

<b>Application number:</b>	23/01509/RES		
<b>Decision due by</b>	2 <sup>nd</sup> November 2023		
<b>Extension of time</b>	N/A		
<b>Proposal</b>	Reserved matters approval of scale, layout, landscaping and appearance for the central landscaping area to include provision of a pond, woodland area and play area. The original application was EIA development.		
<b>Site address</b>	Land Bounded By A34 And A44 And A40, Parcel 1 , Woodstock Road, Oxford, Oxfordshire – see <b>Appendix 1</b> for site plan		
<b>Ward</b>	Wolvercote Ward		
<b>Case officer</b>	Michael Kemp		
<b>Agent:</b>	Edward Adamson	<b>Applicant:</b>	Oxford North Ventures GP LLP
<b>Reason at Committee</b>	The proposals are for major development.		

---

## 1. RECOMMENDATION

1.1. The Oxford Planning Committee is recommended to:

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

1.1.2. **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 issue the planning permission.
- Respond to any comments received by Oxfordshire County Council (Lead Local Flood Authority) to resolve any concerns or objections and to finalise any recommended conditions relating to site drainage.

## 2. EXECUTIVE SUMMARY

2.1. This application relates to areas of land located towards the centre of the central parcel of the Oxford North site totalling 15,401sqm in area. The site includes a large parcel of land to the east of the Red Hall and north east of the two buildings

approved under Phase 1a of the Oxford North development. Part of the site subject of this reserved matters application benefitted from detailed planning permission for a public park under hybrid planning permission 18/02065/OUTFUL. The remainder of the site fell within an area of the site subject of outline planning permission. All areas of the site subject of this reserved matters application have since been excluded from the detailed element of the planning permission, under an application made under Section 96A of the Town and Country Planning Act 1990 (18/02065/NMA3). This application was made to allow amendments to the proposals for the park and public open space that was approved under the detailed element of the planning permission.

- 2.2. The proposals contained within this reserved matters application include the provision of a new public park, consisting of open areas of amenity space, access paths, landscaped areas including a wildflower meadow, woodland and a pond. The proposed park also includes a children's play area. The site includes the provision of a new public square located to the north of the Red Hall described as the 'Market Square'. The proposals also include the provision of landscaped courtyards to the north east of the Phase 1a buildings approved under application 18/02065/OUTFUL.
- 2.3. The location of park and market square are compliant with the land use and access and circulation parameter plans in terms of the location of these areas of public open space. The proposed provision of public realm within this application would equate to the delivery of 16.8% public open space across the central parcel of the Oxford North site, which would exceed the requirement to deliver 15% public open space as set out within Policy NG7 of the Northern Gateway Area Action Plan. The areas of public realm are considered to be of a high standard in terms of their urban design and the quality of landscaping, consistent with Policy DH1 of the Oxford Local Plan. The proposed park includes substantial new tree planting and attractive landscaped spaces, including the new pond and woodland areas, which will provide a valued contribution towards biodiversity net gain, whilst also providing functional areas of amenity space and space for events. The relocation of the public square to the north of the Red Hall is well justified in terms of promoting activity and useability of this space, given its connection with the Red Hall, which would serve as a hub building for the site. The space is of an adequate size, whereby it may be used for a range of events. In summary it is considered that the approach to the design and siting of the landscaping and public realm would be acceptable and compliant with Policy DH1 of the Oxford Local Plan.
- 2.4. Good standards of pedestrian access are proposed throughout the public realm, whilst the proposals include the provision of a primary cycle and pedestrian route through the centre of the park, consistent with the access parameter plan and providing access connections between the A40 and A44 through the site. The proposals include the provision of an additional 40 cycle parking spaces to supplement individual on plot provision of cycle parking. In accessibility terms it is considered that the development would comply with Policies M1 and M3 of the Oxford Local Plan.
- 2.5. The application is accompanied by an updated surface water drainage strategy, covering the site subject of this reserved matters application, in addition to the

other parcels of land forming Phase 2 of the development. The Phase 2 surface water drainage strategy aligns with the consented surface water drainage strategy for the central parcel of the site and makes appropriate provision for surface water drainage in accordance with Policies RE3 and RE4 of the Oxford Local Plan and Policy BES4 of the Wolvercote Neighbourhood Plan. Delegated authority is therefore sought for officers to resolve any remaining technical matters relating to surface water drainage and to respond to any further comments submitted by the LLFA.

- 2.6. A biodiversity net gain strategy has been submitted covering Phase 2 of Oxford North, outlining target delivery of net gain proposed for each of the reserved matters applications submitted under Phase 2, which will contribute towards delivering net gain across the Oxford North site across the duration of the development in accordance with Policy G2 of the Oxford Local Plan and Policy GBS5 of the Wolvercote Neighbourhood Plan. The proposals are considered to provide a positive contribution towards achieving the target of 5% biodiversity net gain across the Oxford North project duration.
- 2.7. For the reasons outlined in the report, officers recommend that the application is approved subject to the resolution of the drainage issues and the conditions set out in Section 12 of this report.

### **3. LEGAL AGREEMENT**

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

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

- 4.1. The original planning agreement was the subject of a detailed CIL agreement, no additional CIL would be payable based on the proposals submitted under this reserved matters application.

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

- 5.1. The application site comprises a section of a wider 26-hectare area of former grazing farmland located in the north of Oxford, just inside the ring road which was the subject of planning application 18/02065/OUTFUL.
- 5.2. Planning approval was granted on 23<sup>rd</sup> March 2021 for planning application 18/02065/OUTFUL. This followed a resolution to grant planning permission made by the Planning Review Committee held on 16 December 2019 and the prior completion of the Section 106 agreement. The description of development is listed below:

*Hybrid planning application comprising: (i) Outline application (with all matters reserved save for "access"), for the erection of up to 87,300 m<sup>2</sup> (GIA) of employment space (Use Class B1), up to 550 m<sup>2</sup> (GIA) of community space (Use Class D1), up to 2,500 m<sup>2</sup> (GIA) of Use Classes A1, A2, A3, A4 and A5 floorspace, up to a 180 bedroom hotel (Use Class C1) and up to 480 residential units (Use Class C3), installation of an energy sharing loop, main vehicle access points from A40 and A44, link road between A40 and A44 through the site,*

*pedestrian and cycle access points and routes, car and cycle parking, open space, landscaping and associated infrastructure works. Works to the A40 and A44 in the vicinity of the site. (ii) Full application for part of Phase 1A comprising 15,850 m<sup>2</sup> (GIA) of employment space (Use Class B1), installation of an energy sharing loop, access junctions from the A40 and A44 (temporary junction design on A44), construction of a link road between the A40 and A44, open space, landscaping, temporary car parking (for limited period), installation of cycle parking (some temporary for limited period), foul and surface water drainage, pedestrian and cycle links (some temporary for limited period) along with associated infrastructure works. Works to the A40 and A44 in the vicinity of the site. (Amended plans and additional information received 19.06.2019)*

5.3. The application site to which planning application 18/02065/OUTFUL relates falls into three, fan-shaped parcels of land which run adjacent to the A44 and A40 trunk roads, converging at Wolvercote roundabout. The northern boundary of the site is formed by a raised section of the A34 road. The eastern boundary of the site is formed by a section of railway line. The south-western boundary is formed by Joe White's Lane bridleway (National Cycle Route 5) and the fields to the west that lead down to the Oxford canal and separate the site from much of the settlement of Wolvercote.

5.4. The masterplan for planning application 18/02065/OUTFUL refers to three parcels of land as the following:

- East: the parcel to the east of the A44, south of the Peartree Park and Ride and west of the railway line
- Central: the largest parcel, to the west of the A44 and to the north-east of the A40 which will include development in Phase 1a and Phase 2.
- Canalside: the parcel to the south-west of the A40 and the north-east of Joe White's Lane

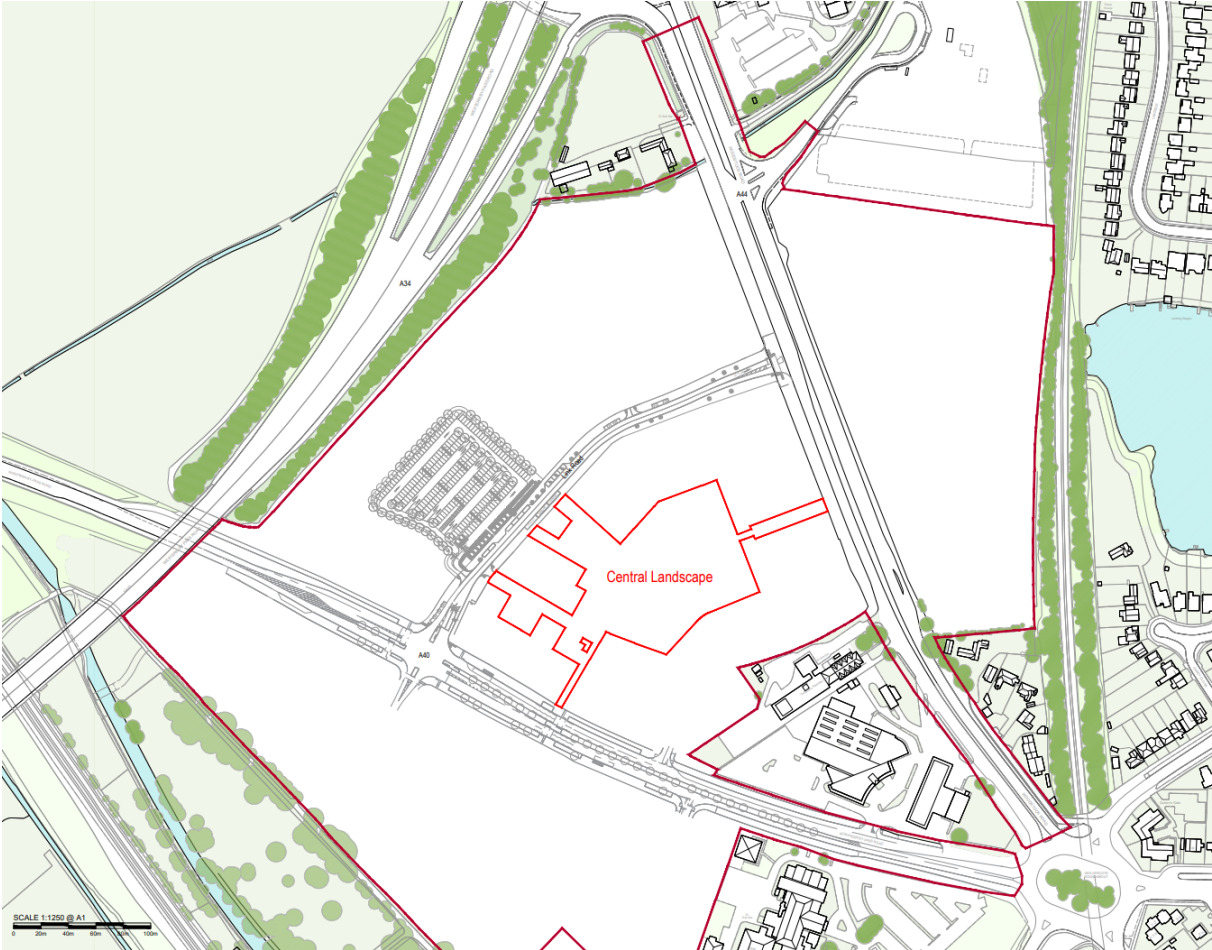
5.5. This application relates to areas of land located towards the centre of the central parcel of the Oxford North site totalling 15,401sqm in area which forms part of Phase 2 of the development. The site includes a large parcel of land to the east of the Red Hall and north east of the two buildings approved under Phase 1a of the Oxford North development. Part of the site subject of this reserved matters application benefitted from detailed planning permission for a public park under hybrid planning permission 18/02065/OUTFUL. The remainder of the site fell within the part of the site benefitting from the outline part of the Hybrid planning permission. The development masterplan for Oxford North covering the outline areas of the site and included the indicative location of a building and areas of public open space within the site subject of this reserved matters application, as well as further sections of parkland and a play area.

5.6. The boundary of the RM application site extends up to the edge of a future development Plot (Plot K) which lies to the south east of the site. The application site lies to the north of proposed Plot A (23/00707/RES) and is surrounded on three sides by access and service roads, which have been proposed under reserved matters application (23/01562/RES). The site plan includes a strip of land leading between the site of the proposed park and the A44 road, which is proposed to include a pedestrian and cycle path.

5.7. The application site also contains a strip of land to the south east of the two buildings approved under Phase 1a of the detailed planning permission, which is shown on the development masterplan and access parameter plan as an important pedestrian/cycle access route. The site plan contains two rectangular courtyards to the front of approved Buildings 1 and 2 (Phase 1a). The site also includes a rectangular parcel of land to the north of the extended Red Hall as permitted under planning application 22/03042/RES. This section of the RM application site referred to as the 'Market Square' extends up to what is envisaged to be a future development plot (Plot G). The site plan excludes a square parcel between the Red Hall and Plot G, which is the site of a proposed cycle parking pavilion that has been submitted under planning application (23/01648/RES).

5.8. As explained elsewhere in this Report Sections of the RM application site were formerly included under the detailed PP element of the hybrid planning permission covering the wider Oxford North site, however all areas of the site subject of this reserved matters application have since been excluded from the detailed element of the hybrid planning permission, under an application made under Section 96A of the Town and Country Planning Act 1990 (18/02065/NMA3). This application was made to allow amendments to the proposals for the park and public open space that were approved under the detailed element of the planning permission. The Effect of this is that the proposal before members now requires RM approval.

5.9. The site location plan for this reserved matters application is included below:



## **6. PROPOSAL**

- 6.1. The application seeks reserved matters permission for a series of works to deliver public open space, landscaping and the provision of a service road to the south of the approved Red Hall and pedestrian/cycle routes, including a primary cycle route linking the A40 and A44, which crosses the centre of the site.
- 6.2. The proposals include the provision of a new area of parkland, referred to as the 'central park'. This is proposed to include areas of amenity grassland, wildflower planting, provision of a new pond for drainage and ecological purposes, woodland planting, and the provision of an equipped children's play area. The proposals include cut and fill earthworks to form a grass amphitheatre space leading downwards to the pond, which is a space that could be used for events purposes. The south eastern edge of the site would contain a more extensively planted area of woodland, which also includes a children's play area. A series of paths are proposed through the park. Crossing through the centre of the park is one of the primary cycle and pedestrian routes, linking the A40 and A44, which provides a link between the site and surrounding areas, including the Canalside residential development and Wolvercote.
- 6.3. The proposals include two sections of a 4-metre-wide access path leading between the A40 and A44. A section of path is proposed to the southwest of the central park, located between Buildings 1 and 2, which were approved under Phase 1a of the development and Plot A. A further section of pathway is proposed to the north east of the park linking the park with the A44. This path crosses two spur roads, which are subject of a separate reserved matters application (23/01562/RES).
- 6.4. The site plan contains two courtyard areas to the front (north east) of the Phase 1a buildings A and B, as well as a service access road that extends to the north west of the Phase 1a buildings and to the south of the Red Hall. This service road connects with a further spur road proposed under reserved matters application 23/01562/RES and adjoins the primary link road through the central parcel of the site which connects the A40 and A44 in a position to the south west of the Red Hall.
- 6.5. The proposals also include the provision of a rectangular area of hard surfaced public realm located to the north of the Red Hall, which is referred to as the 'Market Square'. This is intended to function as a public square and events space as well as providing a connection between the service road and the proposed park. A square section of this parcel is excluded from the red line area of the site as this includes a cycle storage pavilion, which is subject of a separate reserved matters application (23/01648/RES).
- 6.6. In total 12,960sqm of public open space would be provided within this application.

## **7. RELEVANT PLANNING HISTORY**

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

<p>18/02065/OUTFUL - Hybrid planning application comprising:</p> <p>(i) Outline application (with all matters reserved save for "access"), for the erection of up to 87,300 sqm (GIA) of employment space (Use Class B1), up to 550 sqm (GIA) of community space (Use Class D1), up to 2,500 sqm (GIA) of Use Classes A1, A2, A3, A4 and A5 floorspace, up to a 180 bedroom hotel (Use Class C1) and up to 480 residential units (Use Class C3), installation of an energy sharing loop, main vehicle access points from A40 and A44, link road between A40 and A44 through the site, pedestrian and cycle access points and routes, car and cycle parking, open space, landscaping and associated infrastructure works. Works to the A40 and A44 in the vicinity of the site.</p> <p>(ii) Full application for part of Phase 1A comprising 15,850 sqm (GIA) of employment space (Use Class B1), installation of an energy sharing loop, access junctions from the A40 and A44 (temporary junction design on A44), construction of a link road between the A40 and A44, open space, landscaping, temporary car parking (for limited period), installation of cycle parking (some temporary for limited period), foul and surface water drainage, pedestrian and cycle links (some temporary for limited period) along with associated infrastructure works. Works to the A40 and A44 in the vicinity of the site. (Amended plans and additional information received 19.06.2019). Permitted 23rd March 2021.</p> <p>22/00081/NMA - Non-Material amendment to planning permission 22/00081/RES to allow change in surface materials and update to drainage strategy.. Permitted 6th December 2022.</p> <p>22/03042/RES - Erection of commercial building (revised design of approved Red Hall) and immediate hard landscaping.. Permitted 31st March 2023.</p> <p>18/02065/NMA2 - Amendments to the extent of land covered by the detailed and outline elements of hybrid planning permission 18/02065/OUTFUL and reserved matters approvals related to this consent.. Permitted 31st March 2023.</p> <p>18/02065/NMA3 - Non-material amendment to planning permission 18/02065/OUTFUL to allow the removal of the area of the central landscaping and the removal of the temporary car park. Removal of a central parcel of land located between buildings 1 and 2, along with minor amendments to the external elevations of Buildings 1 and 2 and minor amendments to the footpath and lay by to spaces along the link road.. Permitted 27th July 2023.</p> <p>23/00707/RES - Reserved matters approval of scale, layout, landscaping and appearance for the erection of commercial building, erection freestanding service pavilion for storage of associated waste and gas bottle storage and provision of landscaping (Plot A). The original application was EIA development.. Pending consideration.</p> <p>23/00708/RES - Reserved matters approval of scale, layout, landscaping and appearance for the erection of commercial building, erection freestanding service</p>
--

pavilion for storage of associated waste and gas bottle storage and provision of landscaping (Plot B). The original application was EIA development. (Amended plans). Pending consideration.

23/01191/FUL - Provision of temporary car parking and cycle storage. Associated alterations to landscaping (Retrospective). Permitted 28th July 2023.

23/01224/RES - Reserved matters approval of scale, layout, landscaping and appearance for the erection of a utilities building located between buildings 1 and 2. The original application was EIA development.. Permitted 3<sup>rd</sup> August 2023.

23/01412/RES - Reserved matters for the approval of scale, layout, landscaping and appearance for the erection of commercial building, erection freestanding service pavilion for storage of associated waste and gas bottle storage and provision of landscaping (Plot C). The original application was EIA development.. Pending consideration.

23/01509/RES - Reserved matters approval of scale, layout, landscaping and appearance for the central landscaping area to include provision of a pond, woodland area and play area. The original application was EIA development.. Pending consideration.

23/01562/RES - Reserved matters approval of scale, layout, landscaping and appearance for the provision of the southern roads and spurs to adjacent plots and connection to the link road including pavements, street tree landscaping and sustainable drainage features. The original application was EIA development. Pending consideration.

23/01569/RES - Reserved matters approval of scale, layout, landscaping and appearance for the provision of the northern loop road and spurs to adjacent plots including pavements, street tree landscaping and sustainable drainage features. The original application was EIA development.. Pending consideration.

23/01592/RES - Reserved matters approval of scale, layout, landscaping and appearance for the multi-storey split decked car park including immediate landscaping. The original application was EIA development. Pending consideration.

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Wolvercote Neighbourhood Plan:	Northern Gateway Area Action Plan
-------	------------------------------------	------------	--------------------------------	-----------------------------------



<b>Design</b>	126-136	DH1 - High quality design and placemaking		NG7 – Design and Amenity
<b>Conservation/ Heritage</b>	189-208	DH3 - Designated heritage assets DH4 - Archaeological remains		
<b>Commercial</b>	174-182	E1 - Employment sites - intensify of uses		
<b>Natural environment</b>	91-101	G2 - Protection of biodiversity geo-diversity G5 - Existing open space, indoor and outdoor G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	GBS1 - Publicly Accessible Green Space GBS3 - Playing Fields, Playing Areas GBS5 - Biodiversity GBS6 - Green space in developments	NG8 – Oxford Meadows SAC
<b>Transport</b>	104-113	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development M3 - Motor vehicle parking M5 - Bicycle Parking	CHS1 - Community Connectivity	NG4 – Sustainable Travel NG5 – Highway Access NG6 – Car Parking
<b>Environmental</b>	119-125; 137-151; 153-169; 183-188	RE1 - Sustainable design and construction RE2 - Efficient use of Land RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface	BES4 - Drainage and Flooding	NG9 – Energy and Resources

		RE5 - Health, wellbeing, and Health Impact Assessment RE6 - Air Quality RE7 - Managing the impact of development RE8 - Noise and vibration RE9 - Land Quality		
Miscellaneous	7-12	S1 - Sustainable development S2 - Developer contributions		NG2 - Mix of Uses NG3 - Employment NG11 - Delivery of Infrastructure

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 19<sup>th</sup> July 2023 and an advertisement was published in the Oxford Times newspaper on 20<sup>th</sup> July 2023.

### Statutory and non-statutory consultees

#### Oxfordshire County Council

##### Highways

9.2. No objection

9.3. The application is for reserved matters approval for the central landscaped area which will provide a large area of open space within the Oxford North development. The application also includes the central section of the primary walk/cycle route through the development between the A44 and A40 which will in time have onward connections north towards Parkway station via the 'Lakeside' parcel of the development and south to Joe White Lane and the canal towpath.

9.4. The route would be identifiable as the primary route and provides sufficient space for shared foot and cycle movements although it may become busy during the peak 'office hours'. Whilst there is a general preference for segregated foot and cycle provision in this case the shared arrangement fits with the facilities at either end of this section of the route and so has continuity for users.

9.5. The two points that the foot/cycle route cross the internal roads are included in this Reserved Matters application however there is no feature such as raised table or different surface on the internal road to identify the crossing point to vehicles as is to be provided in the Canalside parcel of the development on the same route. Details of crossing points should be provided by condition.

##### Drainage

9.6. An objection has been raised by the County Council in relation to the Phase 2 drainage strategy, part of which covers this RM application. The majority of the matters raised within their response relate directly to Buildings A, B and C, which are subject of separate reserved matters applications, however there are other matters which are relevant to this reserved matters application. The objections are summarised below:

- Detailed design drainage layout drawings of the sustainable drainage scheme proposals including cross section details required.
- Applicant must provide details of the party that will conduct the maintenance during the life span of the development and include the details in the maintenance regime.
- The applicant must provide a basin construction detail drawing.

#### Thames Water

9.7. Do not intend to comment.

#### Natural England

9.8. Do not wish to comment.

#### Environment Agency

9.9. Do not wish to comment.

#### Historic England

9.10. Do not wish to comment.

#### Thames Valley Police

9.11. Have expressed the following concerns with the application.

- Impact of tree cover and siting of landscaping impacting on surveillance and CCTV coverage.
- Importance of surveillance in providing overlooking of the play facilities. Concerns that as the development is not residential that there would not be adequate surveillance. CCTV should be used in combination with robust management and security processes, also recommend regular security patrols and a permanent security presence on site.
- The lighting of areas of public open space must also be very carefully considered and designed, to prevent providing lighting that enables crime and anti-social behaviour. For example, the areas of equipped play should not be lit at night, as there will be no legitimate usage associated with these spaces in hours of darkness.
- There are two areas of this development which will be vulnerable to vehicle related threats these being the central park and Market Square. Robust vehicle mitigation measures should be put in place to prevent unauthorised vehicular incursion.

9.12. To address the concerns raised, the following conditions are suggested:

- Submit an application for secured by design accreditation.
- Submit details of a proposed external lighting scheme.
- Submit a CCTV operational requirements study.
- Submit landscape maintenance and management plan.

#### Officer Response

9.13. In response to the above comments, officers note that all of the further details requested by Thames Valley Police are already required under planning conditions on the hybrid permission and are applicable to this reserved matters application. There would be no requirement to replicate similar conditions on this reserved matters permission. Details of CCTV and security measures would be required alongside a lighting strategy, which will assist in ensuring that the new public space is safe and secure. The applicant has indicated that there are no proposals to provide lighting around the play areas, which was expressed as a concern by the Police, as this may encourage activity in this space outside of daylight hours.

9.14. In relation to the comments regarding vehicle incursion into the central park and Market Square, there is extensive soft landscaping, as well as a notable levels difference across the park area. Incursion into this space by vehicles would be unlikely and very difficult. In relation to the Market Square, where read in conjunction with the siting of the Red Hall and the proposed cycle pavilion, in addition to the hard and soft landscaping proposed, deliberate vehicle incursion into this space would be similarly difficult and therefore unlikely to occur.

#### **Public representations**

9.15. No public comments have been received in relation to this application.

### **10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- Principle of development
- Design and Heritage
- Transport/Access
- Drainage
- Ecology

#### **Principle of development**

10.2. The RM application site forms part of the wider Site the subject of the hybrid planning permission, which includes in outline the erection of up to 87,300 sqm (GIA) of employment space (Use Class B1), up to 550 sqm (GIA) of community space (Use Class D1), up to 2,500 sqm (GIA) of Use Classes A1, A2, A3, A4 and

A5 floorspace, up to a 180 bedroom hotel (Use Class C1) and up to 480 residential units (Use Class C3), installation of an energy sharing loop, main vehicle access points from A40 and A44, link road between A40 and A44 through the site, pedestrian and cycle access points and routes, car and cycle parking, open space, landscaping and associated infrastructure works and works to the A40 and A44 in the vicinity of the site. The principle of Development in accordance with the Hybrid planning permission is established, and only the detailed proposals covered within this Reserved Matters Application are for consideration.

- 10.3. Three buildings to be delivered under Phase 1a of the development were approved in detail under the Full (detailed) permission element of the hybrid planning permission, alongside the provision of a new park and temporary car park. As noted in the site description section of this report, the Red Hall, and other parcels of the wider site, have been excluded from the detailed element of the planning permission. This includes all parcels of the site subject of this reserved matters application.
- 10.4. The hybrid permission is accompanied by parameter plans and a development masterplan which form part of the approved set of plans accompanying this permission. The land use and access and circulation parameter plans are of particular relevance to the proposals.
- 10.5. Both parameter plans include the location of two areas of public open space on the central parcel of the Oxford North site. The area shown on the parameter plan as POS1 (Public Open Space) indicates the location of a large area of public open space, which corresponds to the location of the central park indicated on the development masterplan accompanying the hybrid planning permission. POS2 relates to a smaller area of public realm, which is shown as a hard landscaped area of public realm, which did not form part of the detailed element of the planning permission and was envisaged to sit between two buildings proposed to be delivered under a later phase of the development. In terms of both areas of public open space, the proposals allow for some variation in terms of where the public realm would be sited, this is providing that the location of the POS falls within the maximum limits of deviation defined on the relevant parameter plans.
- 10.6. The central park falls broadly within the location of the park indicated on both the development masterplan and the accompanying parameter plans (POS1) and within the limits of deviation allowed for within the parameter plan. The location of the proposed Market Square has been moved to a position to the south west of where this was originally shown on the parameter plan (POS2) and development masterplan. This is to align the square with the extended Red Hall. The position of the Market Square lies within the maximum permitted limits of deviation allowed for under the parameter plan and as noted in the relevant section of this report, there are design and placemaking benefits to locating this space immediately to the north of the Red Hall. The location of the public open space is therefore consistent with the parameter plans accompanying the hybrid planning permission.

- 10.7. The proposed park would be 9,086sqm in total area. The park approved under the detailed element of the hybrid permission measured 7,100sqm in total area. The proposals submitted under this reserved matters application would bring forward the delivery of an enlarged park at an early phase in the development compared with the area of open space previously approved under the detailed element of the planning permission. Policy NG7 of the Northern Gateway Area Action Plan requires that at least 15% of the total site area for Oxford North shall be provided as public open space. The total provision of public open space that would be delivered under this reserved matters application would be equivalent to 16.8% of the total area of the central parcel of the Oxford North site. This figure also does not include areas of open space adjacent to the ponds in the north west corner of the site, or open space that would be delivered within the adjoining plots, which the applicants have indicated would bring provision of public open space within the central parcel of the site to 18.3% of the total area. Beyond the central parcel substantial areas of public open space have been approved on the Canalside residential site and would be provided on the Eastside development on the opposite side of the A44. The delivery of public open space within this application would exceed the requirements set out in Policy NG7 of the NGAPP.
- 10.8. Policy GBS3 of the Wolvercote Neighbourhood Plan states that new developments of more than 10 dwellings must include provision for children's play areas that are safe, and nearby (within 100 metres). This provision should either enhance existing facilities or provide for new facilities where appropriate. Whilst no residential development is proposed within this application, or any of the other Phase 2 applications, the central park was envisaged within the development masterplan as offering a space to provide children's play facilities. Areas of the central parcel of the site are included in the land use parameter plan as offering potential to support residential development, whilst residential development has been approved on the Canalside Parcel to the south of the A40 and further residential development would be provided on the Eastside parcel to the northeast of the A44. The provision of the children's play area would encourage a greater range of visitors into the central parcel, beyond those working on the site, which is important in ensuring that the more employment focussed areas are inclusive to the existing community and future residents.
- 10.9. In terms of the provision of the public realm and play facilities, it is a requirement of the Section 106 agreement accompanying the hybrid planning permission that the owner shall submit a programme for the delivery of public open space for each phase of the development, prior to implementation of development on that phase. This must be approved in writing by the Council before the first occupation of any development to be delivered under that phase. The public open space programme includes a requirement for the phased delivery of public open space relative to the completion of housing and commercial buildings on the site. The S106 agreement also secures public access rights to the public open space. These provisions are also applicable to the children's play facilities. A condition is recommended requiring the submission of details of the design and specification of the play equipment to be provided.

10.10. It is a requirement of condition 51 of the hybrid planning permission that an estate management plan is submitted for approval in writing prior to the occupation of all new buildings, including the buildings subject to full planning permission. This covers a range of management requirements relating to landscape and ecological management, access and servicing, car parking, public realm, security control measures and maintenance of drainage. The estate management plan is however required prior to first occupation of any buildings. As there are no buildings on the site, but the management plan contains measures that are relevant to the proposals set out in this reserved matters application, a condition requiring the submission of an estate management plan is required under this RM application, albeit that details should be provided prior to first use of the public open space and accesses.

### Environmental Impact Assessment

10.11. An Environmental Statement (ES) was prepared as part of hybrid planning application 18/02065/OUTFUL, which covered in outline all development across the Oxford North site. This reserved matters application would constitute a 'subsequent application' under Regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, the likely significant effects of the proposed development need to be considered.

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

### **Design and Heritage**

#### Urban Design and Landscaping

10.13. Policy DH1 of the Oxford Local Plan states that planning permission will only be granted for development of high-quality design that creates or enhances local distinctiveness. The design of all development should respond appropriately to the site character and context and shall be informed by a contextual analysis and understanding of the setting of the site. Paragraph 129 of the NPPF requires that all developments are considered in line with the National Design Guide and Model Code.

10.14. Plans for the central park were approved under the detailed element of the hybrid planning permission, however the continued design evolution for the Oxford North site and revised approach to the positioning of future development and new design of the Red Hall has resulted in a reconsideration of the approach to the landscaping of the park and use of the space, whilst also considering the site wide approach to drainage and delivery of biodiversity net gain.

10.15. The original design of the central park area approved under the detailed planning permission described as 'The Green' consisted of an open area of grass

amenity space with tree planting surrounding the edges of the site. This formed only part of the central park area shown on the development masterplan and did not include the provision of the areas of woodland and children's play equipment, although similar spaces were shown on the development masterplan and were intended to be delivered under a future reserved matters application. The proposals contained within this reserved matters application consist of a more extensive area of public open space than was previously approved in detail. The provision of a more extensive area of public open space at an early phase in the development is positive in terms of urban design and placemaking.

- 10.16. The landscape design is considered to be an improvement on the previously approved plans for the 'The Green' which were consented under the hybrid permission. The amended proposals provide greater variation in terms of the character space compared with the approved scheme, which principally consisted primarily of an open area of amenity space. The functionality of the space for general amenity use and for events purposes would not be lost as there remains open level areas of grass amenity space within the park, in addition to an amphitheatre space, which could function as an area for events. The more detailed landscaping proposals set out within this application includes areas dedicated for wildflower meadow planting, as well as climate resistant Mediterranean planting and a new pond, which would be a natural feature, with surrounding planting.
- 10.17. The woodland area would be a positive space in design and visual terms, providing a natural edge to the park, whilst providing additional tree canopy cover and a positive contribution to the biodiversity net gain requirements for the site, aligning with the respective aims of Policies G2 and G7 of the Oxford Local Plan. The pond whilst forming part of the sustainable drainage strategy for the site and contributing to biodiversity net gain is an attractively designed feature that would enhance the visual amenity of the park and adds interest to the public realm.
- 10.18. The revised plans for the landscaping and provision of the public realm were presented to the Oxford Design Review Panel, in conjunction with the proposals for Phase 2 of the Oxford North Development and the revised proposals for the Red Hall building. The panels comments are included in full at Appendix 3 of this report. The response from the panel to the landscaping changes and the rationale for the changes was generally positive and the repositioning of the Market Square adjacent to the Red Hall was viewed as a positive change that would encourage use of the space as a social hub. The panel recommended that the applicants continue to develop a site wide landscaping strategy considering incidental landscape, edges, and interfaces and to avoid isolated parcels of landscaping and public realm. The panel advised that there should be common agreement about the definition, identity, and purpose of each external space. The panel also advised that the applicants should demonstrate that the scheme is inclusive for all users and that the design of the Red Hall and external spaces should be designed for a specific use to avoid a generic design approach. There was some discussion regarding the potential benefits siting of the play area away from the Market Square and Red Hall in the southern section of the site and whether the siting of the play area in the southern section of the site would help to promote use of the site by the wider community.



- 10.19. The play area was shown within the north east corner of the public open space within the public realm strategy and masterplan accompanying the hybrid planning application in a position close to the location of the new pond. This was an indicative rather than a fixed location and moving the play area to the south east corner would be an improvement given that the play area would be sited much nearer the buildings that would be provided under Phase 1a and Phase 2 of the development. This is likely to increase use and surveillance of the play area.
- 10.20. ODRP's comments with regard to the siting of the play area were made in relation to ensuring that the landscape design promotes inclusive use of the site by the public other than those working in the development and providing the play space adjacent to the Red Hall would encourage wider public to use the areas within the centre of the site. The applicant's strategy for play provision includes the provision of small informal play equipment within the area to the front of the Red Hall. This may consist of logs, stepping stones, balancing poles and small pieces of play equipment such as rockers. Whilst there is merit in considering the siting of the formal play area within this space, this would impact adversely on the function of the park in providing space for general amenity and events use, as this would break the connection between the Red Hall/Market Square spaces and the adjoining areas of grass amenity space in the park. The woodland space offers an attractive area for the provision of play equipment, one which is still relatively central in the context of the site and is not within a peripheral or isolated location, as this would be adjacent to proposed Plot A and a future potential development plot (Plot K). The siting of the play equipment will help to activate this area and draw users of the central park across the wider area, as opposed to concentrating all activity around the Red Hall/ Market Square. Officers therefore consider that the applicant's strategy for the provision of play equipment is appropriate and well justified, notwithstanding Oxford Design Review Panel's (ODRP) preference for this space to be located adjacent to the Red Hall.
- 10.21. Accessibility is discussed in the following section of this report; however, the proposals include step free access throughout the park via multiple hard surfaced routes, which would respond to the site gradient and officers consider that the proposals would make provision for inclusive access for all users. The proposed hard landscaping materials for the primary cycle and pedestrian pathway through the site and the secondary access paths, which are proposed to be resin bound gravel and hoggin respectively are considered appropriate in design and accessibility terms.
- 10.22. In terms of the wider landscaping strategy, the proposals for the central landscaping provide a continuation of a corridor of landscaped space through the Oxford North site, connecting with the central park approved within the Canalside residential development to the south west on the opposite side of the A40. The pedestrian and cycle route through the centre of the site aligns with the primary pedestrian and cycle route through the canalside site, leading to Joe Whites Lane and Wolvercote. The proposals are therefore considered to provide a well-integrated network of public open space and spaces for biodiversity enhancement, consistent with the development masterplan and parameter plans accompanying the original planning permission.

10.23. The edges of the open space extend up to adjoining development plots, proposals for which would be considered under future reserved matters applications. The Market Square adjoins proposed Plot G. It is has been indicated Plot G may be delivered for a hotel use; a use approved under the hybrid planning permission. The Market Square extends up to the edge of this plot and this would facilitate opportunities in terms of allowing potential for active ground floor uses and outdoor uses, such as provision of outdoor seating within the Market Square. Similarly, the landscaping is sufficiently flexible to enable positive interaction between future Plot H to the north east of Plot G and the adjoining areas of public open space. The proposed park and adjoining accesses extend up to the edge of two of the future development plots (G and H) which is a positive approach as this will assist in achieving connections between future buildings and the public realm providing the potential for active frontages and outdoor seating, which would enliven the public realm.

10.24. Officers consider that the positioning of the Market Square to the north of the extended Red Hall building is positive in design terms. A public square was previously shown to the north east of an adjoining employment building in the development masterplan and in the open space parameter plan. There is however considerable deviation allowed for in terms of where this area of public open space is positioned, and this fell under the outline element of the hybrid planning permission allowing flexibility for this space to be repositioned. The revised design for the Red Hall included the provision of further retail/café uses at ground floor level along the north elevation of the building. The amendments to the Red Hall as approved under planning application 22/03042/RES were made with the aim of enhancing the Red Hall's role as a focal point for activity and as a social hub within the Oxford North site. Additional ground floor uses within the building would enliven the adjoining public realm through provision of active frontages and outside seating. The proposals for the Market Square, as submitted under this reserved matters application are complementary to the changes to the Red Hall and officers consider the Market Square has the potential to be a well-used space that would contribute positively to the vibrancy of the Oxford North site. The market square offers a sizeable space which could accommodate a range of potential events including markets, sport and entertainment events. The space also connects to both the primary street, Red Hall and central park. Reconstituted stone paving materials are proposed, which would assist in creating an attractively design space. It is considered that the siting and design would offer a positive contribution to the public realm and character of Oxford North.

10.25. In summary, officers consider that the proposals for the park and surrounding public realm are appropriately designed and would contribute positively to the creating a strong sense of place within the Oxford North site. The proposals are therefore considered to be compliant with Policy DH1 of the Oxford Local Plan and Policy NG7 of the Northern Gateway Area Action Plan.

### Heritage

10.26. The Wolvercote with Godstow Conservation Area extends to a point approximately 150 metres to the south west of the application site and the development site would fall within the wider setting of the Conservation Area.

The site also falls within the peripheral setting of the Oxford Canal Conservation Area that lies within Cherwell District to the west and south west of the site.

- 10.27. In line with Paragraph 199 of the NPPF consideration must be given to the impact of a proposed development on the significance of this designated heritage asset and great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 10.28. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 outlines that in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 10.29. The application site falls within the wider setting of the Grade II listed Manor Farm (26 Godstow Road a large former farmhouse originally dating to the 17<sup>th</sup> Century but which has been the subject of a number of later additions) as well as the Grade II listed Church Farmhouse, which was historically linked to surrounding agricultural land which includes the land which forms the site. Both buildings are located to the south of the Leonardo Royal Hotel (Formerly Jury's Inn) and are surrounded by housing constructed in the late 20<sup>th</sup> Century which has greatly altered the original setting of the listed buildings. There are also two late 18<sup>th</sup> Century Grade II listed tilting canal bridges which are located to the south west and west of the site, these bridges provide a connection from Joe Whites Lane onto the Canal towpath.
- 10.30. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering applications for development which affect a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.31. Policy DH3 of the Oxford Local Plan specifies that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance, character and distinctiveness of the heritage asset and locality. When considering development proposals affecting the significance of designated heritage assets (including Listed Buildings and Conservation Areas), great weight will be given to the conservation of that asset and to the setting of the asset where it contributes to that significance or appreciation of that significance).
- 10.32. The wider impact of the redevelopment of the land at Oxford North in respect of the Wolvercote with Godstow Conservation Area and the aforementioned listed buildings was considered in depth by officers at the time application 18/02065/OUTFUL was determined. This was informed by an Environmental Statement accompanying the hybrid planning application which included an assessment of the impact on the Conservation Area, the Grade II listed Manor Farm, Church Farmhouse; Grade II listed canal bridges, St Peter's Church and

Port Meadow, which is a scheduled ancient monument. There was also an assessment of the impact of the development on the Oxford Canal Conservation Area in Cherwell District.

- 10.33. Officers' assessment of the hybrid application considered the relative harm to the setting and significance of the Wolvercote with Godstow Conservation Area, which was deemed to be a moderate level of less than substantial harm. This was as a result of an overtly urban development replacing surviving, historically agricultural land which currently provides a green gap and permits uninterrupted views from these assets to the rural hillside backdrop beyond the city to the north west and north-east. The introduction of buildings to the south-west of the A40 resulting in built development encroaching closer to the settlement of Wolvercote than at present which would harm the surviving character and appearance of a rural settlement. The impact of the development proposed under this reserved matters application would not result in harm to the setting of the Oxford Canal Conservation Area, given the site's peripheral location in relation to the Conservation Area, particularly given the likely limited visibility of the development owing to development currently under construction and likely future development that would sit in the foreground of views between the site and the Conservation Area.
- 10.34. In terms of the setting of the Grade II listed Manor Farm and Church Farmhouses it was considered that whilst the setting of the farmhouses had been eroded by residential development and non-residential development including the Leonardo Royal hotel, there would be further harm arising from the loss of agricultural land on the Oxford North site which forms part of the wider setting which contributes to the significance of these buildings, furthermore the approved development would also be of a significant scale. This harm to the setting of the Grade II listed buildings was identified as less than substantial and at the low end of this classification.
- 10.35. The identified harm to these designated heritage assets was balanced against the significant package of public benefits delivered by the proposed development, including the provision of 480 homes and significant economic benefits deriving from the provision of 87,300sqm of employment space. A conclusion was reached that the benefits arising from the development would outweigh the respective moderate and low level of less than substantial harm to the Wolvercote with Godstow Conservation Area and the Grade II listed Manor Farm and Church Farmhouse.
- 10.36. The proposals submitted within this reserved matters application, which are for landscaping public realm works and the provision of cycle and pedestrian accesses as well as a small section of access road are consistent with the scope of the hybrid planning permission and the character of the site would be altered from a rural setting to urban realm. In terms of the specific development proposed under this reserved matters application, the works are primarily limited to ground level landscaping and access alterations and do not include the provision of buildings. Given the siting of surrounding buildings that are under construction on adjoining development plots or are likely to be brought forward under future developments, it is unlikely that the development would be visible within the setting of the Conservation Area or surrounding listed buildings.

Officers consider that the development would result in no additional harm to the setting of the Conservation Area and surrounding listed buildings, beyond the scope of harm that was assessed under hybrid planning application 23/01509/RES.

- 10.37. In the context of the original proposals, Paragraph 202 of the NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm must be weighed against the public benefits of the proposal. The proposals must be considered in the context of the wider public benefits which would be delivered as part of the hybrid application, including the provision of 87,300sqm of employment space, transport, and connectivity improvements; and the provision of the further 480 dwellings, which are substantial in social and economic terms. The specific proposals contained within this planning application would bring forward the provision of 12,960sqm of public open space, including a new park and public square which would be of a high standard in design terms and would assist in the delivery of high quality public open space and public realm on the Oxford North site. Furthermore the proposals would provide new play space on the site and would assist in contributing towards biodiversity net gain, as well as providing a new, primary pedestrian and cycle route through the site.
- 10.38. Officers consider that the proposals in isolation would not result in additional harm to surrounding heritage assets and would provide additional public benefits, as the proposals would bring forward detailed plans for the provision of high quality public open space. This would add to the wider benefits of the Oxford North development. As a whole the public benefits of the Oxford North development would outweigh the less than substantial harm resulting from the development that would be caused to the setting and significance of the Wolvercote with Godstow Conservation Area and the setting of the Grade II listed Manor and Church Farmhouses.
- 10.39. As such it is considered that the development accords with Policy DH3 of the Oxford Local Plan and the NPPF. In coming to this conclusion great weight and due regard has been given to the requirements of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **Transport and Access**

- 10.40. The access parameter plan accompanying the hybrid planning permission was approved with the aim of ensuring permeability of access through the site for pedestrians and cyclists and indicating the appropriate location of primary, secondary, and tertiary vehicular roads through the site.
- 10.41. The proposals contained within this reserved matters application include the provision of a 4 metre wide cycle and pedestrian route leading from the A40 between the Phase 1a buildings and Plot A, through the central park, crossing the adjoining spur roads proposed under reserved matters application 23/01562/RES up to a position adjoining the A44, where improvement works to cycle and pedestrian infrastructure are being undertaken by Oxfordshire County Council.

- 10.42. The primary cycle and pedestrian route linking the A40 and A44 follows the route of the indicative alignment of the key pedestrian/cycle route set out within the development masterplan and access parameter plan accompanying the hybrid planning application. This would provide a key route through the Oxford North site for cyclists and pedestrians providing a link to the Canalside residential development and Wolvercote via the A40 and Joe White's Lane. Provision of this 4-metre-wide route would enhance permeability of access for pedestrians and cyclists in line with Policy M1 of the Oxford Local Plan and Policy CHS3 of the Wolvercote Neighbourhood Plan.
- 10.43. The proposals include the provision of a service road leading from the primary link road through the centre of the Oxford North site, which connects the A40 and A44. This road would connect with an adjoining service road proposed under reserved matters application 23/01562/RES. The position of this road aligns with the location of the indicative junction off the central street and the alignment of tertiary streets, as shown on the access parameter plan and the development masterplan accompanying the hybrid permission. The route of the street is also shown as a key pedestrian and cycle route.
- 10.44. The proposals include the provision of three blue badge car parking spaces to the north of approved Phase 1a Buildings A and B, as well as a service vehicle parking space. Whilst parking is proposed to be delivered elsewhere on the site within a multi-storey car park submitted under reserved matters application (23/01592/FUL), there would be a need for operational parking and blue badge parking to be located closer to the approved buildings, in this case the Phase 1a Buildings and the Red Hall and this operational requirement is justified. It is proposed that the route would otherwise be restricted to vehicles, with bollard-controlled access. It is proposed that the access road would be a shared surface for pedestrians, cyclists and very occasional use by vehicles. Whilst providing necessary service access the proposals would prioritise use by pedestrians and cyclists.
- 10.45. 40 visitor cycle parking spaces are proposed alongside the access road, the spaces would be complementary to, and in addition to, cycle parking that is proposed within Plots A, B and C, the cycle pavilion proposed under reserved matters application 23/01648/RES which would serve the Phase 1a Buildings and the Red Hall, and further visitor parking approved under reserved matters applications 23/01562/RES and 23/01569/RES relating to the provision of access roads. The provision of the additional visitor cycle parking is welcomed and acceptable in line with Policies M1 and M5 of the Oxford Local Plan.
- 10.46. The County Council have advised within their consultation response that there is no feature such as a raised table or different surface on the internal road to identify the crossing point to vehicles as is to be provided in the Canalside parcel of the development on the same route. It is recommended that a condition is attached to require details of a crossing point to be submitted before first use of the accesses.

## **Drainage**

10.47. Policy RE3 of the Oxford Local Plan states that planning applications for development within Flood Zones 2, 3, on sites larger than 1 ha in Flood Zone 1 and, in areas identified as Critical Drainage Areas, must be accompanied by a Site Specific Flood Risk Assessment (FRA) to align with National Policy. The FRA must be undertaken in accordance with up to date flood data, national and local guidance on flooding and consider flooding from all sources. The suitability of developments will be assessed according to the sequential approach and exceptions test as set out in Planning Practice Guidance. Planning permission will only be granted where the FRA demonstrates that:

- e) the proposed development will not increase flood risk on site or off site; and*
- f) safe access and egress in the event of a flood can be provided; and*
- g) details of the necessary mitigation measures to be implemented have been provided.*

10.48. Policy RE4 of the Oxford Local Plan states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites.

10.49. The above provisions are similarly accounted for under Policy BES4 of the Wolvercote Neighbourhood Plan.

10.50. A detailed surface water drainage scheme was approved for the Oxford North site under discharge of conditions application 18/02065/CND. Reserved matters approval (21/01053/RES) was also granted for attenuation ponds on the central parcel of the Oxford North site, which form an integral part of the SuDS strategy for the central parcel of Oxford North. Works to form the ponds have recently been completed.

10.51. A drainage strategy has been submitted in support of this reserved matters application to demonstrate how the proposed development and the other buildings proposed under Phase 2 of the development would relate to the approved, overarching surface water drainage strategy for the Oxford North site. This is in line with Condition 44 of the hybrid planning permission which requires a surface water drainage strategy must be submitted for each phase of the development.

10.52. The surface water drainage strategy submitted as part of Phase 2 of the development includes the provision of a permanently wet attenuation pond, which would be provided within the area adjoining the park and landscaped areas that would be provided under reserved matters application 23/01509/RES. This would complement the consented drainage strategy and would provide additional attenuation volume for the eastern part of the site, which would improve the previously consented drainage strategy. The underground storage that was included in the previously consented strategy would be retained. Swales are also proposed to the side of the access roads submitted under reserved matters applications 23/01562/RES, 23/01509/RES, and 23/01569/RES.

10.53. Oxfordshire County Council as Lead Flood Authority (LLFA) have submitted an objection to the Phase 2 Drainage Strategy based on the level of detail

provided by the applicants, which included a request for further information to be provided. Delegated authority is sought for officers to resolve any remaining technical matters relating to surface water drainage and to respond to any further comments submitted by the LLFA, given that the submitted drainage strategy is in substantial accordance with the approved surface water drainage strategy for the Oxford North site.

10.54. Subject to resolving these matters, officers consider that in principle the drainage strategy would be consistent with Policies RE3 and RE4 of the Oxford Local Plan and Policy BES4 of the Wolvercote Neighbourhood Plan.

## **Ecology**

10.55. Policy G2 of the Oxford Local Plan states that development that results in a net loss of sites and species of ecological value will not be permitted. Policy G2 of the Oxford Local Plan states that compensation and mitigation measures must offset the loss and achieve an overall net gain for biodiversity. For all major developments proposed on greenfield sites or brownfield sites that have become vegetated, this should be measured through use of a recognised biodiversity calculator. To demonstrate an overall net gain for biodiversity, the biodiversity calculator should demonstrate an improvement of 5% or more from the existing situation. Offsetting measures are likely to include identification of appropriate off-site locations/projects for improvement, which should be within the relevant Conservation Target Area if appropriate, or within the locality of the site when assessing whether a site is suitable for compensation.

10.56. Policy GBS5 of the Wolvercote Neighbourhood Plan outlines that where ecological value is lost on a site this can be mitigated and compensated for on a like-for-like basis elsewhere within the WNPA by providing a replacement habitat of an equivalent or higher ecological value, that is appropriate for the habitat and species within it, and which provides net gains in biodiversity, which must be protected.

10.57. Condition 52 of the hybrid planning permission requires that details of ecological enhancements must be submitted with each reserved matters application (excluding enabling works, roads or infrastructure) for that phase or sub-phase to ensure that the minimum overall net gain in biodiversity of 5% will be achieved across the whole site or in conjunction with specific off-site enhancements approved by the local planning authority.

10.58. The application is accompanied by a biodiversity strategy which is related to all works proposed under Phase 2 of the Oxford North development, this has been submitted to meet the requirements set out under condition 52 of the hybrid permission.

10.59. In total it is proposed that 5.7 biodiversity units will be delivered within Phase 2 of the development. This reserved matters application for the proposed park and area of public open space will deliver the highest contribution of all of the Phase 2 proposals (3.35 units). The contribution towards biodiversity net gain would be delivered through the provision of the following habitats within the landscaping: wildflower meadow (0.40 units), orchard (1.13 units), ornamental planting (0.34



units), amenity grassland (0.95 units), lake/pond (0.39 units) and woodland planting (0.14 units). A total of 15 bird boxes are also proposed within the central landscaping area alongside one insect hotel and two log piles.

10.60. Officers are satisfied that the development proposals would provide a positive contribution towards the delivery of biodiversity net gain as a means of contributing towards the delivery of 5% biodiversity net gain across the Oxford North site as a whole. The proposals are considered to comply with Policy G2 of the Oxford Local Plan and Policy GBS5 of the Wolvercote Neighbourhood Plan.

## **11. CONCLUSION**

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

11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver sustainable development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.

11.3. Therefore, in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole. The overall principle of development would established through the approval of the hybrid planning permission to which this reserved matters application relates. This matters for consideration under this reserved matters application relate only to detailed matters that were not established under the hybrid permission.

11.4. The location of park and market square are compliant with the land use and access and circulation parameter plans in terms of the location of these areas of public open space. The proposed provision of public realm within this application would equate to the delivery of 16.8% public open space across the central parcel of the Oxford North site, which would exceed the requirement to deliver 15% public open space as set out within Policy NG7 of the Northern Gateway Area Action Plan. The areas of public realm are considered to be of a high standard in terms of their urban design and the quality of landscaping, consistent with Policy DH1 of the Oxford Local Plan. The proposed park includes substantial new tree planting and attractive landscaped spaces, including the new pond and woodland areas, which will provide a valued contribution towards biodiversity net gain, whilst also providing functional areas of amenity space and space for events. The relocation of the public square to the north of the Red Hall is well justified in terms of promoting activity and useability of this space, given its connection with the Red Hall, which would serve as a hub building for the site.

The space is of an adequate size, whereby it may be used for a range of events. In summary it is considered that the approach to the design and siting of the landscaping and public realm would be acceptable and compliant with Policy DH1 of the Oxford Local Plan.

- 11.5. Officers consider that the development proposed under this reserved matters application would result in no additional harm to the setting of surrounding heritage assets above the scope of less than substantial harm assessed under the hybrid planning application. Taking the public benefits of the Oxford North development as a whole; and the benefits of the development proposed within this reserved matters application, officers consider that the benefits would outweigh the less than substantial harm resulting from the proposed development that would be caused to the setting and significance of the Wolvercote with Godstow Conservation Area and the setting of the Grade II listed Manor and Church Farmhouses. As such it is considered that the development accords with Policy DH3 of the Oxford Local Plan and the NPPF. In coming to this conclusion great weight and due regard has been given to the requirements of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 11.6. Good standards of pedestrian access are proposed throughout the public realm, whilst the proposals include the provision of a primary cycle and pedestrian route through the centre of the park, consistent with the access parameter plan and providing access connections between the A40 and A44 through the site. The proposals include the provision of an additional 40 cycle parking spaces to supplement individual on plot provision of cycle parking. In accessibility terms it is considered that the development would comply with Policies M1 and M3 of the Oxford Local Plan.
- 11.7. The application is accompanied by an updated surface water drainage strategy, covering the site subject of this reserved matters application, in addition to the other parcels of land forming Phase 2 of the development. The Phase 2 surface water drainage strategy aligns with the consented surface water drainage strategy for the central parcel of the site and makes appropriate provision for surface water drainage in accordance with Policies RE3 and RE4 of the Oxford Local Plan and Policy BES4 of the Wolvercote Neighbourhood Plan. Delegated authority is therefore sought for officers to resolve any remaining technical matters relating to surface water drainage and to respond to any further comments submitted by the LLFA.
- 11.8. A biodiversity net gain strategy has been submitted covering Phase 2 of Oxford North, outlining target delivery of net gain proposed for each of the reserved matters applications submitted under Phase 2, which will contribute towards delivering net gain across the Oxford North site across the duration of the development in accordance with Policy G2 of the Oxford Local Plan and Policy GBS5 of the Wolvercote Neighbourhood Plan. The proposals are considered to provide a positive contribution towards achieving the target of 5% biodiversity net gain across the Oxford North project duration.

11.9. It is recommended that the Committee resolve to grant reserve matters approval for the development subject to the resolution of the Drainage issues and subject to the conditions set out below.

## **12. CONDITIONS**

### Approved Plans

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

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

### Biodiversity Net Gain and Enhancements

2. The ecological enhancements and biodiversity net gain provided by this phase of development shall be delivered in accordance with the details contained in the scheme submitted to and approved by the Council and referred to in 'Discharge of Condition 52 for Reserved Matters Applications Central Landscape, Development Plots A, B and C and Central External Works North and South produced by BSG Ecology V3 dated 16<sup>th</sup> August "The Approved Scheme". The Development shall be carried out in accordance with the Approved Scheme and provided in full prior to the first use of the the public open space and accesses hereby approved and shall be maintained and retained in accordance with the Approved Scheme thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To comply with the requirements of the NPPF, The Conservation of Habitats and Species Regulations 2017, The Wildlife and Countryside Act 1981 (as amended) and Policy G2 of the Oxford Local Plan 2036.

### Cycle Parking Provision

3. Prior to the first use of the public open space and accesses hereby approved, details of the proposed cycle parking shall be submitted to the Local Planning Authority for approval in writing. The approved cycle parking shall be installed prior to the first use of the park and accesses hereby approved and shall be retained as cycle parking thereafter.

Reason: To ensure that the opportunities for sustainable travel modes are taken up in accordance with Policy M1 and M5 of the Oxford Local Plan and Paragraph 110 of the NPPF.

### Pedestrian and Cycle Crossings

4. The open space hereby approved shall not be opened for first use until the crossing points of the internal roads for the foot/cycleways hereby permitted are completed in accordance with details that have previously been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that priority is given to pedestrians and cycles in accordance with Paragraph 112 of the NPPF and Policies M1 and M2 of the Oxford Local plan 2036.

#### Samples of Hard Landscaping Materials

5. Samples of external hard landscaping materials shall be made available for inspection on site and shall be approved in writing by the Local Planning Authority prior to the implementation of the landscaping works on the site. The landscaping shall be carried out in accordance with the approved landscaping materials prior to the first use of the accesses and public open space hereby approved.

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

#### Landscaping

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

The landscaping shall be carried out in accordance with the Approved Landscaping Scheme no later than the first planting season after first use of the development hereby approved and thereafter maintained in accordance with the Approved Scheme unless otherwise agreed in writing by the Local Planning Authority.

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

#### Tree Planting Pits

7. Details of tree pit designs for each of the public realm tree planting types specified in the approved landscaping plan shall be submitted to and approved in writing prior to the commencement of landscaping works.

The Tree pit works shall be carried out in accordance with the approved Tree Pit design scheme prior to the first use of the public open space and accesses hereby permitted unless otherwise agreed in writing by the local planning authority and shall be maintained in accordance with the approved scheme

Reason: To ensure newly planted trees are established, to provide visual interest in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2036.

## Play Equipment

8. Not to use the public open spaces within the development until the design and specification of all children's play equipment to be provided within the children's play area as shown on the approved plans has been submitted to and approved in writing by the Local Planning Authority. The play equipment shall be provided and installed in accordance with the approved scheme the first use of the public open spaces

Reason: To ensure that the design of the children's play equipment is appropriate in terms of its design and functionality in accordance with Policy DH1 of the Oxford Local Plan.

## Estate Management Plan

9. An estate management plan shall be submitted to and approved in writing by, the local planning authority prior to the first use of the accesses and areas of public open space hereby approved. The content of the estate management plan shall include the following:

Landscape and ecological management to include:

- o description and evaluation of features to be managed within the scheme and off-site compensatory habitat;
- o ecological trends and constraints on site that might influence management;
- o aims and objectives of management;
- o long term design objectives;
- o management responsibilities and maintenance schedules
- o proposed intervention measures for achieving aims and objectives;
- o preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- o where relevant, details of the body/organisation or qualifications necessary to implement certain conservation and landscape management measures; and
- o ongoing monitoring and remedial measures.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Access and servicing management to include:

- o cycle parking management
- o details of the management of on-site deliveries and servicing including:
- o how impacts will be minimised including congestion, safety, noise and how zero or ultra-low emission and last mile opportunities

will be considered

- o measures to avoid service and delivery vehicles using the central stretch of the link road between the A40 and A44
- o waste management details setting out how waste will be

stored and car parking management to include:

- o measures for preventing unauthorised parking including monitoring and sanctions.

The car parking management plan shall be in accordance with the submitted Transport Assessment (doc. ref. 21714/5571 Rev 02 July 2018), the approved Framework Travel Plan and paragraph 2.2 of Schedule 6 of the Section 106 agreement accompanying planning application 18/02065/OUTFUL.

Public realm management and maintenance to include:

- o cleaning and maintenance of soft and hard infrastructure
- o street furniture, to ensure its maintenance and retention
- o estate roads, footpaths and cycle links
- o public open space
- o play areas
- o cycle parking, including measures to deal with abandoned bikes
- o safety on site
- o events

The site management plan shall also include details of:

- o the costs for implementing the plan in perpetuity and an information on how the costs shall be funded
- o the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer
- o the management body(ies) responsible for its delivery or any part there of;
- o any proposals for separating out costs and/or legal responsibilities amongst the phases or sub-phases (e.g. allocating costs to certain phases only)
- o the standard to which the public realm areas are to be kept and managed which shall be no less than the standard applied by the City Council so that the development feels a contiguous and integrated part of the City;
- o any reasonable rules and regulations with regard to the conduct of persons using any specific part of the public realm areas, including the possibility for exclusive hire and the associated terms and conditions e.g. hire fees; and
- o the arrangements for public liability insurance

Details of how to review and update the plan from time to time and gain approval from the local planning authority.

Reason: To ensure the site is managed in the public interest to maintain a safe, high quality public realm in accordance with policies G8, DH1, M1, M3 and M5 of the Oxford Local Plan 2036, to ensure the car parking on site is controlled and managed for those it is designed to cater for and to manage traffic generation in accordance with policy NG6 of the Northern Gateway AAP and policy M3 of the Oxford Local Plan 2036, to prevent an increase in flood risk in accordance with policy RE4 of the Oxford Local Plan 2036, and in the interests of improving the biodiversity of the City in accordance with policy G2 of the Oxford Local Plan 2036 and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

### **13. APPENDICES**

- **Appendix 1 – Site location plan**
- **Appendix 2 – Phase 2 Development Plan**
- **Appendix 3 – ODRP Report**

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

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

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

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

This page is intentionally left blank