

## OXFORD CITY PLANNING COMMITTEE

21<sup>st</sup> November 2023

<b>Application number:</b>	23/02092/FUL		
<b>Decision due by</b>	21 <sup>st</sup> December 2023		
<b>Extension of time</b>	N/A		
<b>Proposal</b>	Partial demolition of and alterations to Littlemore House. Erection of 1no. research and development building (Use Class E) at Littlemore House with ancillary accommodation, clinic, educational floorspace and restaurant, new access arrangements, parking, landscaping, engineering and ground modelling works.		
<b>Site address</b>	Littlemore House, 33 Armstrong Road - see <b>Appendix 1</b> for site plan		
<b>Ward</b>	Littlemore Ward		
<b>Case officer</b>	Jennifer Coppock		
<b>Agent:</b>	Mr Guy Wakefield	<b>Applicant:</b>	Ellison Oxford Limited
<b>Reason at Committee</b>	Major development		

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### 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 subject to the required planning conditions set out in section 12 of this report and grant planning permission; subject to:

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

1.1.2. **delegate authority** to the Head of Planning and Regulatory 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 and Regulatory Services considers reasonably necessary;
- 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 and Regulatory Services considers reasonably necessary; and

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

## 2. EXECUTIVE SUMMARY

- 2.1. The Planning Committee recently resolved to grant planning permission for development on both the Littlemore House site and plot 18 of The Oxford Science Park (TOSP), linked by an elevated walkway (Ref. 22/02969/FUL). The Committee's resolution was subject to receiving and resolving any concerns that the Environment Agency (EA) may have, as at the time of Committee, the EA had not commented on the application due to resourcing issues. The resolution was also subject to the prior completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers. This current application was submitted in September 2023 in order to avoid further delays in commencing meaningful development on the Littlemore House site whilst we awaited final comments from the EA, as this site was not the subject of concerns raised by the EA. The EA issued final comments on 3<sup>rd</sup> November 2023, confirming that they do not object to application 22/02969/FUL, subject to conditions (listed at section 12 below). The applicants have however decided to proceed with this current application to provide a fall back position should there be any hold ups to issuing planning permission on the 2022 application. This current application will also require the prior completion of a legal agreement which will need to be agreed by both the City and County Councils.
- 2.2. This proposal remains the same as the 2022 application, but simply omits the elevated walkway and development at plot 18 and increases the provision of roof mounts solar PV panels at Littlemore House to ensure compliance with Local Plan policy RE1. Please refer to the original Committee Report at **appendix 2** for details on the original scheme. For clarity, the applicant is fully committed to implementing development on plot 18 of TOSP as well as Littlemore House and would revert to this scheme once the legal agreement is completed and planning permission is issued.
- 2.3. This report considers development at Littlemore House, Armstrong Road. The proposal includes the partial demolition of Littlemore House, a non-designated heritage asset, and erection of a new 2 storey (with lower ground and basement levels) laboratory building with ancillary clinic, restaurant, accommodation and educational floorspace. Officers consider that the proposed development would respond appropriately to the site context and Local Plan policies. The proposal would provide 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.
- 2.3. There would be no harm to any identified protected species and the proposal would achieve a Biodiversity Net Gain in excess of 10%. The development would be of a sustainable design and construction, achieving a 41% reduction in carbon

emissions when set against the 2021 Part L Building Regulations. The proposed car parking provision is considered acceptable in accordance with the objectives of the Oxford Local Plan 2036 and adequate cycle parking would be provided across the site, with further details to be secured by condition. There would be no adverse land contamination, noise pollution or air quality impact as a result of the proposal.

- 2.3. Subject to 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 the NPPF.

### **LEGAL AGREEMENT**

- 2.4. This application is subject to a legal agreement to cover:

- £551,398.00 towards the Eastern Arc bus route.
- £432,345.00 towards the Cowley Branch Line
- £212,497.00 towards active travel improvements.
- £2,563.00 towards Travel Plan monitoring.
- Agreement to enter into a S278 Agreement with the Highways Authority.
- Agreement to enter into a Community Employment and Procurement Plan with the City Council.
- Agreement to achieve Biodiversity Net Gain on site.

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

- 3.1. The proposal is liable for CIL to the amount of £626,935.14

### **4. SITE AND SURROUNDINGS**

- 4.1. The application site extends to approximately 3ha and comprises Littlemore House, a C-shaped building within an expanse of inconsistently sloping grassed and treed landscape, which was formerly part of the wider Littlemore Hospital site and converted in the late 1980s for research purposes. It was then acquired and occupied up until recently by the SAE Institute for a media college and office space. The primary accesses to the site are from Mandlebrote Drive to the west of the building and Armstrong Road, to the east of the building which runs through the centre of the site and is characterised by an avenue of Lime trees. The site is delineated by a belt of hedgerow and trees and comprises a protected Horse Chestnut tree.
- 4.2. Littlemore House is not listed, but is considered a non-designated heritage asset due to its former relationship to the adjacent Grade II listed Littlemore Hospital. There are no Conservation Areas covering the site but the Littlemore Conservation Area does sit approximately 360m north west of the site. The site

lies within Flood Zone 1 (low probability of flooding), but adjacent to Flood Zone 2 (medium probability of flooding).

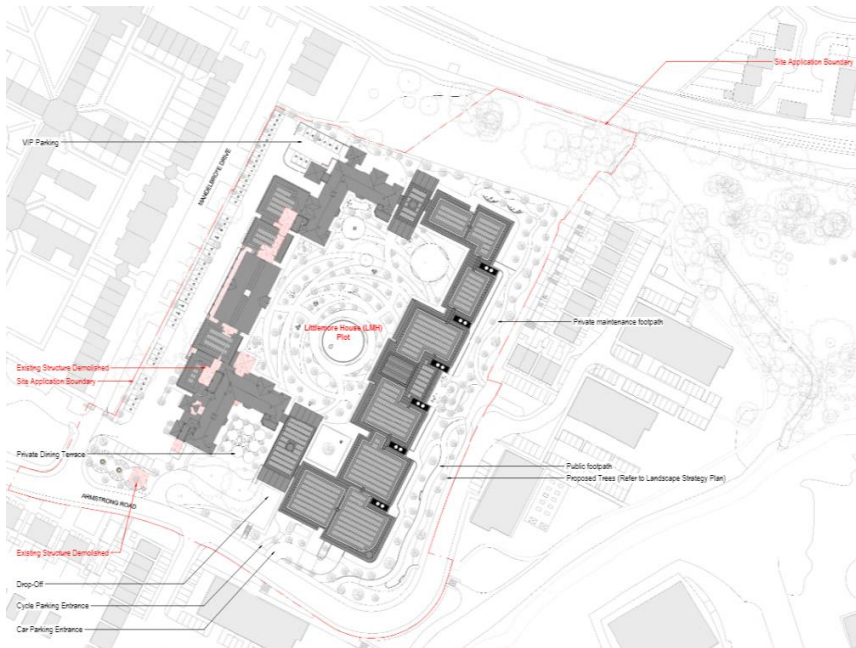
- 4.3. Newman Place, a partially constructed and occupied housing development of 270 units fronting Armstrong Road, lies to the east and south of the site while St George's Manor – a converted residential complex within the Grade II listed former hospital site – lies to the west. To the north of the site lies a wooded burial ground, associated with the historic hospital use, with a railway line beyond.
- 4.4. See site location plan below:



**Figure 1: Site location plan**

## **5. PROPOSAL**

- 5.1. This full application proposes the partial demolition of Littlemore House, a non-designated heritage asset, and erection of a new building in quad form connecting to the remaining Littlemore House building. The building would provide Containment Level 1 (low risk biological agents and hazards, genetically modified organisms, animals and plants) and Containment Level 2 (medium risk biological agents and hazards, genetically modified organisms, animals and plants) laboratories for researching the prevention and treatment of cancer. The building would also provide ancillary uses including a publicly accessible restaurant, accommodation for patients and visitors, clinic and educational floorspace. Given the variance in ground level across the site, the new building height would range from 10m to 17m (to the top of the proposed chimneys) which is broadly in line with the height of Littlemore House at approximately 12.5m.
- 5.2. The proposal would provide 176 parking bays which would equate to provision for 33% of staff. Cycle parking, in excess of Local Plan requirements, would also be provided.
- 5.3. Please see proposed block plan at figure 2 below:



**Figure 2: Proposed block plan**

## 6. RELEVANT PLANNING HISTORY

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

88/00882/PN - Change of use from hospital building to scientific research use, buildings 10, 11, 12. Temporary permission 22nd March 1990.

91/01055/NF - First floor extension above existing porch to accommodate new lift shaft. Approved 8th November 1991.

91/01341/NF - Change of use from ward to office (Rivendell II). Approved 6th April 1992.

93/00391/NOY - Demolition of some buildings on the site. Retention of other buildings & change of use from hospital to B1 and outline application for erection of buildings to provide 22,575 sq. m Business Use Class B1 & associated leisure facilities. New access to Sandford Rd (Amended Plans). Approved 16th January 1995.

95/00283/NRY - (1) Retention of use for business (offices and research and development) - Isis Building (granted temporary permission under 94/01341/NF). (2) Change of use from part of hospital to business (research and development and ancillary offices) including 1st floor, extension for lift shaft and external alterations. - Rivendale Building. (3) Change of use from snooker club to business (research and development and ancillary office) including single storey extensions and porticos - Cherwell Building. (4) Demolition of single storey extensions and corridor links, single storey extensions and erection of 2 storey linking corridor between Isis, Rivendell and cherwell buildings. (5) Erection of building to house boilers and plant. (6) Formation of car park for 150 vehicles and access. (7) Formation of temporary access. (Reserved Matters of application 93/00391/NOY). Approved 12th May 1995.

98/01629/NF - Erection of single storey prefabricated buildings arranged around paved courtyard to provide start-up units for Bioscience Companies (998.4 sq. m.) for a five year period. Shared use of existing access & car parking. (Amended plans). Approved 8th January 1999.

00/00737/NF - Erection of 2 additional prefabricated buildings to provide start up units for bioscience companies for 5 year period. Shared use of existing access and car parking. Approved 3rd July 2000.

00/00738/NT - Renewal of planning permission 98/1629/NF for the erection of single storey prefabricated buildings arranged around paved courtyard to provide start up units for Bioscience Companies ( 998.4 sq.m. ) for a further 5 year period. Shared use of existing access and car parking. Approved 3rd July 2000.

06/01648/FUL - Erection of two x 2 storey buildings for B1B (research and Development) Use. 64 parking spaces. Motorcycle and bicycle parking. Bin stores. Approved 6th November 2006.

09/02314/EXT - Erection of two x 2 storey buildings for B1 (B) (research and development) Use. 64 parking spaces. Motorcycle and bicycle parking. Bin stores. Approved 20th January 2010.

11/01569/FUL - Retention of change of use of part of ground floor and whole of first floor from Class B1 offices to mixed Class B1 office and D1 educational use. (Additional Information). Approved 23rd April 2012.

20/02672/FUL - Erection of two 2-storey buildings to provide 3,500 sqm (GIA) of flexible commercial floorspace (Use Class E) with associated car and cycle parking; hard and soft landscaping and public realm works; ancillary structures including refuse stores, substation building and vehicular access via existing entrance from Armstrong Road. Approved 6th October 2021.

23/00392/FUL - Enabling works comprising the removal of topsoil and excavation of land for primary external drainage runs, the installation of pile mats, guide walls, site hoardings, temporary accesses and access gates, and temporary office/accommodation, as well as tree and vegetation removal and other associated works. Approved 26.05.2023

22/02969/FUL - Partial demolition of and alterations to Littlemore House. Erection of 1no. research and development building (Use Class E) at Littlemore House with ancillary accommodation, clinic, educational floorspace and restaurant and erection of 1 no. research and development building (Use Class E) and 1no. building to accommodate servicing plant and bicycle parking facilities at plot 18 of the Oxford Science Park. Erection of an elevated walkway, linking Littlemore House and plot 18 of the Oxford Science Park, new access arrangements, parking, landscaping, engineering and ground modelling works (amended address) (amended documents). Recommended for approval by Planning Committee on 18th April 2023. Awaiting further comments from the Environment Agency and completion of legal agreement.

23/01698/FUL - Erection of temporary site cabins and hoarding. Installation of piling mat, test piles, external scaffolding, grounds source heating tower, crane bases and temporary guide walls. Under pinning of existing building. Ancillary works. Approved 10.11.2023

## 7. RELEVANT PLANNING POLICY

7.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents
Design	126-136	DH1 - High quality design and placemaking DH7 - External servicing features and stores	
Conservation/Heritage	189-208	DH2 - Views and building heights DH3 - Designated heritage assets DH4 - Archaeological remains	
Housing	60-77	H14 - Privacy, daylight and sunlight	
Commercial	81-83	E1 - Employment sites - intensify of uses SP9 - The Oxford Science Park (Littlemore and Minchery Farm)	Employment Skills TAN
Natural environment	174-188	G1 - Protection of Green/Blue Infrastructure G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	Green Spaces TAN
Social and community	92-103	RE5 - Health, wellbeing, and Health Impact Assessment	
Transport	104-113	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development M3 - Motor vehicle parking M4 - Provision of electric charging points M5 - Bicycle Parking AOC7 - Cowley Branch Line	Parking Standards SPD

<b>Environmental</b>	152-173	RE1 - Sustainable design and construction RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE6 - Air Quality RE8 - Noise and vibration RE9 - Land Quality	Energy Statement TAN
<b>Miscellaneous</b>	7-14	S1 - Sustainable development RE2 - Efficient use of Land RE7 - Managing the impact of development	

## 8. CONSULTATION RESPONSES

- 8.1. Site notices were displayed around the application site on 25<sup>th</sup> September 2023 and an advertisement was published in The Oxford Times newspaper on 28<sup>th</sup> September 2023.

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

#### Oxfordshire County Council (Highways)

- 8.2. No objection subject to conditions, financial contributions and agreement to enter into a S278 agreement.

#### Oxfordshire County Council (Lead Local Flood Authority (LLFA))

- 8.3. No objection, subject to conditions.

#### Thames Water Utilities Limited

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

#### Natural England

- 8.5. No comments received.

#### Network Rail

- 8.6. No objection.

#### Littlemore Parish Council

- 8.7. No objection

#### Oxford Preservation Trust

- 8.8. No comments received.

#### Thames Valley Police

- 8.9. No objection, subject to conditions.



Oxford Civic Society

8.10. No comments received.

Active Travel England

8.11. Issued standing advice.

**Public representations**

8.12. No local people have commented on this application.

**9. PLANNING MATERIAL CONSIDERATIONS**

9.1. 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**

9.2. 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.

9.3. 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.

- 9.4. Whilst Littlemore House is not allocated for development under the current Local Plan, it is prudent to note that the site was allocated in the former 2001-2016 Local Plan for research and development. The site allocation was not rolled forward as the site was not promoted for allocation by the landowner. The planning history of the site for employment space is a material consideration, with the most recent permission being granted in October 2021 and the 2022 application – including the Littlemore House site - unanimously recommended for approval by Planning Committee in April 2023. Furthermore, the nearby employment uses at The Oxford Science Park also form the context of the site. The planned growth in this knowledge economy and its role in the Oxford economy is also of merit. It is therefore considered that the proposal would support the Oxford economy and its planned growth in this sector, and thus the principle of the development can be supported under policy E1 as outlined above, subject to compliance with other development management policies in the Local Plan.
- 9.5. The submitted Economic Statement estimates that during the construction of the proposed development, an estimated 125 full time equivalent (FTE) jobs would be delivered in Oxford with 466 in Oxfordshire. During the operation of the development, an estimated 291 FTE jobs would be delivered in Oxford and 179 in Oxfordshire. These figures further support the proposed development in economic terms.
- 9.6. 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 supplies are locally procured during the construction phase, and potentially the operational phase, of the development. This would be secured by legal agreement.

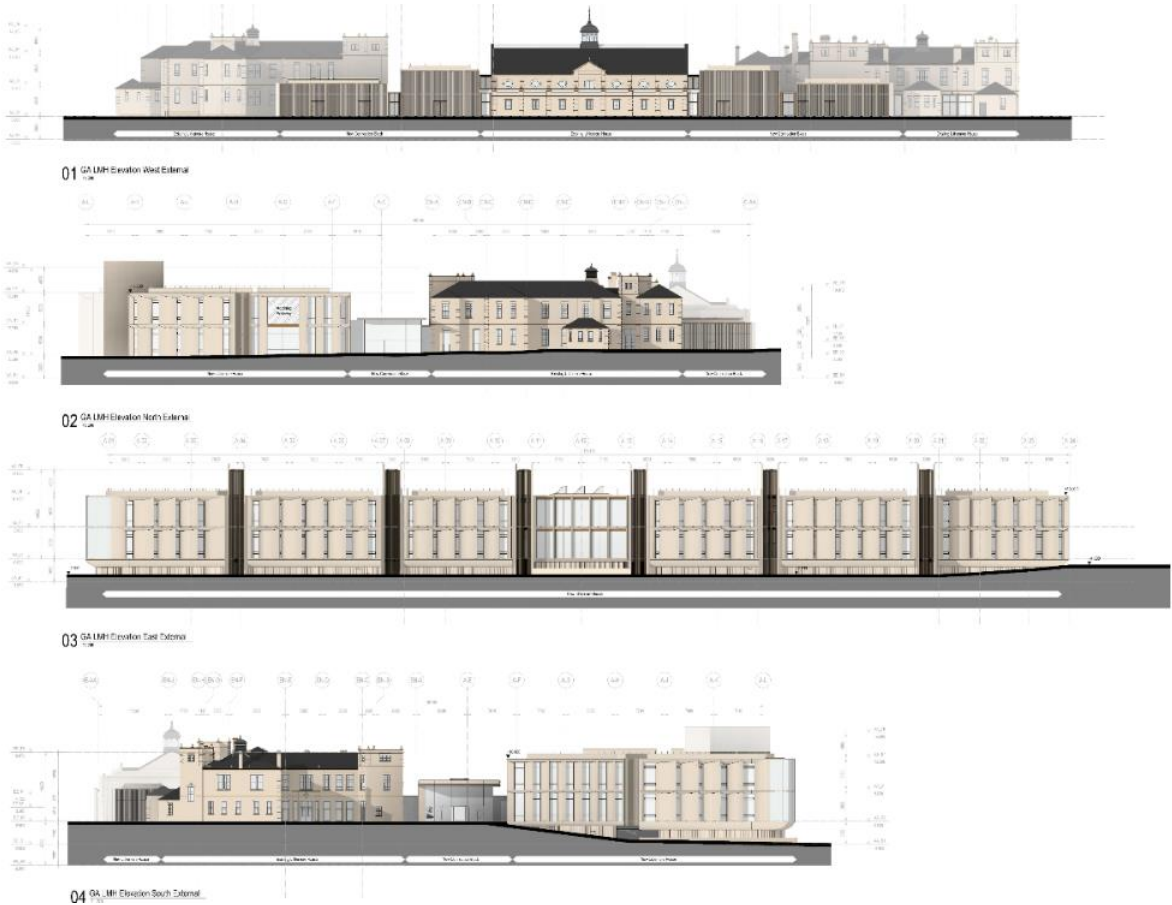
#### **b) Design, views and impact on heritage assets**

- 9.7. 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.
- 9.8. 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”.
- 9.9. 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.

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

9.11. A key challenge for the Littlemore House site has been marrying the technical needs of a modern R&D building with the scale, articulation and materiality of the non-designated heritage asset. This has however been achieved by incorporating chimneys as a visual link between the old and new and breaking up the massing into smaller blocks more akin to the existing building. While the new building on the Littlemore House site does not, for technical reasons, have as varied a roofline as the existing building, it does add to the variation experienced at street level by stepping the building line which creates apparent variation in the roofline. Please refer to figure 3 below and the proposed block plan at figure 2 above.



**Figure 3: Littlemore House external elevations**

9.12. Further, materiality has been designed to complement Littlemore House with a restrained palette of concrete/stone, bronze coloured metal and timber which is consistent across both buildings.

9.13. Following pre-application advice and ODRP feedback, in response to the 2022 proposal, which encouraged visual and physical permeability with the streetscape, an

atrium was introduced at the eastern elevation to allow views of Littlemore House. A glazed staircase holds the corner of Armstrong Road and the main entrance is mainly glazed to give views into the courtyard. These moments of visual permeability and the revealing of building function inside would contribute positively towards the streetscape.

- 9.14. As required by Local Plan policy DH2, the City Council will seek to retain significant views both within Oxford and from outside.
- 9.15. In long views from Toot Baldon, Nineveh Farm and Kennington Road, the proposals are not highly visible, with the bulk of the massing hidden within the treeline of the southern edge of Oxford. The proposals are also well screened in closer views from Sandford on Thames, Sandford Road/Cowley Branch Line and Grenoble Road, adjacent to the Priory.
- 9.16. However, the views study from land to the east of the railway line, within the conservation area, indicates that there would be visual impact from the loss of openness in the views which contributes to the rural setting of the historic settlement. It is considered that this proposal would lead to a low level of less than substantial harm to the setting of Littlemore Conservation Area.
- 9.17. When considering an application affecting the setting of a Conservation Area, Chapter 16 of the NPPF is relevant. Paragraph 199 requires great weight to be given to conserving a designated heritage asset.
- 9.18. 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'.
- 9.19. As outlined above, the proposed development would lead to far reaching economic benefits within the City and beyond with the applicant also committed to entering into a Community Employment and Procurement Plan. In addition to this, the purpose of the proposed laboratories and offices is to lead research in cancer prevention and diagnosis as well as hosting lectures, with invites extended to the public when appropriate. Taking this into account, it is considered that the less than substantial harm caused to the rural character of the setting of the Littlemore Conservation Area is far outweighed by the public benefits that the proposal would bring with it.
- 9.20. With regards to Littlemore House as a non-designated heritage asset, 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.
- 9.21. The NPPF requires proposals to be based upon an informed analysis of the significance of all affected heritage assets and expects applicants to understand the impact of any proposal upon those assets with the objective being to sustain their significance (paragraph 194). When assessing the impact of a proposal on a non-designated heritage asset the NPPF requires the Local Planning Authority to

undertake a balancing judgement having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 203).

- 9.22. The proposed development would result in a loss of the important open space and visual connection from the former hospital buildings with the landscape and surroundings. The proposed demolition would result in a loss of the clear visible evidence of the former hospital building, its symmetrical plan form and architectural expression as part of an historic hospital site. Whilst the connection to the original listed hospital buildings has already been partially severed, it is still possible to read at present but would be further obscured with the addition of the new buildings and the loss of visibility of the existing building.
- 9.23. It is considered that the proposals would result in less than substantial harm being caused to the local heritage asset. This harm would be partially mitigated through the already approved Historic Building Recording (Donald Insall Associates, May 2023) so that those who seek to understand what would be lost are able to do so. Further, it is considered that the benefits of re-using the building, making more efficient use of the site and the economic benefits that the proposal would bring to the City would outweigh the less than substantial harm identified.
- 9.24. In light of the above, it is considered that the proposal accords with policies DH1, DH2 and DH5 of the Oxford Local Plan 2036 and the NPPF.

### **c) Archaeology**

- 9.31. 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.
- 9.32. This application is of archaeological interest as it involves groundworks in a location that has potential for Roman, medieval and early modern (late 19th century) remains. The immediate vicinity of the Littlemore House and Plot 18 sites has produced evidence for Bronze Age, Middle Iron Age, Roman and Early Saxon activity, located on the higher ground either side of Littlemore Brook.
- 9.33. The phased evaluation trenching that has been carried out within the application site has only produced evidence for a single Roman ditch containing multiple sherds from a Roman vessel and potentially associated undated ditch, gully and post holes. A second area of the site recorded a ditch containing medieval pottery. Littlemore House is of further interest as the 1st Edition OS map (1876) records a row of likely domestic dwellings and an engine house associated with the Littlemore Asylum. As above, the hospital cemetery is located between the two plots and is to be protected from development.
- 9.34. As set out at paragraph 7.1, separate minor applications for enabling works in relation to this development have been approved that would involve the laying of a pile mat in advance of basement reduction works. This area of potential Roman interest had been subject to a controlled strip and record excavation as part of the enabling works. Given the extent of the proposed basement, it is also considered appropriate to secure an archaeological watching brief by condition.

9.36. Littlemore House, as a non-designated heritage asset, would be subject to a photographic record, formatted to Level II standard, prior to its redevelopment. This would be secured by condition.

9.37. 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**

9.38. 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.

9.39. With regards to the Newman Place residential development, the rear boundaries and the rear walls of dwellings to the east of the application site would sit between approximately 18m and 32m respectively from the proposed development. Dwellings to the south of the application site would sit approximately 42m from the proposed development.

#### *Privacy*

9.40. Given the significant distances between the proposed development and surrounding residential development, as mentioned above, it is considered that the buildings would not compromise neighbouring privacy.

#### *Overbearing*

9.41. Again, the distance between the plots would mitigate the potential for the buildings to have an overbearing impact on neighbours. Further, the transparency of the proposed eastern elevation and intervening landscaping along the eastern and southern boundaries (please see figure 6 below) would soften the outlook for neighbours within Newman Place.



Viewpoint 3: View from Armstrong Road/Littlemore Brook Public Open Space - Photomontage

**Figure 6: View of eastern elevation from Newman Place**

#### *Daylight/sunlight*

9.43. Overshadowing studies have been submitted, demonstrating the impact of the proposed development on neighbours. In summary, at least half of all the neighbouring gardens would receive at least two hours of sunlight on 21<sup>st</sup> March (equinox) in accordance with BRE guidelines.

### *Construction phase*

- 9.44. In order to protect the amenity of neighbours during the construction process, the development would be carried out in strict accordance with the approved Construction Traffic Management Plan (Laing O'Rourke, 24th May 2023) and Construction Environmental Management Plan (Laing O'Rourke, April 2023 P01).
- 9.45. 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**

- 9.46. 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.
- 9.47. With regards to the proposals impact on healthcare provision, it would essentially provide a private facility which would *'reimagine and redefine cancer treatment, enhance health and transform lives. The facility would be constructed and managed by EITM, an institute which combines interdisciplinary research with the prevention and treatment of cancer.'* To enhance the wellbeing of staff and visitors, the proposal includes landscaped gardens and retains the largely protected woodland. EITM intend on holding events for the public which would also allow access to the landscaped areas.
- 9.48. Inclusive design has been considered both internally and externally throughout the scheme with wheelchair accessibility and flexibility available.
- 9.49. 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.
- 9.50. 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**

- 9.51. 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.
- 9.52. Policy M1 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport. In accordance with policy M2, a Transport Assessment for major developments should assess the impact of the

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

### *Sustainability*

9.53. Littlemore is still considered relatively unsustainable in transport terms compared to other parts of Oxford, however there is still a high number of staff within walking and cycling distance from areas such as Sandford-on-Thames, Blackbird Leys, Greater Leys and Cowley. As Planning Committee will be aware, there is a proposal for the Cowley Branch Line (CBL) to be repurposed as a passenger service which would connect Oxford train station with Oxford Business Park, Oxford Science Park and Oxford Parkway train station/Park & Ride. It is currently anticipated that the CBL could operate from December 2026. Within a recent connectivity study by Phil Jones Associates, it was highlighted that active travel improvements to the new Branch Line station at the Science Park were required, and with the high level of staff that would be commuting to the Science Park by active travel, it is considered that these are also required for further development in this area. Some of these are already planned and/or funded and will be implemented in the near future, these include:

- Pedestrian/ cycle link from the Science Park to Armstrong Road as part of this application.
- Improved pedestrian/ cycle permeability and street lighting on Public Right of Way 281/1/40 connecting the Science Park to Minchery Farm.
- New direct pedestrian/ cycle route from Knights Road connecting the Science Park to Blackbird Leys.
- Active travel improvements from Sandford-on-Thames along Church Road and towards Littlemore on Sandford Road.

9.54. It should also be noted that approximately 3,500 dwellings are planned for land south of Grenoble Road 'South Oxford Science Village' which falls with the administrative area of South Oxfordshire District Council. However, should this come forward it would bring with it a large investment in sustainable transport options and increase the viability of schemes such as the CBL passenger rail service.

9.55. It is considered that the below improvements are required in order to make active travel to the area more attractive. Contributions towards these improvements have been requested from this development and others nearby:

- A new pedestrian/cycle crossing on Henley Road to allow easier access to the Science Park from Abingdon, Sandford-on-Thames and Littlemore.
- A new shared use path along Brick Kiln Lane.



- A safer crossing point at the Grenoble Road/Brick Kiln Lane roundabout which would allow pedestrians and cyclists to cross the A4074 slip road to join the shared use path on the northern side of Grenoble Road.
- Upgrading of the cycle route from the Science Park through Littlemore as far as Giles Road.

9.56. The sites are currently served by the no. 45 bus which connects the Science Park with Culham, Abingdon, Berinsfield and Cowley and is funded by Culham Science Centre. The sites are also served by the 3A bus which connects the Science Park to the City centre via Littlemore, Rose Hill and Iffley which is soon to be extended to the train station. This service is currently every half an hour but this may change in the future if the proposed traffic filters come in, which will also improve journey time.

9.57. As Planning Committee will be aware, there is a proposal for a new 'eastern arc' bus route which would connect Littlemore and the Science Park with Marston, Headington and North Oxford. This is currently unfunded but should be operational by the occupation of the proposed development. Contributions towards this route have been requested as part of this application.

#### *Access*

9.59. In terms of vehicular access, Littlemore House would be accessed from Armstrong Road, the existing access via Mandelbrote Drive. The existing access to the east would be closed up with the footpath reinstated. The two new accesses to be constructed on Armstrong Road would allow for acceptable visibility splays and vehicle tracking with all technical details to be approved with the Highways Authority under a S278 Agreement (secured by legal agreement).

#### *Vehicular and cycle parking*

9.60. The proposal would provide 176 car parking bays which equates to 33% of staff (based on 43sq. m. per person). A total of 12 bays would be accessible and 50 would be served with EV charging infrastructure which equates to 28% of provision, in excess of Local Plan requirement of 25%.

9.61. The proposal would provide 170 secure and covered cycle parking spaces (114 at basement level and 56 at grade) which is in excess of the Local Plan requirement of 149 spaces.

#### *Traffic impact*

9.62. The submitted impact assessments demonstrate that all local junctions would operate well within capacity and therefore Officers do not consider that the impact from this development on the local highway network would be severe.

9.63. 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**

- 9.64. 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.
- 9.65. A Tree Preservation Order (TPO) (including both Individual and Area designations) covers much of the original wider Littlemore Hospital estate. At the time the land became available for development, the TPO was created to ensure appropriate consideration of trees as landscape assets in any future development of the site. Three individual Horse Chestnut trees are located within the Littlemore House site; and a protected wooded area runs between the two plots just outside the southwestern boundary of Plot 18. Trees, which have been planted or otherwise established subsequently are not protected; this includes the lime avenue along the Armstrong Road entrance route to Littlemore House, which was planted as part of planning permission 95/01537/NR.
- 9.66. The development at Littlemore House would involve the loss of the lime avenue. Whilst regrettable, their amenity value is largely limited to within the site itself and does not contribute significantly to public views. Taking into account the form and quantum of development proposed, it appears infeasible to retain the limes.
- 9.68. In total, 15 individual trees and 6 groups and/or parts of tree groups would be lost as a result of the development. However, given the scale of the site it is more contextual to consider the impacts and mitigations proposed using the tree canopy cover metric as set out at Local Plan policy G7 and the Green Spaces Technical Advice Note (TAN).
- 9.69. 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 23% increase in canopy cover after 25 years and a 47% increase in 30 years compared to a no-development scenario.
- 9.70. 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**

- 9.71. 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.
- 9.72. 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.

- 9.73. The submitted Energy Statement has been developed using a 'fabric first' approach with the design seeking to reduce energy demand through passive measures which include the design of the external shading and incorporating natural ventilation to all viable office, meeting and circulation areas.
- 9.74. Air Source Heat Pumps are proposed to heat and cool the building with Ground Source Heat Pumps providing low temperature hot water and chilled water. Energy would be supplemented by roof mounted solar PV panels across Littlemore House. Specifications and large scale details of the solar panels would be conditioned to ensure they do not detract from visual amenity.
- 9.75. The scheme would achieve a 41% 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.
- 9.76. 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**

- 9.77. 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.
- 9.78. The baseline assessment shows that 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 NO<sub>2</sub> air quality objective (AQO). Analysis of DEFRA's Urban background maps and of all pollutant concentrations at monitoring locations in the surrounding area of the application site, show clear compliance with all relevant air quality objectives for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations. Therefore, the location of the application site is considered suitable for its intended use without mitigation.
- 9.79. As outlined within the sustainable design and construction section above, the proposed development would be all electric, utilising zero emission technologies. Littlemore House would incorporate a roof mounted solar PV array. As no combustion sources are proposed during normal operation, no local air quality impacts are anticipated.
- 9.80. The submitted Air Quality Assessment indicates there is a high risk of dust soiling during the demolition and construction phase of development but a low risk of increasing PM concentrations. The risk of dust and increased exposure to PM<sub>10</sub> concentrations impacting on local amenity has been used to identify appropriate dust mitigation measures and provided that these measures are implemented and included within a dust management plan that would be secured by condition, it is considered that the residual impacts are not significant.

- 9.81. The results of the operational phase traffic impact assessment indicate that the impact on NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations at all nearby existing sensitive receptors would be negligible and therefore no mitigation is required. A Site Suitability Assessment of NO<sub>2</sub> concentrations at proposed sensitive receptors at the facades of the proposed buildings and along the site boundary has also been completed. The modelled NO<sub>2</sub> concentrations from the dispersion model are below the annual mean AQO for NO<sub>2</sub>, and the 1-hour mean NO<sub>2</sub> is not predicted to be exceeded at any proposed sensitive receptor, or at the application site boundary. As such, mitigation measures are not required for the operational phase of the proposed development.
- 9.82. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE6, subject to suggested conditions set out at section 12 below.

#### **j) Noise**

- 9.83. 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.
- 9.84. The submitted acoustic assessment adequately predicts plant noise levels as being below the existing background noise level at the identified receptors taking into consideration distance losses, surface acoustic reflections and, where applicable, screening provided by the proposed buildings. The calculations show that the noise criteria of the proposed plant strategy would meet the Local Plan requirements during the operating period and should not have an adverse impact on the nearest sensitive receptors. Conditions requiring proposed plant noise to fall below existing local background levels and the installation of anti-vibration isolators would be attached to the planning permission to ensure that amenity of occupiers and neighbours is protected.
- 9.85. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE8.

#### **k) Land quality**

- 9.86. 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.
- 9.87. Historical documentation and mapping information indicate that the Littlemore House site has had a previous potentially contaminative use as a hospital and gas works. This could give rise to potential ground contamination risks which could impact future users of the site and surrounding environment.
- 9.88. The submitted Geo-environmental assessment report and Geo-environmental assessment addendum report confirm the presence of various contamination risks

within soils, made ground and groundwater across the whole application site. In terms of mitigation of the identified risks, the submitted site wide Remedial Strategy is considered acceptable on the basis that further testing of groundwater, soils and ground gas is proposed. Results from this further testing is due to be provided within a supplementary briefing note that would be secured by condition.

9.89. It is considered that, subject to conditions set out within section 12 below, the proposed development would comply with Local Plan policy RE9.

### **l) Flood risk and drainage**

9.90. 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.

9.91. As set out above, Littlemore House is located wholly within flood zone 1 and is at low flood risk from fluvial, pluvial, tidal and artificial sources. As such, no flood mitigation measures are proposed.

9.92. 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.

9.93. The submitted Drainage Strategy proposes to utilise SuDS such as blue roofs, permeable paving and landscape features. It is proposed to split the application site into two drainage catchment areas. The western existing catchment would retain the foul and surface water drainage networks that currently serve the existing buildings west elevations and parking areas/access roads. SuDS, such as permeable paving and landscape planting would be incorporated where feasible. The proposed eastern catchment would collect the drain points from the eastern elevations of the existing buildings to be retained and serve all the other proposed buildings and landscaping areas. Blue roofs, above basement storage layers, extensive planting/soft landscaping and an attenuation tank would be utilised to allow the discharge rate to be restricted to the greenfield runoff rate for all storms up to the 1 in 100 year storm with a 40% allowance for climate change. A new outfall is proposed into the offsite public surface water sewer, which discharges almost immediately into the Littlemore Brook.

9.94. Final drainage design drawings, including the required level of detail including cover levels, invert levels, pipe diameters/materials/gradients and standard Manhole details would be conditioned. It is considered that the proposal would comply with policy RE4 of the Oxford Local Plan 2036.

### **m) Ecology**

9.95. 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.

9.96. The Local Planning Authority (LPA) has a duty to consider whether there is a reasonable likelihood of protected species being present and affected by development at the application site. The presence of a protected species that may be affected by the development is a material consideration for the LPA in its determination of a planning application. The LPA has a duty as a competent authority, in the exercise of its functions, to secure compliance with the Regulation 9(1) The Conservation of Habitats and Species Regulations 2017, which makes it a criminal offence to deliberately disturb a protected species.

9.97. The primary ecological consideration at Littlemore House is roosting bats. Three bat roosts were identified in the existing buildings during emergence and re-entry surveys undertaken in June, July and August 2022, including two day roosts comprising small numbers of Brown Long-eared bats and a single day roost comprising an individual Common Pipistrelle. The Ecological Assessment indicates the two brown long-eared bat roosts would be lost. The proposed development will only be able to proceed under licence from Natural England.

9.98. The LPA must consider the likelihood of a licence being granted when determining a planning application. This requires consideration of the “three tests” which development must pass to qualify for a licence, as set out in The Conservation of Habitats and Species Regulations 2017 (as amended). The three tests are as follows:

- a) The purpose of the development must be preserving public health or public safety or another imperative reason of overriding public interest;
- b) There must be no satisfactory alternative; and
- c) The development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

9.99. It is considered that, for the reasons set out within this report, the first two tests would be met. The identified roosts are of low conservation importance and the proposed mitigation would ensure roosting opportunities remain post-development, therefore the third test would also be met.

9.100. Several non-native invasive species are present within the application site, including Cotoneaster, Portuguese laurel and Snowberry. The opportunity should be taken to eradicate all of these species as part of the management of the site. An invasive

species protocol is to be secured via planning condition to address the cotoneaster with the remainder captured in the LEMP.

- 9.101. The Ecological Impact Assessment (EclA) states the proposed development will provide new bat roosting and bird nesting opportunities integrated within the new building and on retained trees on site. This includes the provision of bat tiles facilitating access within the new building roof.
- 9.102. The submitted Biodiversity Metric submitted in support of the application indicates the proposed development would deliver an increase in 16.49 habitat units (+13.76%) and 3.18 hedgerow units (+18.98%). The gains are largely driven by tree planting on site. However, as set out above, enabling works (including site clearance) commenced on the Littlemore House site in June 2023 prior to planning permission being granted for 22/02969/FUL. As such, there will likely be delays in providing the habitat and hedgerow units from the timescale originally anticipated in the submitted BNG metric. Any delays will impact on the units achieved, requiring an updated metric during the development process to accurately reflect this. In the event that the above units can no longer be met on-site, an option to purchase credits for off-site enhancement would need to be incorporated into the S106 legal agreement. Officers are confident that, in any event, the proposal would achieve in excess of the 5% BNG Local Plan policy requirement.
- 9.103. Given the nature and location of the proposed development, the only potential pathway for impacts on the Oxford Meadows Special Area of Conservation (SAC) is through changes in air quality arising from the increase in traffic associated with the development.
- 9.104. The transport consultant undertook modelling in relation to the wider application covering Littlemore House and Plot 18 of the Oxford Science Park, calculating that the proposed development across both plots of land would result in a maximum increase of 90 Annual Average Daily Traffic (AADT) on the stretches of the A34 and A40 that pass immediately adjacent to the Oxford Meadows SAC. The submitted methodology is considered acceptable.
- 9.105. It has been demonstrated that the development at Littlemore House will not, in combination with local projects within the Science Park, exceed 1,000 AADT, which would be a trigger for further assessment.
- 9.106. As such, Officers are satisfied this planning application, concerning only Littlemore House, would not give rise to any likely significant effects on the Oxford Meadows Special Area of Conservation (SAC), either alone or in combination with other projects/plans.
- 9.107. In light of the above, it is considered that the proposal would accord with the requirements of policy G2 of the Oxford Local Plan 2036.

#### **n) Utilities**

- 9.105. Local Plan Policy V8 requires developers to explore existing capacity (and opportunities for extending it) with the appropriate utilities providers.

- 9.106. The applicant is in contract with SSE to meet the proposal's electrical demand and an Independent Distribution Network Operator are engaged to provide the connection.
- 9.107. Whilst the proposed heating and cooling strategy is all electric, there may be gas requirements for kitchen burners. In the event that this is the case, the applicant intends to install a natural gas line during construction to avoid retro-fitting and as such has sought confirmation from SGN that there is capacity in the network to serve the development.
- 9.108. Thames Water has confirmed that the required flow rate of 1 l/s is achievable in principle. Thames Water will commence further modelling if planning permission is granted or when the applicant underwrites the modelling fees. A storage tank has been designed to support the building loads, which serves as a buffer store that would meet any peak loads during the day, ensuring that the flow rate from the mains would always remain below 1 l/s.
- 9.109. Thames Water has also confirmed that there will be sufficient sewerage capacity in their network to serve foul flows from Littlemore House.
- 9.110. Both Openreach and Virgin Media have capacity to provide sufficient data connections to the proposed development.
- 9.111. The proposal therefore complies with policy V8 of the Oxford Local Plan 2036.

## **10. PLANNING OBLIGATIONS**

10.1. It is considered that the following matters should be secured through a section 106 legal agreement:

- £551,398.00 towards the Eastern Arc bus route.
- £432,345.00 towards Cowley Branch Line.
- £212,497.00 towards active travel improvements.
- £2,563.00 towards travel plan monitoring.
- Agreement to enter into a S278 Agreement with the Highways Authority.
- Agreement to enter into a Community Employment and Procurement Plan with the City Council.
- Agreement to achieve Biodiversity Net Gain on site with a requirement to purchase credits for off-site enhancement in the event that all proposed units cannot be provided on-site.

## **11. CONCLUSION**

11.1. Officers consider that the proposed development would respond appropriately to the site context and Local Plan policies.



- 11.2. 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.
- 11.3. 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.
- 11.4. 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.
- 11.5. Officers consider that the proposed development would respond appropriately to the site context and Local Plan policies as a whole.
- 11.6. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out at section 12 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 to secure the obligations referred to in section 10 of this report..

## **12. CONDITIONS**

### *Time limit*

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

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

### *Approved plans*

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

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

### *Materials*

3. Prior to the commencement of works above ground floor slab level, large scale sample panels (minimum of 1m x 1m) of external materials shall be erected on site and approved in writing by the Local Planning Authority. The external materials to be used shall be in accordance with the details of materials indicated on the following drawings:
  - 'Littlemore House General Arrangement Elevation Overall External' (dwg. no. EITM-FOS-AA-XX-D-A-06100 X02).
  - 'Littlemore House General Arrangement Elevation Internal' (dwg. no. EITM-FOS-AA-XX-D-A -06101 X02).
  - 'Walkway Site Elevations Overall External' (dwg. no. EITM-FOS-LL-XX-D-A -06101 X02).
  - 'Plot 18 General Arrangement Elevation Overall External' (dwg. no. EITM-FOS-PP-XX-D-A -06100 X02)

Sample panels and samples shall, where feasible, remain on site for the duration of the development works following their approval by the Local Planning Authority.

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

### *Hard landscaping works*

4. Prior to the commencement of hard landscaping works, hard landscaping samples shall be erected on site and approved in writing by the Local Planning Authority. The development shall be completed in strict accordance with the approved sample panels and samples unless otherwise agreed in writing by the Local Planning Authority. Sample panels and samples shall, where feasible, remain on site for the duration of the development works following their approval by the Local Planning Authority.

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

### *Signage and lighting*

5. Prior to the installation of any external signage and lighting fixtures, large scale details (1:50), images and specifications 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.

### *Balustrading and boundary treatments*

6. Prior to the installation of any balustrading adjacent to the vehicular ramps and boundary treatments, large scale details (1:50) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

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

### *Solar panels*

7. Prior to installation, large scale (1:20) drawn details and specifications of the proposed vertical and horizontal solar PV panels shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

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

### *Lighting strategy*

8. Prior to the installation of internal and 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 development 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.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy, and these shall be maintained thereafter in strict accordance with the approved strategy unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent harm to species and habitats within and outside the site during construction and 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) and Policy G2 of the Oxford Local Plan 2036.

*Noise emission*

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

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

*Anti-vibration isolators*

10. 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.

*Emergency plant and equipment*

11. Noise emitted from the emergency plant and generators, to be operated only for essential testing except when required by an emergency loss of power, shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10dB one metre outside any premises. Testing of the emergency plant and generators shall be carried out only for up to one hour per calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

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

*Construction Environmental Management Plan (CEMP)*

12. The development, hereby approved, shall be carried out in complete accordance with the submitted Environmental Management Plan (Laing O'Rourke, April 2023 P01).

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

#### *EV Charging points*

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

The electric vehicle infrastructure shall be formed, and laid out in accordance with these approved details prior to first occupation and shall remain in place thereafter.

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

#### *Thames Water infrastructure*

14. There shall be no occupation of the development beyond 1lites per second demand until confirmation has been provided to the Local Planning Authority, in consultation with Thames Water that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or – a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation of additional floorspace shall take place other than in accordance with the agreed development and infrastructure phasing plan.

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

#### *Travel Plan*

15. 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 strict accordance with the 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*

16. Prior to occupation of the development, 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 (CTMP)*

17. The development hereby approved shall be carried out in strict accordance with the approved Construction Traffic Management Plan (Laing O'Rourke, 24th May 2023).

Reason: In the interests of highway safety in accordance with policy M2 of the Oxford Local Plan 2036.

### *Archaeology*

18. The development hereby approved shall be carried out in strict accordance with the Stage 2 Archaeological Watching Brief and Written Scheme of Investigation (John Moore Heritage Services, October 2023).

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.

### *Historic Building Recording*

19. Upon commencement, the development hereby approved shall be carried out in strict accordance with the submitted Heritage Assessment (Donald Insall Associates, May 2023)

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.

### *Landscape Plan*

20. Prior to first occupation or use of the development, a landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall show details of treatment of paved areas, and areas to be grassed or finished in a similar manner, existing retained trees and proposed new tree,

shrub and hedge planting. The plan shall also include an amended species selection for the proposed new tree planting along the southern boundary, adjacent to the car park ramps. The plan shall correspond to a schedule detailing plant numbers, sizes and nursery stock types.

Reason: In the interests of visual amenity and to ensure that biodiversity net gain is achieved in accordance with policies G2, G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

*Landscape proposals – implementation*

21. The landscaping proposals as approved by the Local Planning Authority pursuant to condition 21 shall be carried out no later than the first planting season after first occupation or first use of the development hereby permitted 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 2016-2036.

*Landscape proposals – reinstatement*

22. Any existing retained trees, or new trees or plants planted in accordance with the details of the approved landscape proposals that fail to establish, are removed, die or become seriously damaged or defective within a period of five years after first occupation or first use of the development hereby 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*

23. 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. 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*

24. The hard surfaces shall be constructed in strict accordance with details set out in the following document, unless otherwise agreed in writing by the Local Planning Authority

Ellison Institute For Transformative Medicine - Oxford  
Planning Conditions Discharge |12/06/2023  
Condition 25 | Landscape surface design - Tree Roots

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*

25. The development hereby approved shall be carried out in strict accordance with details set out in the document below unless otherwise agreed in writing beforehand by the Local Planning Authority:

Ellison Institute For Transformative Medicine - Oxford  
Planning Conditions Discharge |12/06/2023  
Condition 26 | Underground Services - Tree Roots

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

*Arboricultural Method Statement*

26. The development shall be carried out in strict accordance with the approved methods of working and tree protection measures contained within the approved details and shown on Tree Protection Plan drawing referenced: Barrell: 22064-6, unless otherwise agreed in writing beforehand by the Local Planning Authority. 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)*

27. The development hereby approved shall be carried out in strict accordance with the Arboricultural Monitoring Programme (Barrell tree consultancy, 13<sup>th</sup> August 2023) from commencement of development and adhered to thereafter.

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

*BREEAM*

28. Prior to first occupation of the development hereby approved, the full BREEAM assessment (or recognised equivalent assessment methodology), confirming the achievement of a level of Excellent shall be provided to and confirmed in writing by the Local Planning Authority.



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

*Energy Statement*

29. The development shall be implemented in strict accordance with the approved Energy Statement (Foster + Partners, December 2022, Version 1.0). Prior to the first occupation of the development evidence (including where relevant Energy Performance Certificate(s) (EPC), Standard Assessment Procedure (SAP) and Building Regulations UK, Part L (BRUKL) documents) shall be submitted to the Local Planning Authority to confirm that the energy systems have been implemented according to details laid out in the approved Energy Statement and that they 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.

*Green roofs*

30. Prior to installation, specifications of and a maintenance plan for the proposed green roofs shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation and maintained thereafter in accordance with the approved maintenance plan.

Reason: To ensure the longevity of this new green infrastructure in accordance with policy G8 of the Oxford Local Plan 2036.

*Contamination risk assessment*

31. Prior to the commencement of above ground works, a further contamination 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. The risk assessment, in the form of an updated briefing note, 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.

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

*Construction Environmental Management Plan: Biodiversity*

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

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of “biodiversity protection zones” in respect of protected and notable species and habitats;
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on biodiversity during construction (may be provided as a set of method statements) and biosecurity protocols;
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) Contingency/emergence measures for accidents and unexpected events, along with remedial measures;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of a qualified ecological clerk of works (ECoW) or similarly competent person if required, and times and activities during construction when they need to be present to oversee works; and
- h) Use of protective fences, exclusion barriers and warning signs;

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

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

*Landscape Ecological Management Plan (LEMP)*

33. Prior to the occupation of the development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. 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.

The development shall be carried out in strict accordance with the approved LEMP.

Reason: To prevent harm to species and habitats within the development site in accordance with The Wildlife and Countryside Act 1981 (as amended), and to improve the biodiversity in Oxford City in accordance with Policy G8 of the Oxford Local Plan 2036 and the National Planning Policy Framework.

#### *Ecological Enhancements*

34. Prior to the commencement of development, a scheme of ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include specifications of landscape planting of known benefit to wildlife, including nectar resources for invertebrates, in addition to bat roosting devices and bird nesting devices. Details must include the proposed specifications, locations, and arrangements for any required maintenance of the devices. The approved devices and enhancements shall be fully constructed prior to occupation of the approved buildings and retained and maintained in accordance with approved details thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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

#### *Cotoneaster Eradication Plan*

35. Prior to the commencement of the development, an invasive non-native species protocol shall be submitted to and approved in writing by the Local Planning Authority, detailing the containment, control and removal of Cotoneaster Horizontalis on site. The measures shall be carried out prior to commencement of development in strict accordance with the approved scheme.

Reason: It is an offence under the Wildlife and Countryside Act 1981 (as amended) to plant or cause to grow in the wild any plant listed in Schedule 9, Part 2 of the Act. Cotoneaster Horizontalis is included within this schedule.

#### *Badgers*

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

Reason: To prevent harm to badgers in accordance with the Protection of Badgers Act 1992.

*Time limit on development before further surveys are required*

37. If the development hereby approved does not commence prior to September 2024, or having commenced is suspended for more than 12 months, further ecological surveys shall be commissioned to:

- i. Establish if there have been any changes in the presence and abundance of roosting bats; and
- ii. Identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures shall be revised and new or amended measures, and a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement or resumption of development. Works shall then be carried out in strict accordance with the proposed new approved ecological measures and timetable.

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

*Drainage*

38. Prior to the commencement of development, a detailed surface water drainage scheme for the site, 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 scheme shall include:

A compliance report to demonstrate how the scheme complies with the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire";

- 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;
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details.
- Consent for any connections into third party drainage

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

#### *SuDS*

39. 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:

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

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

#### *Flood risk*

40. In accordance with paragraph 167 of the National Planning Policy Framework and Policy RE3: Flood risk management of the Oxford City Local Plan 2036 (adopted 08 June 2020), the development shall be carried out in accordance with the submitted Flood Risk Assessment (reference: Flood Risk Assessment for Littlemore House Littlemore Park and Plot 18 Oxford Science Park, prepared by: Langan International UK LTD, revision 2, dated 06 Dec 2022) and the following mitigation measures it details:

- The Littlemore House plot will be located wholly within Flood Zone 1.
- The service shafts finished floor levels shall be set no lower than 58.40 metres above Ordnance Datum.
- Flood storage compensation shall be provided on a level for level basis to mitigate for any change in existing ground levels including landscaping and to ensure no increase in flood risk elsewhere. Any changes to the existing flood management basins to the east and west of the site shall not reduce flood storage volume.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: This condition is in accordance with paragraph 167 of the NPPF and Policy RE3: Flood risk management of the Oxford City Local Plan 2036 (adopted 08 June 2020) and seeks to reduce the risk of flooding to the proposed development and future occupants, prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and ensure the structural integrity of the proposed building thereby reducing the risk of flooding.

### *Remedial works*

41. In accordance with paragraphs 174 and 180 of the NPPF, prior to each sequence of development approved by this planning permission no development shall commence until an updated remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:
1. An updated groundwater investigation updating the findings of the previous investigations to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
  2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

### *Verification report*

42. Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.

### *Previously unidentified contamination*

43. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until an updated

remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved before the development continues.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the National Planning Policy Framework.

#### *Infiltration*

44. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: The previous use of the proposed development site as a historic landfill and gas works site presents a medium risk of contamination that could be mobilised by surface water infiltration from the proposed sustainable drainage system (SuDS). This could pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary aquifer. Therefore, it is not believed that the use of infiltration SuDS is appropriate in this location. This condition seeks to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework.

#### *Piling*

45. Piling using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved piling monitoring plan details.

Reason: Piling using penetrative methods can result in risks to potable supplies from, for example, pollution/turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Groundwater is particularly sensitive in this location because the proposed development site is located upon secondary aquifer A with groundwater encountered at shallow depths. This condition seeks to ensure that the proposed development, does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework and Position Statement N of the 'The Environment Agency's approach to groundwater protection (publishing.service.gov.uk)'.

#### *Boreholes*

46. A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

Reason: The submitted planning application indicates that boreholes have been installed at the development site to investigate groundwater resources. As per section 5.4 of the Remediation Strategy, redundant boreholes must be decommissioned, taking into account that they could serve as monitoring locations during piling works. If these boreholes are not decommissioned correctly, they can provide preferential pathways for contaminant movement which poses a risk to groundwater quality. Groundwater is particularly sensitive in this location because groundwater at this proposed development site is very shallow and hydraulically connected to surface waters. This condition seeks to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 174 of the National Planning Policy Framework and Position Statements A4 and A8 of 'The Environment Agency's approach to groundwater protection (publishing.service.gov.uk)'.

*Secured by Design application*

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

Reason: To safeguard the safety and amenity of occupants and the local community in accordance with policy RE7 of the Oxford Local Plan 2036.

*Security and Access Strategy*

48. Prior to commencement of development above slab level, a detailed Security and Access Strategy shall be submitted to and approved in writing by the Local Planning Authority for the development hereby approved. The strategy shall set out the measures that will be taken to ensure opportunities for crime have been designed out from the outset, to include as a minimum:

- Access control strategy, including access control measures for both vehicular and pedestrian traffic for staff and visitors.
- Site response plan, detailing command and control proposals in the event of an incident.
- CCTV strategy, with accompanying lighting strategy.
- Boundary treatment scheme.



- Soft landscaping scheme indicating location and specification of all defensible space and planting.

The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation that all measures detailed within the approved strategy have been installed and are operational has been submitted to and approved in writing by the Local Planning Authority.

#### INFORMATIVES:

1. This development is liable for CIL.
2. Construction and demolition works and associated activities at the development, audible beyond the boundary of the site should not be carried out other than between the hours of 07:00 – 19:00 Monday to Friday daily, 08:00 – 13:00 on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer.
3. At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works should be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.
4. All waste materials and rubbish associated with demolition and/or construction should be contained on site in appropriate containers which, when full, should be promptly removed to a licensed disposal site.
5. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he/she will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed online via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
6. Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992.

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. A derogation licence from Natural England is required before any works affecting bats or their roosts are carried out.

All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended). Occasionally nesting birds can be found during the course of development even when the site appears unlikely to support them. If any nesting birds are present then the buildings works should stop immediately and advice should be sought from a suitably qualified ecologist.

### **13. APPENDICES**

13.1. **Appendix 1** – Site location plan

13.2. **Appendix 2** – Committee report for application 22/02969/FUL.

### **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.