Committee will be aware, the new 2021 building regulations were introduced in June 2022 and form the basis of the submitted Energy Statement. Policy RE1 also requires that non-residential development achieves BREEAM Excellent accreditation.

10.71. The proposal would optimise glazing ratios (25%-40% on each elevation) to help reduce fabric losses and overheating through solar gains in the summer. Air Source Heat Pumps would be used to meet space heating and cooling demands. Further, 870sq. m. of roof mounted solar PV panels are proposed. Specifications and large scale details of the solar panels would be conditioned to ensure they do not detract from visual amenity.

10.72. The scheme would achieve a 45% reduction in carbon emissions when set against Part L of the 2021 building regulations. It is anticipated that the scheme would achieve BREEAM Excellent. Conditions requiring compliance with the approved Energy Statement and certification of BREEAM Excellent would be attached to the planning permission to ensure compliance with local policy.

10.73. In light of the above, it is considered that the proposal complies with the requirements of policy RE1 of the Oxford Local Plan 2036.

i) Air quality

10.74. 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.

- 10.75. The application site is located within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council for exceedances of the annual mean NO₂ air quality objective (AQO);
- 10.76. The submitted air quality baseline desk assessment demonstrates that current air quality levels at the application site are below relevant air quality objectives for NO₂, PM₁₀ and PM_{2.5} concentrations. Therefore, the location of the application site is considered suitable for its intended use without mitigation.
- 10.77. As above, the development would be all-electric and as such, there would be no emissions associated with energy provision. Further 50% of parking bays would be provided with Electric Vehicle charging, with capacity to serve 100% of spaces when demand dictates, in excess of the requirements of Local Plan policy M4. Details of this infrastructure would be secured by condition.
- 10.78. As set out within the submitted Transport Statement and Air Quality Assessment (AQA), the existing development generates a total of 315 daily Light Duty Vehicle (LDV) trips (as an Annual Average Daily Traffic (AADT) flow) and four Heavy Duty Vehicle (HDV) trips. There would be no net increase in vehicle movements on the local road network as a result of the proposed development and therefore, there would be no significant impact on local roadside air quality.
- 10.79. The impacts of demolition and construction work on dust soiling and ambient fine particulate matter concentrations have been assessed within the AQA, which identified that there is a medium risk of dust soiling impacts due to the proximity of existing receptors to the proposed development. The sensitivity of the area for human health was classified as “low risk”. The risk of dust causing a loss of local amenity and increased exposure to PM₁₀ concentrations has been used to identify appropriate dust mitigation measures. These measures would be implemented and included within the site’s Construction Environmental Management Plan (CEMP), as required by condition, and therefore the residual impacts are considered to be not significant.
- 10.80. The proposed development would include a diesel-fuelled life-safety generator, to be located at ground floor. However, the diesel generator would only routinely be run for testing and maintenance, for one hour per month and a two hour test annually, totalling 13 hours of operation per year (less than 0.15% of the year), and its calculated annual average NO_x emission rate (2.85 mg/s of NO_x in total) is below the screening threshold of 5 mg/s set out in the EPUK/IAQM guidance. The impact of these emissions on annual mean concentrations is therefore judged to be negligible.
- 10.81. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE6, subject to suggested conditions set out below.

j) Noise

- 10.82. 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.

- 10.83. The proposed mechanical plant noise levels 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.
- 10.84. Based on the results of the submitted Noise Assessment, noise limits for the proposed plant have been adequately calculated and demonstrate that the noise criteria of the proposed plant strategy would meet the Local Authority criteria during the operating period and should not have an adverse impact on the nearest sensitive receivers.
- 10.85. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE8, subject to conditions set out below.

k) Land Quality

- 10.86. 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, meaning the contamination poses an unacceptable risk to human health or the environment, 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.
- 10.87. Historical documentation and plans, together with the submitted Phase 1 Desk Study Report, indicates that the site has had previous potentially contaminative use as a vehicle manufacturing works. Although the previous car manufacturing facility was investigated and remediated prior to re-development, there is likely to be a mantle of made ground across the site which could harbour residual contamination risks that could cause harm to future site-users, construction workers and the surrounding environment.
- 10.88. It is recommended that intrusive investigative works are completed to quantify ground contamination risks across the site and a remediation strategy produced to mitigate any potentially significant contamination risks identified.
- 10.89. The Environment Agency (EA) has been consulted for their comments on potential groundwater contamination given the historic car manufacturing use of the site. Due to the current under resourcing of the EA, comments are not expected until late summer. Any conditions that are recommended by the EA would be attached to the planning permission which would not be issued until EA comments have been received.
- 10.90. It is considered that, subject to conditions suggested by the EA and those set out below, the proposed development would comply with Local Plan policy RE9.

l) Flood Risk and Drainage

- 10.91. Local Plan policy RE3 requires applications for development within flood zones 2 and 3 and sites over 1ha in flood zone 1 to be accompanied by a Flood Risk Assessment (FRA) demonstrating that the proposed development will not increase flood risk on or

off site; and safe access and egress in the event of a flood can be provided; and details of the necessary mitigation measures to be implemented have been provided.

10.92. As above, the application site lies wholly within flood zone 1 (lowest probability of flooding) and extends to less than 1ha. Therefore the application has not been accompanied by an FRA, in line with policy and guidance. To ensure that the proposed development does not lead to an increased flood risk, the drainage systems would be regularly inspected and maintained. An allowance for an additional 40% climate change induced rainfall has been included in the 100 year calculations to ensure that the effect of potential higher rainfall rates are mitigated to below pre-development conditions. Taking into account the proposed drainage measures, it is considered that there would be no increase in flood risk to off-site receptors now and in the future.

10.93. 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.

10.94. The submitted Drainage Strategy sets out that the surface water strategy would attenuate at high level through green and blue roof solutions as well as collection by a rainwater recycling system to irrigate the proposed green wall. The terraces and hardstanding areas would be attenuated where space is available at low level via flow control systems. The site is unsuitable for infiltration following testing and therefore multiple attenuation tanks would be provided on site.

Foul drainage would be provided in a new system which would connect to the existing Thames Water manhole on John Smith Drive. A pumping station would be required to serve the basement whilst foul drainage from all other floors would be suspended at high level in the basement and exit through the basement wall to a standard manhole chamber.

10.95. In light of the above, and subject to the conditions set out at section 13, it is considered that the proposal would comply with policies RE3 and RE4 of the Oxford Local Plan 2036.

m) Ecology

10.96. 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 local policy therefore prevails.

- 10.97. No significant ecological constraints have been identified within the application site. Potential impacts on protected species are limited to impacts on nesting birds if any vegetation removal is undertaken during the nesting season. Suitable mitigation is proposed, in addition to enhancements in the form of 16 new bird boxes that would be secured by condition.
- 10.98. Officers have calculated that the proposed development would result in an increase of 0.67 habitat units (+16.02%) and 0.20 hedgerow units (from a baseline of zero), therefore exceeding the Local Plan requirement of a 5% Biodiversity Net Gain (BNG) and, indeed, the upcoming national requirement to provide a 10% increase. The proposed net gain is driven by the proposed on-site tree planting. Given the nature of the application site, and the amenity habitats present, Officers are satisfied that the proposed net gain can be sufficiently secured through a condition requiring the provision of a Landscape Ecological Management Plan (LEMP) rather than via a legal obligation.
- 10.99. In light of the above, and subject to the imposition of the conditions set out below, it is considered that the proposed development would comply with policy G2 of the Oxford Local Plan 2036.

n) Utilities

- 10.100. Local Plan Policy V8 requires developers to explore existing capacity (and opportunities for extending it) with the appropriate utilities providers.
- 10.101. The applicant has been in discussions with SSE regarding capacity within the local electricity network. SSE has confirmed that there is sufficient capacity at the Union Street sub-station to support the development. Upgrade works to the primary substation named 'Cowley Local' will be undertaken in Q3 2025 which is closer to the site.
- 10.102. A new mains water supply, including a new incoming water meter, would be provided to serve the development.
- 10.103. There is no requirement for a gas supply to the development. The existing gas service would be isolated, disconnected and stripped out prior to the commencement of development.
- 10.104. Cable duct infrastructure would be provided for multiple telecom/ data providers to serve the site. Cable containment would be provided within the site to allow providers to install cabling to serve individual tenants.
- 10.105. In light of the above, it is considered that the proposed development 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:

- Agreement to enter into a S278 agreement with the Highways Authority.
- £398,995 towards bus services serving the Oxford Business Park.
- £80,340 towards active travel improvements.
- £2,563 towards Travel Plan monitoring.
- £329,474 towards the Cowley Branch Line or equivalent local transport infrastructure project.
- Agreement to enter into a Community Employment and Procurement Plan with the City Council.
- A requirement to apply for planning permission for an alternative elevational treatment should the green wall fail.

12. CONCLUSION

- 12.1. Officers consider that the proposed development would respond appropriately to the site context and Local Plan policies and Oxford Business Park site allocation.
- 12.2. 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.
- 12.3. 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.
- 12.4. 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.
- 12.5. Officers consider that the proposed development would respond appropriately to the site context, Local Plan policies and the Oxford Business Park site allocation. The proposal would provide enhanced pedestrian connectivity and improved wider transport infrastructure through financial contributions and it is considered that 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, including the extensive green wall.

- 12.6. There would be no harm to any identified protected species and the proposal would achieve a Biodiversity Net Gain of 16%. The development would be of a sustainable design and construction, achieving a 45% reduction in carbon emissions when set against the 2021 Part L Building Regulations. The ambitious reduction in car parking provision is considered acceptable in accordance with the objectives of the Oxford Local Plan 2036 and adequate cycle parking would be provided, with further details to be secured by condition. The scheme would result in a medium level of less than substantial harm to the setting of the Central Conservation Area and a number of individual listed buildings due to its impact on views out to the rolling eastern hills. However, Officers consider that the public benefits that would derive from the proposed development would outweigh the harm caused. There would be no adverse land contamination, noise pollution, air quality or flood risk and drainage impact as a result of the proposal.
- 12.7. Subject to addressing comments made by the Environment Agency, the imposition of appropriately worded conditions and a section 106 legal agreement, the development would accord with all policies in the Oxford Local Plan 2036 and NPPF.
- 12.8. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out at section 13 of this report and the satisfactory completion (under authority delegated to the Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers.

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. Notwithstanding details on a number of technical drawings, the footpaths at the north east and north west boundaries are not permitted.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policies S1 and DH1 of the Oxford Local Plan 2016-2036.

Materials

3. Prior to installation, 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 ceramic and metal cladding and screens demonstrating the colour, texture, reflectivity and joints.
- b) Roller shutters and metal railing
- 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.

Plant equipment

4. Prior to installation, large scale details (1:50) of the design, size and finished appearance of all visible mechanical plant 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 upon installation.

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

5. Prior to the installation of any external signage, large scale (1:20) details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure high quality design in accordance with policy DH1 of the Oxford Local Plan 2036.

Solar panels

6. Prior to installation, large scale (1:20) drawn details and specifications of the proposed 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 and walls

7. Prior to installation, a detailed maintenance plan from the suppliers for the proposed green roof and walls 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 and design quality in accordance with policies G8 and DH1 of the Oxford Local Plan 2036.

Lighting strategy

8. Prior to the installation of external lighting, a comprehensive lighting strategy, including means to control light spillage and glare from both internal and external light sources, 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. The strategy shall also:
 - a. Identify those areas/ features that are particularly sensitive for bats and that are likely to cause disturbance in or around 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.

Only the approved details shall be carried out, and they shall be retained thereafter, unless otherwise first 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 and to comply with the Conservation of Habitats Regulations 2017 (as amended) and The Wildlife and Countryside Act 1981 (as amended).

Archaeology

9. Prior to the commencement of development, excluding demolition, a written scheme of investigation (WSI) shall be submitted to and approved in writing by the Local Planning Authority. For land that is included within the approved WSI, no development shall take place thereon other than in accordance with the agreed WSI which shall comprise the following stages:- Stage 1: archaeological trial trench evaluation and Stage 2: further mitigation by archaeological excavation or design if required by the Local Planning Authority, 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.

- The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged and development on land within the approved WSI shall not commence 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 impact on known or suspected elements of the historic environment of the people of Oxford and their visitors, including prehistoric, Roman, medieval and early modern remains in accordance with policy DH4 of the Oxford Local Plan 2036.

Phased contaminated land assessment

10. Prior to the commencement of development, excluding demolition, 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 (if required by the Local Planning Authority following the results of previous phases) be submitted to, and approved in writing by, the local planning authority to ensure the site will be suitable for its proposed use.

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

Land quality – remedial works

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

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

Land quality – unexpected contamination

12. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found, remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

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

Construction within 5m of strategic water main

13. No construction shall take place within 5m of a 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 shall be undertaken in accordance with the terms of the approved information. Unrestricted access shall 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.

Travel Plan

14. Prior to first occupation of the development, a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

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

Cycle parking

15. Prior to first occupation, details of the cycle parking areas, including dimensions and means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter

the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport in line with policy M5 of the Oxford Local Plan 2036.

Construction Traffic Management Plan

16. Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall identify;
- The CTMP must be appropriately titled, include the site and planning permission reference number.
 - Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
 - Details of and approval of any road closures needed during construction.
 - Details of and approval of any traffic management needed during construction.
 - Details of wheel cleaning/wash facilities – to prevent mud etc., in vehicle tyres/wheels, from migrating onto adjacent highway.
 - Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
 - The erection and maintenance of security hoarding / scaffolding if required.
 - A regime to inspect and maintain all signing, barriers etc.
 - Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
 - The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
 - No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
 - Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
 - A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111.
 - Final correspondence is required to be submitted.
 - Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in the first instance to be provided and a record kept of these and subsequent resolution.
 - Any temporary access arrangements to be agreed with and approved by Highways Depot.
 - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

The CTMP shall be carried out in accordance with the approved details unless otherwise 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 highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times in accordance with policy M2 of the Oxford Local Plan 2036.

Delivery and Servicing Management Plan

17. Prior to first occupation of the development a Delivery and Servicing Management Plan, including contact details for staff responsible for delivery management and details of the servicing and delivery vehicles to be used, shall be submitted to and approved in writing by the Local Planning Authority and provided to the Highway Authority. Upon first occupation, the development shall be carried out in strict accordance with approved details

Reason: In the interests of highway safety and to mitigate the impact of delivery and service 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.

BREEAM

18. Prior to first occupation of the development, the full BREEAM assessment, confirming the achievement of a level of Excellent shall be provided to and receipt thereof 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

19. The development shall be implemented in strict accordance with the approved Energy Statement (KJ Tait Energy Statement, March 2023). The development shall not be occupied until 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 that the proposed development sufficiently incorporates sustainable design and construction principles in accordance with policies S1 and RE1 of the Oxford Local Plan 2036.

Construction Environmental Management Plan (CEMP)

20. Prior to the commencement of development a Construction Environmental Management Plan (CEMP), including the complete list of site specific dust mitigation measures and recommendations that are identified on Table A4.1 (pages 47-49) of the submitted Air Quality Assessment, 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 CEMP unless otherwise agreed in writing by the Local Planning Authority.

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

EV Charging

21. Prior to installation, 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
- 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 emission

22. The external noise levels emitted from mechanical plant, machinery and equipment 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 protect the amenity of neighbours in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

Anti-vibration isolators

23. Prior to first use, 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 protect the amenity of neighbours in accordance with policies

RE7 and RE8 of the Oxford Local Plan 2036.

Demolition method statement

24. Prior to the commencement of development, a demolition method statement and a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary during the hours of 07:00-19:00 Monday to Friday daily and 08:00-13:00 on Saturdays. No works are to be undertaken on Sundays or bank holidays. Advance notification shall be given to neighbours and other interested parties of proposed works with public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. The approved details shall be implemented and adhered to throughout the construction period.

Reason: To protect the amenity of neighbours in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

Park Mark accreditation

25. Prior to the occupation of the proposed parking areas, an application shall be made to Thames Valley Police for Park Mark accreditation. The development shall not be occupied or used until confirmation of Park Mark 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.

Drainage Strategy

26. Prior to the commencement of development, excluding demolition; a detailed surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. Upon commencement of development, the scheme shall be implemented in strict accordance with the approved details.

The scheme shall include:

- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Comprehensive infiltration testing across the site to BRE DG 365 (if applicable)
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;
- Confirmation of any outfall details.

- Consent for any connections into third party drainage systems.

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

SuDS

27. 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.

Protection of breeding birds

28. No removal of trees or shrubs that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before works proceed and has provided written confirmation to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation shall be submitted to the Local Planning Authority prior to the commencement of relevant works.

Reason: To protect all wild birds, their nests and young in accordance with The Wildlife and Countryside Act 1981 (as amended).

Ecological enhancements

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

Reason: To enhance biodiversity in Oxford City in accordance with paragraph 174 of the National Planning Policy Framework.

Landscape scheme

30. Prior to occupation of the development, a comprehensive landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show details of all planting areas, tree and plant species, numbers and planting sizes. The scheme shall include no non-invasive species, including *Lonicera nitida*. 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)

31. Prior to occupation of development, a landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority and the development shall be carried out in strict accordance with approved details. 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. Upon occupation, the development shall be carried out in strict accordance with the approved LEMP

Reason: To ensure habitat proposals are delivered and that the development enhances biodiversity in the City in accordance with the National Planning Policy Framework and Policy G2 of the Oxford Local Plan 2036.

Landscape proposals – reinstatement

32. 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 permitted 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

33. Prior to first occupation or first use of the development hereby permitted a Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules and timing for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority. Upon occupation, the Landscape Management Plan shall be carried out as approved unless otherwise agreed in writing 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.

Landscape surface design – tree roots

34. Prior to the commencement of development, excluding demolition, 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 prior to occupation and in strict 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

35. Prior to the commencement of development, excluding demolition, 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 be carried out in strict 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 Method Statement

36. Prior to the commencement of development, excluding demolition, an Arboricultural Method Statement and amended Tree Protection Plan 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. The Local Planning Authority shall be informed in writing when physical tree protection measures are in place, in order to allow Officers to make an inspection prior to the commencement of development.

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)

37. Prior to the commencement of development, including demolition and enabling works, 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 and approved in writing by the Local Planning Authority at scheduled intervals in accordance with the approved AMP. The development shall be carried out in strict accordance with the approved AMP unless otherwise agreed in writing by the Local Planning Authority.

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

INFORMATIVES:

1. The site is liable for CIL £3,483,802.02
2. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/ minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.
3. All species of bats and their roosts are protected under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended). Please note that, among other activities, it is a criminal offence to deliberately kill, injure or capture a bat; to damage, destroy or obstruct access to a breeding or resting place; and to

intentionally or recklessly disturb a bat while in a structure or place of shelter or protection. Occasionally bats can be found during the course of development even when the site appears unlikely to support them. In the event that this occurs, work should stop immediately and advice should be sought from a suitably qualified ecologist. A European Protected Species Mitigation Licence (EPSML) may be required before works can resume.

14. APPENDICES

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

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.

This page is intentionally left blank