

Application number:	23/01198/FUL		
Decision due by	8 th September 2023		
Extension of time	1 st March 2024		
Proposal	Demolition of existing Bingo Unit (Sui Generis, Classes E (b), (d), (e), (f), and (g) (i, ii or iii)); development of a new part-four/part-five storey (plus roof plant) building comprising laboratory and office space (Use Class E(g)) and a ground floor level commercial unit (Use Class E(a) or E(b)), with associated access road, public realm, hard and soft landscaping, cycle parking, EV charging, service yard, site infrastructure and associated works.		
Site address	Unit 1, Ozone Leisure Park, Grenoble Road, Oxford – see Appendix 1 for site plan		
Ward	Littlemore Ward		
Case officer	Michael Kemp		
Agent:	Rachel Streeter	Applicant:	Firoka (Oxford Leisure) Ltd
Reason at Committee	The application is for major development		

1. RECOMMENDATION

1.1. The Oxford City Council 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; and
- Respond to comments made by the Environment Agency, resolve any concerns or objections and finalise any recommended conditions; and

- Finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning 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. This report considers a proposal to demolish an existing bingo hall and the erection of a new building of four to five storeys with roof plant, housing 10,929sqm of laboratory and office space, with supporting plant and a commercial unit at ground floor level, which would be used as a café.
- 2.2. The provision of a building falling under a Class E (g) life science use would be acceptable on this site in line with Policy AOC7 of the Oxford Local Plan and Paragraphs 85 and 87 of the NPPF. The scope of existing planning permissions applicable to the building already allow for the loss of the existing community use of the site as a bingo hall and would allow the building to be reused for a life science use and there are clear design benefits to redeveloping the site, compared with retaining and converting the existing building. Whilst the proposals must be considered as a departure from Policy V7 of the Oxford Local Plan, the significant economic benefits of providing the new purpose-built life sciences space, design benefits from redeveloping the site and fallback position established under the existing permissions on the site, would represent significant material grounds to justify departure from Policy V7 of the Oxford Local Plan.
- 2.3. Officers consider that the design of the proposed building is of a high standard and is contextually appropriate accounting for the character and context of the area. The proposals would enhance the public realm along Minchery Lane, accounting for the proposed landscaping improvements, removal of the existing boundary fencing, provision of new public realm and active ground floor frontages. The scale and height, whilst greater than the existing building, is considered appropriate, when considering the visual impact of the development in localised and longer-range views. Officers also consider that the scale and siting of the development would not have any significant negative impacts with regards to the amenity of any surrounding residential properties.
- 2.4. The scale and siting of the building would impact on the setting and significance of the Grade II* listed Priory, which would exacerbate the harm caused to the Grade II* listed building by the other very large buildings that have been built on the formerly open and rural land surrounding the designated heritage asset. Consequently, officers consider that the development would result in less than substantial harm to the setting and significance of this designated heritage asset. With regard to the setting of the Central (City & University) Conservation Area, it is considered that the proposal would result in a low level of less than substantial

harm, as it would introduce further tall built form into the city's characteristically low-rise suburbs. Whilst giving great weight to the conservation of these assets, in both instances, officers consider that there is clear and convincing justification for this level of harm in line with Paragraph 208 of the NPPF. It is considered that the public benefits of the development, in particularly the economic benefits of providing additional high quality purpose-built laboratory space, to address demand for the provision of this space within the city outweighs the low level of harm caused. As such, it is considered that the development accords with Policies DH1 and DH3 of the Oxford Local Plan and the NPPF. In coming to this conclusion great weight and due regard has been given to the requirements of Sections 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2.5. No net increase in parking provision is proposed within the application, with allocated parking based on a modal share of 46% of staff. Given the presence of surrounding parking there would be a requirement for the developer to set out measures to manage parking across the wider Kassam Stadium site. A clause within the accompanying Section 106 agreement will also be required to outline a strategy for the future relocation of the parking, accounting for the site's allocation in the Local Plan and to reduce the extent of parking once the Cowley Branch Line becomes operational. To improve the site's wider sustainability and accessibility by public transport, financial contributions would be sought towards delivery of the Cowley Branch Line and towards the Eastern Arc bus service, totalling £450,588. The development would enhance existing cycle and pedestrian connectivity through the site, whilst an acceptable quantum of cycle parking would be provided to serve the development. The proposals are therefore considered to comply with Policies M1, M2, M3, M4 and M5 of the Oxford Local Plan.
- 2.6. The proposals are considered to not adversely impact on ecology and provisions have been set out within the application to secure 5% biodiversity net gain in accordance with Policy G2 of the Oxford Local Plan.
- 2.7. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Planning and Regulatory Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers.

3. LEGAL AGREEMENT

- 3.1. This application would be subject to a legal agreement to cover the following matters:
 - Public transport contribution of £450,588 towards provision of enhanced bus/and or rail services or infrastructure. This provision consists of £257,079 towards bus infrastructure and £193,509 towards the delivery of the Cowley Branch Line.
 - £1890 to covering monitoring of the travel plan.
 - An obligation to secure a reduction in parking to 122 spaces within 3 months following the Cowley Branch Line passenger services being operational at the rate of at least 2 passenger trains per hour during peak times.

- Strategy for future relocation of parking in line with proposals for the wider development of the Kassam Stadium site.
- An obligation to ensure that tenancy agreements shall include the loss of parking spaces and that tenants shall be notified of this requirement.
- Agreement to enter into a Community Employment and Procurement Plan with the City Council.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposals are liable for a CIL contribution of £251,867.07.

5. SITE AND SURROUNDINGS

5.1. The development site comprises a two-storey building constructed in the early 2000's as a purpose-built bingo hall (Unit 1), associated areas of hardstanding, an access road, landscaping, and surface level car parking located to the north of Unit 1. The building has been vacant since September 2020 when the previous tenants Buzz Bingo vacated the building.

5.2. The building attaches to adjoining buildings, which form the Ozone Leisure Complex, which includes a variety of uses including a cinema, bowling alley and restaurants. The Ozone complex adjoins the Kassam Stadium site, a 12,500-capacity stadium, currently used by Oxford United Football Club and for other purposes such as conferencing. The wider Kassam Stadium site includes extensive car parking, including an area of overflow car parking to the north and northeast of the application site.

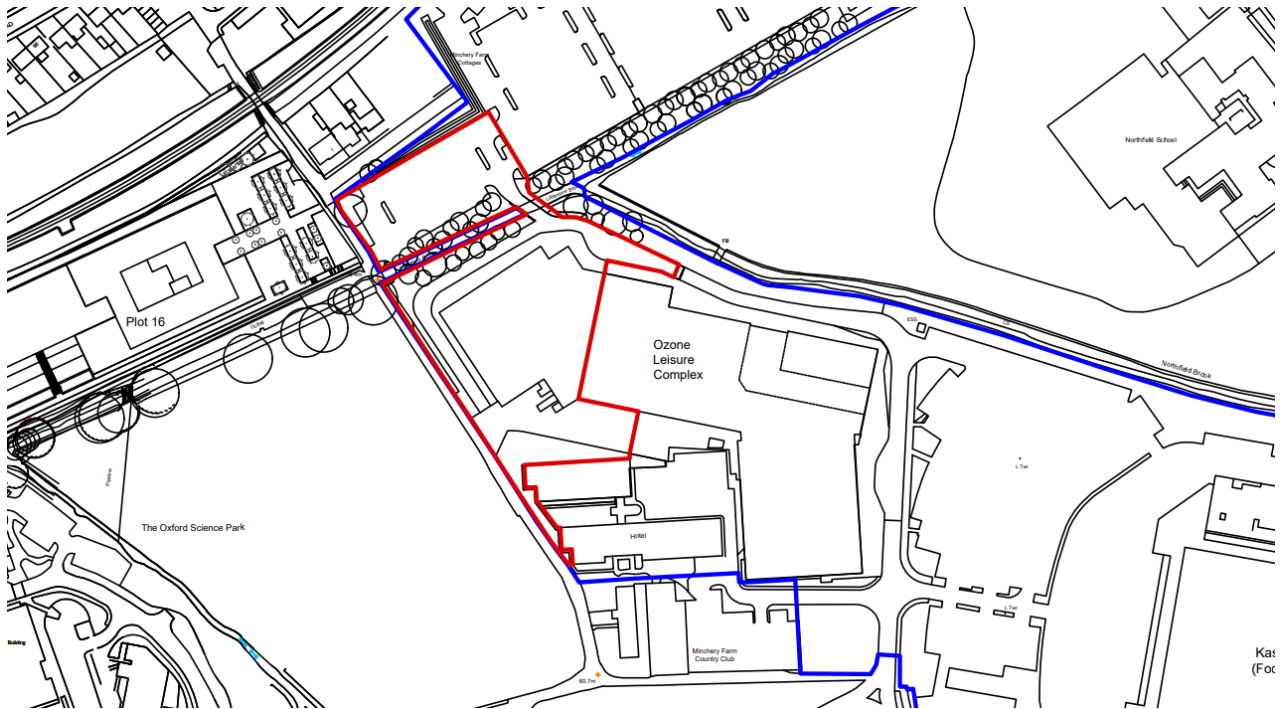
5.3. The site lies to the east of the Oxford Science Park, a large employment site containing several large buildings typically varying between three and five storeys in scale, used for office, life science and research and development uses. The Littlemore Brook, a small watercourse passes to the north of the site. The land to the north west of the site benefits from planning permission for two large interlinked employment buildings (Plot 16, Oxford Science Park). The westernmost of the buildings on the Plot 16 site was completed in late 2023 with work on the easternmost building due to commence this year. The land to the south west of the site (Plot 27, Oxford Science Park) is the subject of a planning application for a new laboratory/life sciences building (22/02555/FUL). The nearest residential dwellings are located to the north of the site (Minchery Farm Cottages), beyond this the nearest residential dwellings are located at Denny Gardens, also to the north.

5.4. The Cowley Branch Line is also located to the north west of the site, this is presently used by goods trains serving the BMW plant, however there are advanced proposals to reopen the site for passenger use, this would include a new railway station adjacent to Minchery Lane and Plot 16 at the Oxford Science Park.

5.5. To the west of the site is Minchery Lane, a pedestrian and cycle route leading between Grenoble Road and Littlemore. Immediately to the south of the site is the Hampton by Hilton hotel, a three-storey building. The Grade II* listed Minchery Farmhouse (formerly The Priory) also lies to the south beyond the hotel and within the immediate setting of the site. This building was last used as a pub but has been

vacant for an extended period. The land beyond to the south of Grenoble Road is allocated in the South Oxfordshire Local Plan (STRAT11) to deliver approximately 3000 homes and at least at least 10 hectares of employment land incorporating an extension to the Oxford Science Park, a Park and Ride site adjacent to the A4074 and supporting services and facilities.

5.6. The development site plan is shown below:



6. PROPOSAL

- 6.1. The application proposes the demolition of the existing bingo hall and erection of a new building of four to five storeys with roof plant, housing 10,929sqm of laboratory and office space, with supporting plant and a commercial unit at ground floor level, which would be used as a café. The height of the building would measure 24.2 metres to the top of the plant enclosure and 25.4 metres to the top of the proposed flues.
- 6.2. The building would be detached from the adjoining Ozone Leisure complex and the space between the new and existing buildings would be used as service access for the new building and existing buildings in the Ozone Leisure Complex. The existing service road to the north and west of the bingo hall would be removed and the proposals would involve landscaping the spaces to the north and west of the bingo hall currently used as road accesses. The landscaping proposals include new paving, tree planting and soft landscaping. 88 cycle parking spaces would be provided within a hub structure to the south west of the proposed building, adjacent to Minchery Lane.

- 6.3. It is proposed that the staff operating in the building would use the existing parking serving the Kassam Stadium and Ozone Leisure complex. An area of parking to the north of the building and Littlemore Brook has been allocated for the proposed building, which consists of 161 spaces. A total of 40 electric vehicle charging spaces are proposed within the overflow car park to the north of the site. No additional car parking is therefore proposed.
- 6.4. Amended plans were submitted in August 2023. The amendments included changes to the treatment of the plant enclosures on the upper levels of the building from a grey louvred cladding to bronze coloured aluminium cladding, in addition to changes to the proposed landscaping surrounding the building, including the proposed materials. Elevation plans were also submitted for the cycle storage enclosure as well as additional views provided showing views from St Mary's Tower towards the site. Further amended plans have also recently been submitted which includes a reduction in the area of hard surfacing that would be provided to the front of the proposed building in order to address an objection from the Environment Agency.

7. RELEVANT PLANNING HISTORY

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

<p>00/01473/NR - Erection of buildings to provide mixed use leisure centre (total floor space 17.817 sq m), comprising 9 screen cinema, 26 lane bowling alley, night club, bingo hall, health & fitness centre, aerobic and dance studio, and ancillary facilities. . Main access off Grenoble Rd via new rd off roundabout. 9 parking spaces for people with disabilities (Details of siting, design, external appearance, means of access, reserved under applications 94/1754/NOY and 99/834/VF). Permitted 3rd November 2000.</p> <p>94/01754/NOY - Outline application for the erection of buildings to provide an all-seater football stadium (15,000) & associated facilities, leisure development (Class D2 excluding cinema) & employment (Classes B1 & B8). Access from proposed extensions of Grenoble Rd. Car & coach parking for up to 1,950 vehicles (Amended plans). Permitted 17th May 1999.</p> <p>95/00832/NFY - Erection of 15,000 seater stadium and ancillary facilities including supporters club, health and fitness centre and restaurant. Provision of 895 car parking spaces around stadium, 525 remote parking spaces (north of Brook) & 530 car parking spaces on land designated for leisure and employment use, access from Grenoble Road roundabout, site roads, bus lay-bys, foot & cycle ways, cycle parking and landscaping. Permitted 9th August 1996.</p> <p>21/02519/FUL - Change of use from bingo hall (sui generis) to bingo hall (sui generis) and/or leisure use (Use Class E(d)) (amended description).. Permitted 4th November 2021.</p> <p>22/00138/VAR - Variation of condition 3 (Restriction of Class E use) of planning permission 21/02519/FUL (Change of use from bingo hall (sui generis) to bingo hall (sui generis) and/or leisure use (Use Class E(d))) to allow uses within Use</p>

Class E(b), (d), (e), (f), and (g) (i, ii or iii) of the Order and/or as a bingo hall (Sui Generis). (Amended description and covering letter).. Permitted 12th May 2022.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan
Design	131-141	DH1 - High quality design and placemaking DH2 - Views and building heights DH7 - External servicing features and stores
Conservation/Heritage	195-214	DH3 - Designated heritage assets DH4 - Archaeological remains
Commercial	85-87	E1 - Employment sites - intensify of uses
Natural environment	180-188	G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure
Social and community	96-97	V1 – Ensuring the Vitality of Centres V7 – Cultural and Community Uses
Transport	108-117	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
Environmental	123-130; 142-156; 157-175; 180-188; 189-194	RE1 - Sustainable design and construction RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE5 - Health, wellbeing, and Health Impact Assessment RE6 - Air Quality RE7 - Managing the impact of development RE8 - Noise and vibration RE9 - Land Quality
Miscellaneous	7-11	S1 - Sustainable development S2 - Developer contributions V8 - Utilities

8.2. The draft Local Plan 2040 has been approved by Oxford City Council's cabinet and the period for public consultation has recently expired. The policies within the draft local plan are however afforded very limited weight at the present time, where considering development proposals.

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 14th June 2023 and an advertisement was published in the Oxford Times newspaper on 15th June 2023. The application was advertised as a departure from the development plan as the proposals would result in the loss of a facility that would be classed as falling under a community use and would not involve the direct replacement of a community use to an equivalent or enhanced standard, contrary to Policy V7 of the Oxford Local Plan.
- 9.2. Following the submission of amended plans and further information, the application was readvertised by site notice on 9th August 2023 and in the Oxford Times newspaper on 10th August 2023.

Statutory and non-statutory consultees

Oxfordshire County Council

Highways

- 9.3. No objection subject to conditions.
- 9.4. The car parking methodology is the same as that used on Plot 27 of the Science Park which is the closest site with similar characteristics. This equates to 161 spaces (46% of on-site staff) and is accepted. However, in line with all recent applications at the Science Park and Business Park, a clause will be required to reduce car parking to 35% of on-site staff once the Cowley Branch Line (CBL) is operating a passenger service. This would reduce car parking to 122 spaces. A clause will also be required that states that should the football stadium and overflow car park be redeveloped, a maximum of 122 or 161 (depending on CBL) parking bays be retained for the use of the proposed development. A Car Park Management Plan will also need to be conditioned to show how the use of the wider car park by staff will be enforced.
- 9.5. The trip generation is accepted, there will be an increase in movements at peak times, however, the local highway network has sufficient capacity to cope with the additional trips.
- 9.6. To improve the sustainability of public transport access to the site and reduce journeys by private car, a financial contribution of £257,079 would be sought towards enhancements to the bus services in the eastern arc of the city. A financial contribution of £193,509 would be secured towards the delivery of the Cowley Branch Line, which would connect the site with Oxford Railway Station or alternative public transport improvements.
- 9.7. The Applicant has submitted a framework travel plan, the plan is fine for this stage of the application however it will need to be updated to a full travel plan prior to the first occupation of this site. A financial contribution of £1890 will be required for monitoring of the travel plan.

Drainage

- 9.8. No objection subject to the development being carried out in accordance with the submitted drainage strategy and a condition requiring that a record of the installed

SuDS is submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register.

Oxfordshire Fire and Rescue Service

9.9. In response to the above planning application, it is taken that suitable fire service access will be provided in accordance with Building Regulations. Consideration for the provision of water for firefighting operations (fire hydrants) and dry risers should be undertaken where necessary. It is taken that the works will be subject to a Building Regulations application and subsequent statutory consultation with the fire service, to ensure compliance with the functional requirements of The Building Regulations 2010.

Thames Water

9.10. No objection.

9.11. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection; however, care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer-term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network. The proposed development is located within 15 metres of a strategic sewer, Thames Water require a piling method statement to be submitted by condition before any works involving piling commence. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation.

9.12. Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such Thames Water request that a condition is placed on any permission that no development shall be occupied until confirmation has been provided 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 development to be occupied.

Thames Valley Police

9.13. Do not offer an opinion in objection or support of the application and recommend that the applicant reviews the Secured by Design commercial guide and incorporates the general principles of this advice within the scheme.

Oxford Civic Society

9.14. The Oxford Civic Society outlined the following concerns in relation to the proposals and advised that the application should be refused:

- The proposal represents a significant loss in leisure facilities for the community, whereas with the planned housing growth in the area there should be an increase (we refer to the proposals for Blackbird Leys, Grenoble Road and Knights Road).
- The proposed height of the building exceeds those in the neighbouring Oxford Science Park and would both dominate and swamp the residential cottages nearby.
- The application fails to address any support for sustainable travel.
- The location of a car park on a site which is designated for housing in the Local Plan should not be permitted.
- There is no action plan concerning Littlemore Priory which is one of the few remaining medieval buildings outside the city centre. Indeed, the site has been seriously and wilfully neglected. This aspect should be addressed as a matter of urgency.
- There has been a woeful lack of public consultation.

Littlemore Parish Council

9.15. Objects to the application for the following reasons:

- Lack of public consultation undertaken
- Loss of leisure facilities
- Height - At five storeys the building is too high and exceeds the height of nearby developments at Oxford Science Park. Neighbours at Minchery Farm Cottages have put forward compelling arguments as to why the height should be reduced. The Parish Council endorses their views, especially as their houses are bounded to the north by the railway embankment.
- Travel – Lack of provision for sustainable travel within application.
- An action plan to improve the Grade II* listed Littlemore Priory should be drawn up and implemented if this application is permitted.
- Archaeology - During previous investigations there have been important archaeological finds in the area. We note the recommendation that the city and county archaeological services develop a plan for this site. Building should not be permitted without this condition.

Royal Society for Protection of Birds (RSPB)

9.16. If Oxford City Council intends to grant permission for the above planning application, we urge you to make installation of at least fifty swift bricks within this major development, securing this by planning condition.

Active Travel England

9.17. Specific comments were not offered on the application. Active Travel England advised that the applicants refer to their best practice standing advice for Active Travel and Sustainable Development.

Historic England

9.18. Do not wish to comment.

Oxford Preservation Trust

9.19. Oxford Preservation Trust welcome change to this area, which will hopefully encourage a wider regeneration of the Kassam Stadium and Ozone Leisure Centre building and surroundings. OPT do not object to the proposal, which is located on a site situated directly adjacent to the Oxford Science Park, and within an “Area of Change” as identified within the Oxford Local Plan 2036. However, we would like to raise concerns over the increase in R&D space in the area at the cost of entertainment and leisure space for the nearby residential areas of Littlemore and Blackbird Leys. With the upcoming development of approximately 3,000 new homes, as outlined in Policy STRAT11: “Land South of Grenoble Road” within SODC’s Local Plan 2035, OPT urge that an overarching strategy for the Science Park site is developed to ensure that change is managed effectively within this area, and adequate provision of entertainment and leisure space is available for residents of the Littlemore, Blackbird Leys, and Greater Leys areas.

Environment Agency

9.20. The EA have maintained an objection to the development within their updated consultation response dated 13 February 2024.

9.21. The EA required the applicant to evidence that the proposed building lies out of the 1% Annual Exceedance Probability (AEP) for flood risk plus appropriate allowance for climate change through the submission of a detailed topographical survey compared with the proposed works. The applicant has submitted further information in response to this request which is currently being reviewed by the Environment Agency.

9.22. The EA requested the provision of a minimum 10-metre-wide buffer zone alongside the river should be provided, measured from the top of the bank with the buffer zone free from all built development, including formal landscaping as development that encroaches on watercourses can have a potentially severe impact on their ecological value. Networks of undeveloped buffer zones might also help wildlife adapt to climate change and will help restore rivers to a more natural state as required by the river basin management plan.

9.23. The applicant has sought to address the EA’s comments by amending the proposed landscaping scheme to remove all hard landscaping and other built features located within a 10 metre distance measured from the Littlemore Brook watercourse. The EA have notified officers that whilst providing a 10 metre buffer zone measured from the top of the bank is best practice, from a biodiversity perspective, it is acknowledged that this distance is not specified in policy and there would be betterment from an ecological perspective through removing the existing access road, which lies within 10 metres of Littlemore Brook. For these reasons, the EA have informed officers that they are likely to remove their objection to the development on biodiversity grounds.

Public representations

9.24. Joint comments have been received from Ward Councillors Sandy Douglas and Tiago Corais and County Councillor Trish Elphinstone in objection to the development. The main points of objection are summarised below:

- The site would be the natural location for a new local hub with amenities serving local communities, such as a cycle hub, a pharmacy, or potentially much-needed health centre. This should be prioritised over the provision of a laboratory building preventing the development of a cohesive plan for the area.
- The provision of a small commercial unit would not materially improve the impact of the building upon the area and the community.
- Enhancing connectivity at such an important location involves more than simply the availability of a cycle path and footpath - instead the area should become a welcoming, attractive public space with appropriate amenities to become a focal point for resident and worker communities.
- The site has a history of leisure use and the previous failure to find leisure-oriented tenants does not reflect lack of demand for leisure facilities, but rather a lack of marketing effort and a building which the applicants have not invested in. Solely providing employment use on the site would not be appropriate.
- The height exceeds that of the current building or nearby buildings, adding to the increasing impact of Science Park buildings on the Littlemore skyline and exceeding the height of 21m noted in the Local Plan as having potential to affect views from St Mary's Tower.
- The public benefits provided by the current proposal are inadequate to justify the heritage harm to the Minchery Farmhouse heritage asset.
- The CIL form states that the building was last occupied on 1/9/20, but also that the building has been occupied for 6 continuous months of the 36 previous months. Those two statements appear irreconcilable.
- If the development is to go ahead, we would propose that the ground floor, or preferably the lower two floors, are reserved for community amenities, preferably with these floors managed for the benefit of local residents by a body which includes local residents and representatives of Oxford City Council.

Officer Response

9.25. Matters above relating to the use of the building, design and scale; including heritage impacts are addressed in the relevant sections of the report below. CIL contributions are not covered in the assessment below. In relation to the above comments concerning the period under which the building has been unoccupied, the applicants have since revised the CIL form advising that the building has not been occupied for 6 continuous months of the 36 previous months.

Public Comments

9.26. 4 public comments have been submitted in objection to the proposed development. In summary, the main points of objection were:

- Lack of public consultation carried out by applicants.
- The proposals should have been considered more strategically in line with the proposals for redevelopment of the wider Kassam Stadium site in line with Policy SP14 of the Local Plan.
- The proposals would not appear to meet the objectives of Policy AOC7, (Cowley Branch Line Area of Change).
- Land on either side of Minchery Lane is the obvious location for a new district hub serving Littlemore in particular the Minchery Farm Estate, as well as Blackbird Leys and Greater Leys providing a welcoming, attractive public space with a wide range of appropriate amenities such as a transport hub, with greatly improved public transport, small shops, a pharmacy or potentially a health centre, as well as leisure facilities. If the development were to go ahead, the ground floor at the least should be reserved for community amenities.
- The proposals would result in the loss of buildings falling under a community use.
- At four/ five storeys, plus roof plant, the proposed building would seem to exceed the height of nearby developments and in my view too high, affecting adversely some nearby housing especially Minchery Farm Cottages.
- During previous investigations there have been important archaeological finds in the area around Littlemore Priory. Building should not be permitted without a detailed plan for identifying and preserving archaeological and historic sites.
- The development would have an adverse impact on No.4 Minchery Farm Cottages by reason of the scale of the building, overlooking, light pollution and loss of light. There is particular concern in relation to the impact of overshadowing, which may restrict the ability to effectiveness of solar panels, which the owners would like to add as a source of renewable energy.
- Concern about the ability of the sewage system to cope with the potential increase in occupants in such a building. This development has been beset by sewage problems in the past. If the laboratories are 'wet laboratories' the amount of sewage produced may well exceed the drainage capacity on site. Tankers are often on site dealing with drainage issues.
- Concern regarding maintenance of the existing storage tanks to the north of the Ozone Leisure Complex following collapse of one of the tanks. Without a fully serviced and maintained system there is the risk of collapse again. The current drainage system is not really fit for purpose as the water that is stored in tanks is deoxygenated and has turned septic and smelly when discharged into the brook, the impact on any aquatic wildlife must be great when this water is discharged.
- Laboratory space should be developed on the adjoining Science Park where there is available land for development.
- Laboratory space next to an entertainment complex would look out of place.
- The unit is a good size that it could continue to be an entertainment space.
- More entertainment facilities are needed in the area and the space should continue to be used for this purpose.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Design, Visual and Heritage Impact
- Sustainability
- Neighbouring amenity
- Transport
- Ecology
- Flooding
- Land Quality
- Air Quality

Principle of development

10.2. The building was last used as a Bingo Hall, which was the last lawful use of the building. The building would be classed as a cultural and community facility and is therefore afforded protection under Policy V7 of the Oxford Local Plan. Policy V7 states that the City Council will seek to protect and retain existing cultural and community facilities. Planning permission will not be granted for development that results in the loss of such facilities unless new or improved facilities can be provided at a location equally or more accessible by walking, cycling and public transport. In principle, applications to extend capacity, improve access and make more intensive cultural/community use of existing sites will be supported. Reprovision of the bingo hall or a similar community use is not proposed and therefore the proposals represent a departure from Policy V7 of the Oxford Local Plan.

10.3. The bingo hall has been vacant since September 2020 when the former tenants, Buzz Bingo vacated the site. Restrictions imposed during the height of the Covid-19 pandemic, and a change in market conditions has resulted in 25 other bingo units run by the former operator closing. Planning permission was granted in November 2021 (21/02519/FUL) for the change of use of the unit from a bingo hall (Sui Generis use) to a mixed-use bingo hall and leisure use(sui generis)). Further to this application, permission was granted in May 2022 (22/00138/VAR) to allow the existing building to be used for a much more extensive range of uses falling under Class E namely E (b), (d), (e), (f), and (g) (i, ii or iii). A life science and research and development use (Class E (g)) would fall within the scope of permitted uses that the existing building could be used for.

10.4. In considering the loss of the bingo hall as a community use, contrary to Policy V7 of the Oxford Local Plan, weight must be given to the fact that extant planning permission 22/00138/VAR would allow for the building to be used for a range of other purposes, which would not be classed as a community use, including a range of retail and commercial uses, as well as the life science use specifically proposed

within this planning application. The community use could be lost as the extant planning permission could be implemented at any time. When considering the previous applications to change the use of the building from sui generis use as a bingo hall, officers accepted that the loss of the building's community use as a bingo hall would be acceptable in planning terms. This was acknowledging the vacant status of the building and benefits of allowing a greater range of uses to increase the likelihood that the site may be brought back into viable use.

- 10.5. The proposals, in contrast to the consented scheme involve the erection of a new building as opposed to changing the use of the existing building. The building was constructed specifically for use as a bingo hall, which is highly limiting in terms of the building's flexibility to be repurposed for other community and leisure uses, or other uses within Class E. This is particularly relevant, when considering the merits of retaining the building vs demolition and new build. The building has a very deep floor plan and is largely single storey, with a very high floor to ceiling height across the main hall that occupies much of the footprint of the building. The depth of plan means that the building benefits from little natural light. The applicants have outlined that significant structural changes would be required to the building to add an additional floor within the envelope of the existing building, without extending upwards. Without extending the building upwards the floor to ceiling heights would be restrictive in terms of the ability to add an additional floor. In design terms, aside from the front entrance, the surrounding elevations, particularly those facing the service yard and service accesses are inactive and respond poorly to the surrounding area. It is reasonable to consider that the existing building design presents significant challenges in terms of repurposing the structure for alternative uses in Class E, including community or leisure uses.
- 10.6. Accounting for the relative lack of suitability for repurposing for alternative uses, and accounting for the extant planning permission, which allows for the building to be used for a range of other uses falling under Class E of Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended), officers consider that the loss of the existing community use as a Bingo Hall and the demolition of the existing building and its replacement would be acceptable in principle.
- 10.7. The site is not currently allocated for employment use under Policy E1 of the Oxford Local Plan. Policy E1 specifically categorises employment sites from 1-3 (with 1 being the highest category). All unallocated employment sites by default fall under the lowest category (Category 3, other sites). Policy E1 is silent in relation to the principle of employment development on sites that do not currently fall under an employment use or are specifically allocated for employment use within the Local Plan. More generally there is great demand for the provision of high-quality purpose-built life science and laboratory space within Oxford and the provision of further purpose-built life science space on the application site would assist in addressing this demand. Paragraph 85 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand, and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Emphasis is specifically placed under Paragraph 87 of the NPPF on making provision for clusters or networks of knowledge and data-driven, creative, or high technology industries and the life science and research and development industry is a nationally important

knowledge-based growth industry. The proposals are expected to generate 438 jobs within a high skilled, knowledge intensive industry, as well as short term job creation during the construction phase of the development. The applicant has also agreed to enter into a Community Employment and Procurement Plan (CEPP), this is in line with Policy E4 of the Emerging 2040 Local Plan. Securing a CEPP would provide local employment opportunities during the construction and operational phases of the development as well as providing local economic benefits through the supply chain during the construction and operational phases of the development.

- 10.8. Whilst the application site is not allocated for an employment use within the existing local plan, the site is adjacent to the Oxford Science Park, which is a Category 1 employment site comprising large buildings used for a mix of office, life science and research and development-based uses. An adjacent plot of land to the south west (Plot 27) which falls within the Oxford Science Park allocation is currently the subject of a planning application for a large building falling under a life science use (22/02555/FUL), whilst a pair of interlinked buildings (Plot 16) is currently under construction to the north west of the site with one of the buildings complete and ready for occupation. These buildings would sit within the immediate context of the site and there is precedent for employment buildings of a similar use and scale to the proposed building within the immediate area. The emerging 2040 Oxford Local Plan is afforded very limited material weight; however, it is worth noting that the Kassam Stadium site (excluding the overflow car parking) is included under Site Allocation SPS2. The site allocation states that planning permission will be granted for residential development, public open space and replacement community and/or sport and leisure facilities, and for commercial uses within the existing area of the Ozone Leisure Park only, on the Kassam Stadium and Ozone Leisure Park site.
- 10.9. Policy V1 of the Oxford Local Plan 2036 states that proposals for development of town centres uses outside a centre must demonstrate compliance with the 'sequential test'. Laboratory and life science uses are not specifically classed as a 'main town centre use' within the NPPF. The specific demands associated with this form of use, including the scale of the buildings required and plant/servicing requirements are restrictive where considering the potential to provide such uses within the City Centre and district centres. Nevertheless, it is practically possible to accommodate such uses within a City Centre location and as the proposals also include office accommodation, which is a main town centre use, albeit that this would be linked to the lab space. The applicants have therefore completed a proportionate sequential test, which concludes that there are no alternative available and suitable sites within the City Centre or District Centres or other locations out of town that could accommodate the proposed development and that would be sequentially preferable to the application site. Officers concur with the findings.
- 10.10. The development site sits within the Cowley Branch Line Area of Change (Policy AOC7). A core aim of Policy AOC7 of the Local Plan includes making more efficient use of space through intensification of existing sites. The subtext to the policy states that high density residential and employment development that makes efficient use of land will be expected, subject to considering the impact on surrounding uses, heritage assets and views from St Mary's Tower. In principle

high density employment-based development on the site would align with Policy AOC7, subject to wider compliance with the development plan.

- 10.11. Policy SP15 of the Oxford Local Plan covers the Kassam Stadium and surrounding land, this is separated into two sites. Site A covers the stadium and surrounding car park, whilst Site B covers the overflow parking to the north of the Ozone leisure complex. The site plan for the Kassam Stadium site allocation does not include the Ozone leisure complex and the site of the proposed building. The site allocation includes provision for the delivery of at least 150 new homes, including on the overflow area of parking on Site B and potentially areas of Site A within the stadium car park, unless the stadium is relocated elsewhere, in which case a larger portion of the site could become available for redevelopment.
- 10.12. The siting of the new building would not directly conflict with Policy SP15, as the site allocation does not include the Ozone complex, however regard should be given to whether the scope of development proposed within this application, for example whether the scale of the building would compromise in any way the ability to deliver housing on Site B of the Kassam Stadium allocation, this is considered in further detail in the section of the report which deals with amenity matters.
- 10.13. It is proposed that the car park immediately to the north of the building would be used to serve the building. This area of car parking is on land allocated under Policy SP15 of the Local Plan (Site B). Parking provision is addressed in detail in the section of this report which deals specifically with the transport impacts of the development, however officers consider that the principle of allocating parking for the proposed building is acceptable in principle and would not conflict with Policy SP15 of the Local Plan.
- 10.14. The parking is already used to serve the buildings on the Ozone complex and Kassam Stadium. Allocation of parking for the new building should not restrict the ability to effectively redevelop Site B, as there is sufficient parking elsewhere within the stadium site, which is under the applicant's ownership and could be used for the purposes of providing parking specifically for the occupiers of the building and parking is sparsely used on the site aside from on match days. The transport section of this report deals with this matter in further detail, however appropriate measures relating to the future management and allocation of parking would need to be addressed through a Section 106 agreement to ensure that the need to provide parking for the proposed use would not conflict with Policy SP15 in terms of allowing the land to the north and north east to be developed in line with the site policy for the Kassam Stadium. This would allow for the parking allocated for the proposed building to be relocated elsewhere, were the part of the development site to the north of Littlemore Brook to be developed in the future in line with Policy SP15.
- 10.15. In summary, officers consider that the provision of an employment building falling under a Class E (g) life sciences use would be acceptable on this site in line with Policy AOC7 of the Oxford Local Plan and Paragraphs 85 and 87 of the NPPF. The scope of existing permissions applicable to the building would already allow for the loss of the existing community use of the site as a bingo hall and the building's reuse for life sciences uses and there are clear design benefits to redeveloping the site, compared with retaining and converting the existing building.

The significant economic benefits of providing the new purpose-built life sciences space, design benefits from redeveloping the site and fallback position established under the existing permissions on the site, justify departure from Policy V7 of the Oxford Local Plan.

Design, Visual and Heritage Impacts

Design Approach and Scale

- 10.16. Policy DH1 of the Oxford Local Plan states that planning permission will only be granted for development of high-quality design that creates or enhances local distinctiveness. The design of all development should respond appropriately to the site character and context and shall be informed by a contextual analysis and understanding of the setting of the site. Paragraph 139 of the NPPF requires that all developments are considered in line with the National Design Guide and Model Code.
- 10.17. The existing building, landscaping and boundary treatment responds poorly to the public realm as the building design lacks active frontages along three elevations of the building, including the north elevation facing Littlemore Brook and the west elevation of the building facing Minchery Lane. Presently there is a close boarded boundary fence between the building and Minchery Lane preventing access between the site and an important route between Littlemore and Grenoble Road. The demolition of the building and its replacement with a higher quality building, one which responds positively to the public realm and character of the area would be significantly beneficial in urban design terms. Redevelopment of the site presents an opportunity to significantly improve the public realm, through the removal of the existing tarmac service roads, boundary fencing and by opening up the site, allowing permissible public access through the site from Minchery Lane.
- 10.18. The proposed building would measure 24.2 metres in height to the roof ridge of the upper section of the plant enclosure and 25.4 metres, where measured to the upper section of the proposed flues. The building would exceed the height of the cinema building at the Ozone Leisure Complex, which is 19 metres in height. The building would sit within the context of Plot 16 at the Oxford Science Park, which is currently under construction, which measures 23.5 metres in height to the upper section of the plant enclosure and 20.2 metres to the upper floor of the building. The building would sit adjacent to an area of land on the opposite side of Minchery Lane (Plot 27) which is currently the subject of a planning application, also for a large-scale building. This application is currently under consideration and officers cannot comment on the acceptability of the scale of the proposed building on this site. Plot 27 is however allocated for employment development associated with the Science Park, which is indicative of the site's suitability for the building of a scale broadly commensurate with existing development on the Science Park site. The surrounding area is likely to be subject to significant change given that the Science Park and Kassam Stadium sites are both allocated in the Local Plan for redevelopment, which is reflected in the fact these sites fall within the Cowley Branch Line Area of Change (Policy AOC7 of the Local Plan).
- 10.19. Policy AOC7 of the Oxford Local Plan supports making more efficient use of space through intensification of existing sites. Paragraph 9.65 in the subtext to this

policy states that high density development that makes efficient use of land will be expected. It is stated that development would need to be relatively tall (21m) before affecting views from St Mary's Tower. Buildings above this height will need careful design and justification. Consideration should also be given the nature of surrounding uses and impact on conservation areas and listed buildings.

10.20. Policy DH2 of the Oxford Local Plan relates specifically to building height and states that the City Council will seek to retain significant views both within Oxford and from outside, in particular to and from the historic skyline. The policy states that: *planning permission will be granted for developments of appropriate height or massing, as demonstrated by the following criteria, all of which should be met:*

a) design choices regarding height and massing have a clear design rationale and the impacts will be positive; and

b) any design choice to design buildings to a height that would impact on character should be fully explained, and regard should be had to the guidance on design of higher buildings set out in the High Buildings Study TAN. In particular, the impacts in terms of the four visual tests of obstruction, impact on the skyline, competition and change of character should be explained; and

c) it should be demonstrated how proposals have been designed to have a positive impact through their massing, orientation, the relation of the building to the street, and the potential impact on important views including both into the historic skyline and out towards Oxford's green setting.

10.21. The subtext to Policy DH2 of the Oxford Local Plan acknowledges that land is scarce in Oxford and there is an imperative to use land efficiently. Taller buildings can positively contribute to increasing density, enabling a more efficient use of land, and may also be an appropriate built response to the existing context. This requirement is similarly reflected under Policy RE2 of the Oxford Local Plan, which encourages proposals to make effective use of land, through providing appropriate density of development and is specifically acknowledged within Policy AOC7, which relates to the Cowley Branch Line Area of change. The proposed building would be large in scale, particularly compared with the existing bingo hall, however the proposed building, which would occupy a broadly similar footprint would make more efficient use of the site in terms of delivering employment floorspace.

10.22. The applicants have prepared a Landscape and Visual Impact Assessment (LVIA). This includes an assessment of the impact of the development in several key views. This includes short range views from Minchery Lane adjoining the site and mid distance views from Priory Road and Littlemore to the north of the railway embankment. Views are provided from the south including views directly adjacent to the Grade II* listed Priory and from the south east taken from Grenoble Road, adjacent to the Kassam Stadium. Longer distance views have also been provided from selected viewpoints in Blackbird Leys and from Footpath 335/3/10 (Shakespeare Way) which crosses the countryside to the south of Grenoble Road. Additional views were requested from St Mary's Tower given the height of the proposed building and were provided alongside the revised set of drawings.

10.23. Whilst the scale of the building would be large in relation to the existing bingo hall, officers consider that the scale of the building would be appropriate when considered in the context of the site and surrounding area. This includes the

buildings currently under construction on the adjoining Science Park site (Plot 16), existing large buildings, including the cinema and Kassam Stadium, and where considering the vision for the area in line with Policy AOC7 of the Oxford Local Plan. When assessed in mid-range views from Littlemore and from the south east from Grenoble, as well as longer distance views from the south from Shakespeare Way, officers consider that the scale of the building would not be excessive and would sit appropriately alongside the surrounding development.

- 10.24. The submitted views from St Mary's Tower demonstrate that the development is unlikely to be visually prominent given the presence of intervening built form and tree cover, although small sections of the very upper level of the building may be visible. The impact of the development on the Central Conservation Area is assessed in further detail in the following sub section of this report.
- 10.25. The proposals were subject of design review, with the Oxford Design Review Panel. This included an initial and follow up review, the reports are included in the appendices accompanying this report. The matter of the height and scale of the building was considered in depth by the panel. The panel considered that the scale and massing of the building would be appropriate in the context of both existing and emerging development and future change within the area.
- 10.26. The design of the proposed building features frontages along all elevations of the building, which would add activation to the north west elevation adjoining Minchery Lane and the south elevation facing the service yard. The present design of the building includes extensive blank and inactive frontages along all elevations, except for the main entrance facing the car park and service road. The layout and design of the ground floor of the proposed building would respond positively to the public realm and would be a significant improvement compared with the existing building in this regard. The proposals include the provision of a café in the north west corner of the building, which would provide activity at this prominent corner facing Minchery Lane.
- 10.27. The proposed façade treatment would feature limestone with bronze coloured aluminium cladding. The materials selection is of a high quality and would respond positively to the setting of the Grade II* Priory. Revisions have been made to the materials treatment along the upper sections of the building. Previously proposed grey cladding on the upper sections of the building has been replaced with bronze aluminium and limestone cladding, which is an enhancement in terms of the quality of materials and a more appropriate palette of materials that would be significantly more responsive in relation to the adjoining Grade II* listed Priory.
- 10.28. The proposals include enhancements to the spaces surrounding the proposed building. The existing tarmac service roads to the north and west of the building would be removed. A new area of public realm would be created to the north and west of the building, with the existing panel fence removed and the western boundary of the site opened up, allowing permeability of access between Minchery Lane, the site and the wider Kassam Stadium and Ozone sites. In terms of surfacing, sandstone paving is proposed, which relates appropriately to the proposed building and would be a significant enhancement compared with the existing surface treatment. New soft landscaping, including shrub planting and trees is proposed. The landscaping proposals would enhance the visual

appearance of Minchery Lane, whilst also improving access and permeability for cyclists and pedestrians.

10.29. In summary officers consider that the design of the proposed building is of a high standard and is appropriate accounting for the character and context of the area. The proposals would enhance the public realm along Minchery Lane, accounting for the proposed landscaping, removal of the existing boundary fencing, provision of new public realm and ground floor frontages. The scale and height of the building has been assessed in key views and whilst the building would be larger in height compared with the existing building, this is justified given the existing and future context of the site and surrounding area. Officers therefore consider that the proposals are appropriately designed and comply with Policies DH1 and DH2 of the Oxford Local Plan.

Heritage Impact

10.30. The development lies within the setting of the Grade II* listed Priory (Minchery Farmhouse) and the development, given its scale and siting, would impact on the setting and significance of this designated heritage asset. As noted in the above section of the report, given the height of the building and potential for the upper sections to be visible from St Mary's Tower, it is considered that the development would also impact on the setting of the Central Conservation Area.

10.31. Policy DH3 of the Oxford Local Plan specifies that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance, character and distinctiveness of the heritage asset and locality. For all planning decisions for planning permission affecting the significance of designated heritage assets (including Listed Buildings and Conservation Areas), great weight will be given to the conservation of that asset and to the setting of the asset where it contributes to that significance or appreciation of that significance).

10.32. In line with Paragraph 205 of the NPPF consideration must be given to the impact of a proposed development on the significance of this designated heritage asset and great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

10.33. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

10.34. For development within or affecting the setting of Conservation Areas, the NPPF requires special attention to be paid towards the preservation or enhancement of the Conservation Area's architectural or historic significance. Paragraph 206 of the NPPF outlines 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.

- 10.35. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.36. Minchery Farmhouse originally comprised the C15th century dormitory range of Littlemore Priory. As a Grade II* listed building it possesses 'more than special' historic, architectural, and archaeological interest as a rare survival of this type of building, and as the only part of the Littlemore Priory that remains standing. The building provides a material record of, and tangible connection to, the lives of communities of medieval women, who are under-represented in both the archaeological and documentary record. Its later conversion to use as a farmhouse is illustrative of changes in the religious landscape of England in the C16th, and of the rural and agricultural history of the local area.
- 10.37. When the building was listed in 1963 its setting had been little altered since the late-19th century, with the building sitting within an open, rural landscape. Much of this historic context has since been lost to successive developments, including the Kassam Stadium, Ozone Leisure Complex, and Hampton by Hilton Hotel. However, that is not to say that the asset's setting does not contribute positively to its significance at all.
- 10.38. The proposal represents an intensification of development within the setting of the listed building and, on account of its scale, the development would exacerbate the harm caused to the Grade II* listed building by the other very large buildings that have been or are due to be built on the formerly open and rural land surrounding the heritage asset.
- 10.39. The proposed development is considerably taller than both the Hampton by Hilton hotel and the Ozone Leisure complex. In important views of the asset from the east the upper storeys and plant would be visible over these buildings and would compete for attention in the views. When stood in closer proximity to the east elevation of the listed building, less of the proposed development is visible above the hotel and Ozone Leisure complex buildings. The proposed development would be prominent in views from Grenoble Road, again distracting from the asset, and it is likely that this would also be the case from the adjacent southern end of Minchery Lane.
- 10.40. In terms of responsiveness to the setting of the listed building, the proposal seeks to create a positive connection between the development site and the adjacent Minchery Lane. The proposal to use limestone cladding on the façade of the building would not only contribute to the quality of the building but is also an important reference to the materials of Minchery Farmhouse. However, it is important that this limestone cladding has a suitably warm/golden tone. The selection of final materials must be conditioned to ensure that they are of a high standard considering the heritage sensitivities of the site.
- 10.41. For the reasons highlighted above officers assess that the development would equate to a moderate level of less than substantial harm to the setting and

significance of the Grade II* listed Priory, primarily as a result of the scale and siting of the building.

10.42. Regarding the setting of the Central (City & University) Conservation Area, it is considered that the proposal would result in a low level of less than substantial harm, as it would introduce further tall built form into the city's characteristically low-rise suburbs, albeit that the submitted wireline view indicates that the development would not skyline.

10.43. In the context of Paragraph 208 of the NPPF, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm must be weighed against the public benefits of the proposal. The public benefits of the proposals are considered to be:

- Provision of 10,929sqm of high-quality laboratory and office space, which would assist in meeting local and national demand for life sciences space. The NPPF (Paragraphs 85 and 87) highlights the importance of facilitating the growth of economically valuable knowledge-based industry such as life sciences and delivery of additional high-quality laboratory and office space on the site is considered to be a significant economic benefit of the proposals.
- Economic benefits in terms of provision of employment through the construction phase of the development.
- Provision of local employment opportunities during the construction and operational phases of the development given the applicants agreement to enter into a Community Employment and Procurement Plan.
- Significant enhancements to the public realm along Minchery Lane and enhancements to pedestrian and cycle connections through the site.
- Urban design benefits arising from the removal of the existing building which is of a poor design standard and its replacement with a building of a notably higher design quality.
- Financial contribution of £450,588 towards provision of enhanced bus/and or rail services or infrastructure to be secured by legal agreement that would provide public benefits beyond benefiting staff travelling to the site.
- Ecological enhancements significantly exceeding the mandatory 5% biodiversity net gain requirement outlined under Policy G2 of the Local Plan.

10.44. Within this context, and after having given great weight to the conservation of the listed building and the conservation area, officers consider that there is clear and convincing justification for this level of harm in line with Paragraph 208 of the NPPF. The public benefits of the development which are noted above are considered to demonstrably outweigh the low level of less than substantial harm that would be caused to the setting of the Central Conservation Area and the moderate level of less than substantial harm that would be caused to the setting of the Grade II* listed Minchery Farmhouse. As such it is considered that the development accords with Policies DH1 and DH3 of the Oxford Local Plan and the NPPF. In coming to this conclusion great weight and due regard has been given to the requirements of Section 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Archaeology

10.45. The site is of potential archaeological interest because an evaluation undertaken at this site in the 1990s identified prehistoric peat sequences belonging to the Minchery Farm Peat Fen along with Roman and medieval remains. The peat fen has been shown to preserve Late Palaeolithic to Bronze Age pollen sequences. The site is also located within a dispersed landscape of Roman pottery manufacturing compounds and related rural settlement and on the edge of the precinct of the 12th-16th century Littlemore Nunnery. Subsequent to the evaluation the site was not subject to comprehensive mitigation and archaeological remains of interest are likely to still be present, although the Bingo Hall development may have resulted in some fragmentation and truncation. The architect's cross sections of the current Bingo Hall design suggest that including truncated areas of the Minchery Farm Peat Fen will survive below the building. To mitigate any harm that would be potentially caused to archaeology and below ground historic remains, it would be required that the applicants submit a demolition methodology and programme of recording work which would be secured by planning condition. Subject to securing these details, the proposals would not conflict with Policy DH4 of the Oxford Local Plan.

Sustainability

10.46. Proposals for development are expected to demonstrate how sustainable design and construction methods will be incorporated in line with Policy RE1 of the Oxford Local Plan. All development must optimise energy efficiency by minimising the use of energy through design, layout, orientation, landscaping and materials, and by utilising technologies that help achieve Zero Carbon Developments. Policy RE1 states that new build non-residential developments of over 1000m² proposals must meet BREEAM excellent standard (or recognised equivalent assessment methodology) and must achieve at least a 40% reduction in carbon emissions compared with a 2013 Building Regulations (or future equivalent legislation) compliant base case. Following the adoption of Part L regulations in June 2022, it is required that new developments are assessed against the updated Part L building regulations for the purposes of applying the 40% reduction in carbon emissions.

10.47. The submitted Energy Statement outlines that the following energy efficiency measures will be incorporated into the buildings in the development:

- High performance façade with optimised U-values.
- Appropriate proportioning of glazing to achieve reduced summer solar gain and increased winter solar gain.
- External shading to minimise heat gains.
- High standards of air tightness.
- Energy efficient lighting and sensor-controlled lighting.
- High efficiency Mechanical Ventilation installed with Heat Recovery.

10.48. The building design includes the incorporation of air source heat pumps and solar photovoltaic panels as a means of low/zero carbon energy generation.

- 10.49. In total the above measures are forecast within the applicant's energy statement to achieve a 41.9% reduction in carbon emissions where assessed against a Part L compliant scheme.
- 10.50. The application is accompanied by an assessment which tests the proposed building's performance against BREEAM standards. When assessed against the appropriate criteria the building is forecast to achieve BREEAM excellent standard.
- 10.51. Accounting for the above, the proposals are considered to comply with Policy RE1 of the Oxford Local Plan.

Impact on neighbouring amenity

- 10.52. Policy H14 of the Oxford Local Plan states that planning permission will only be granted for new development that provides reasonable privacy, daylight, and sunlight for occupants of both existing and new homes. Planning permission will also not be granted for any development that has an overbearing effect on existing homes. A Daylight and Sunlight Report has been submitted alongside the planning application to assess the impact of the development on natural light to the internal and external amenity areas of surrounding properties. Policy RE7 of the Oxford Local Plan similarly affords protection to the amenity of surrounding uses, including non-residential uses.
- 10.53. The nearest residential dwellings are located to the north west of the application site and consists of a row of 6 dwellings known as Minchery Farm cottages. There would be a separation distance of approximately 77 metres at the closest point between the front elevation of the proposed building and the frontage of these properties. In terms of overlooking, it is considered that this is a substantial distance and therefore the proposals would not result in an unacceptable loss of privacy, even accounting for the height of the proposed building. Similarly, accounting for this relative separation distance, officers consider that the scale of the building would not be overbearing where assessed in relation to these properties.
- 10.54. A Daylight and Sunlight Assessment has been prepared, which assesses the impact of the scale of the development on the natural light enjoyed by the occupiers of these properties. This is assessed against the three relevant BRE tests. The result of the assessment suggests the impact of the development on daylight and sunlight to all facing front windows in the neighbouring properties would be very minor at most and where assessed against most of the BRE tests there was found to be no impact at all. There is also an assessment of the impact of the development on the light to amenity areas to the front of the houses, the assessment concludes that there would be no significant impact on these spaces, with all spaces retaining 100% of their existing sun on the ground on March 21. It is noted that the occupier of one of these properties (4 Minchery Farm Cottages) has raised concerns in relation to the impact of the building and overshadowing of the south west facing roof of the property and whether this would impact on the ability to install effective solar PV panels. It is understood that solar panels have not been installed on this property yet, however if the panels were to be installed, there is unlikely to be any significant loss of light to the roof of this property given

that the Daylight and Sunlight Assessment suggests that there would be no loss of sunlight to the front gardens of the houses.

- 10.55. Beyond Minchery Farm Cottages, the nearest residential dwellings are located at Denny Gardens (170 metres from the proposed building); Falcon Close (166 metres) and Minchery Road (176 metres). Accounting for the scale and siting of these dwellings in relation to the proposed building, it is considered that the development would have a negligible impact on these properties by reason of scale, overlooking and loss of light.
- 10.56. The impact of noise, particularly from plant equipment has been assessed within a Noise Impact Assessment prepared by the applicants, this includes an assessment of the impact on Minchery Farm Cottages and the adjacent Hampton by Hilton Hotel. In relation to both receptors the Noise Assessment concludes that noise levels from plant would not be intrusive when assessed against background noise levels. This would be subject to conditions requiring that the external noise levels emitted from plant shall not exceed the existing background level at any noise sensitive premises and that plant installation and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated. Subject to these measures, it is considered that the development would comply with Policy RE9 of the Oxford Local Plan.
- 10.57. The overflow car parking to the north of the proposed building falls under the site allocation for the Kassam Stadium. Policy SP14 of the Oxford Local Plan sets out the specific policy relevant to the Kassam Stadium and surrounding land. The policy allows for residential-led development and public open space on the Kassam Stadium sites, in addition to commercial leisure, education and small-scale local shops ancillary to the stadium complex. The site policy refers to Site A, which includes the Kassam Stadium and immediately surrounding car parking and Site B, which refers to the overflow car park to the north and north east of the application site.
- 10.58. As the site is allocated for uses other than car parking, it is important to consider whether the development would impact on the potential to deliver the aims of Policy SP14 of the Oxford Local Plan. The site policy highlights that the site has the capacity to deliver a minimum of 150 homes. The site allocation covers an extensive area of land, much of which would be unaffected or minimally affected by the proposed development in amenity terms. Site B has the potential to provide housing, however there are no sufficiently advanced plans for any development on this site or Site A at the current time. There is approximately 25 metres separation between the nearest edge of Site B and the front elevation of the proposed building, of which there is intervening tree screening.
- 10.59. It is pertinent to consider that most of the land immediately to the north of the building falls within Flood Zones 2 and 3 (predominantly flood zone 3), which would limit the potential of this part of the site to accommodate residential use. The site is similarly allocated within the Council's Emerging Local Plan to deliver a minimum of 77 homes. Emerging Policy SP3 notes that the far southwestern part of the site is at higher risk of flooding, and an assumption has been made that built development will not take place on this part of the site. Furthermore, there would be environmental sensitivities, which would restrict development from taking place

within 10 metres of Littlemore Brook, which is acknowledged in Policy SP14 of the Oxford Local Plan. This would mean that any housing is likely to be set back further into the site, if there were to be any development at all within the south west parcel of the site. For these reasons officers consider that the siting of the building would not prejudice future development of this land by reason of creating unacceptable living conditions for future occupiers. Any issues of overlooking and overshadowing could be appropriately overcome and as noted in the above, noise would be controlled through the imposition of appropriate conditions.

Transport

- 10.60. Policy M1 of the Oxford Local Plan outlines the need for development to be planned in a way which prioritises access by walking, cycling and public transport. This is crucial in achieving a modal shift away from private car use as the default means of accessing new developments.
- 10.61. Policy M3 of the Oxford Local Plan outlines that parking requirements for non-residential uses will be determined in line with a submitted Transport Assessment or Travel Plan, which must take into account the need to promote and achieve a shift towards more sustainable modes of travel. The presumption will be that vehicle parking will be kept to the minimum necessary to ensure successful functioning of the development.
- 10.62. The nearest bus stops to the site are located approximately 400 metres to the south east at the Kassam Stadium. This bus stop is served by the 3A bus service to the City Centre and Cowley, this service operates every 30 minutes in both directions. Whilst the service is not irregular and operates until relatively late at night, the service would not be classed as 'frequent' as defined within the Oxford Local Plan. The service currently covers only a limited area of the city and does not serve any outlying towns. The nearest bus stops served by frequent services are located at Pegasus Road in Blackbird Leys, which is over 700 metres from the site, this is using walking routes that are poorly lit with inadequate surveillance. Given the location of the site, it is accepted that there would be a need to provide dedicated parking for use by occupiers of the building.
- 10.63. 1838 car parking spaces are currently provided to serve the Kassam Stadium and surrounding leisure facilities. 1125 of these spaces are located around the stadium, with a further 713 spaces are provided within the overflow car park to the north of the application site. These parking spaces served the former bingo hall on the application site.
- 10.64. The proposed building would occupy a floor area of 10,929sqm GIA and based on the proposed use, it is expected that 438 staff would be working from the building. No net additional car parking is proposed, moreover it is proposed that existing car parking serving the Kassam Stadium and Ozone Leisure Park would be allocated to serve the new building. The applicant's Transport Statement indicates that 80% of staff would be on site at a given time equating to 350 members of staff on a typical day. The applicants have targeted a modal share of 46% parking spaces for all staff equating, which would equate to the provision of 161 parking spaces. This modal share has been based on recent planning proposals at the Oxford Science Park, namely Plots 27 and 23-26.

- 10.65. Policy M3 of the Local Plan states that in the case of the redevelopment of an existing or previously cleared site, there should be no net increase in parking on the site from the previous level and the Council will seek a reduction where there is good accessibility to a range of facilities. The proposals involve redevelopment of an existing site and as the proposals do not include the provision of an additional parking, the quantum of parking would comply with Policy M3 of the Oxford Local Plan. Aside from match days, the overflow car parking is rarely used and is particularly underused during the daytime hours in the working week, when the proposed building would primarily be in use. Demand for parking is only likely to be great when midweek football matches at the stadium take place, where there may be some overlap between staff leaving and supporters arriving.
- 10.66. As the applicants have based parking on a modal share of 46% of staff travelling to work, a car park management plan will be required to ensure that staff are not using the wider stadium parking which would undermine the target to limit travel to work by private car. Similarly, this is required to prevent unauthorised non-staff parking within the allocated staff spaces. The applicants have indicated that a management system or ANPR system would be implemented whereby a log would be created of staff number plates who are permitted to park on site. The future operator would issue permits to staff, limiting permits so that the proposed 161 spaces is complied with, whilst also considering visitor demand. It is however necessary that management measures are set out in greater detail and officers would require that a car park management plan is secured through the accompanying Section 106 agreement.
- 10.67. In terms of vehicle movements, it is anticipated that the proposed development would result in a significant increase in vehicle movements during the weekly AM and PM peak hours, compared with the former bingo hall, which would have been closed during the AM peak. The applicant's Transport Assessment indicates that the proposed use based on a 46% modal share of staff travelling to work by car would result in a total of 142 movements during the AM peak and 128 vehicle movements during the PM peak, with an overall number of 463 two way trips on average per day. The Transport Statement highlights that the development could generate an additional 388 vehicle movements per day compared with the existing bingo hall, this would be most pronounced during the AM and PM peaks. There would be an expected reduction at weekends of around 238 trips compared with the existing bingo hall use, as the proposed building would not be operational at this time, compared with the bingo hall which operated at weekends. Within their consultation response, the County Council have advised that they do not consider the development to generate significant vehicular movements such that the surrounding road network would fail to cope with the increase in traffic during AM and PM peak hours. This is based on the proposed parking provision and to ensure that achieving a low modal share of journeys is feasible, improvements will also be needed to public transport provision within the area.
- 10.68. Policy M1 of the Oxford Local Plan states that in order to safeguard and promote the provision of public transport in Oxford development that will add to demands on public transport should contribute towards improvements to bus network infrastructure. The policy also states that financial contributions fairly and reasonably related to the development will be sought towards the cost of new or improved bus services where the direct impact of development would make such

measures necessary. Specifically, the policy outlines the importance of promoting bus/rapid transit access to and between major employers, hospitals, schools and colleges in the Eastern Arc (including the Headington and Marston area), Wolvercote/Cuttleslowe and Cowley and Littlemore.

- 10.69. A financial contribution of £257,079 is sought towards the delivery of the Eastern Arc bus service, which would enhance the frequency of accessible services within a reasonable distance of the site. The Eastern Arc service would provide a new direct link between the site, Cowley, Headington and North Oxford, therefore significantly improving the attractiveness for employees commuting within this range to use public transport. It is estimated that a significant number of employees would be working within the new building, who would typically be travelling to work during peak hours. Given the poor quality of the existing public transport offer serving the site and the need to encourage a modal shift away from private car use in accordance with Policy M1 of the Local Plan, the requested financial contribution is considered reasonable and justified. Similar contributions towards the delivery of the Eastern Arc bus service have been sought on other major employment developments within the area including at the Oxford Science Park and Oxford Business Park.
- 10.70. A financial contribution of £193,509 is sought towards the delivery of the Cowley Branch Line. The proposed Cowley Branch Line station would be approximately 100m from the site and 2 trains an hour would operate from the station at first, increasing to 3 an hour and will connect the site to the wider rail network, which in turn will open public transport access to the site up to a larger number of potential staff, including staff within the wider Oxfordshire area and beyond that would not otherwise benefit from direct bus access to the site, even with the delivery of the Eastern Arc bus service. The contribution is considered necessary and is directly relevant as this will assist in the delivery of public transport improvements which would significantly enhance the sustainability of the site, reducing dependence on private means of transport, consistent with Policy M1 of the Oxford Local Plan.
- 10.71. A reduction in the number of parking spaces allocated for the building would be sought, should the Cowley Branch Line be delivered, as this would significantly improve public transport accessibility to the site, further reducing the need for staff to travel to site by private car. A reduction in the number of spaces from a ratio of 46% of staff (161 spaces) to 35% of staff (121 spaces) should be sought within 3 months of the Cowley Branch Line being operational at 2 passenger trains per hour during peak times. A similar reduction in parking has been sought on sites at the Oxford Science Park and the Oxford Business Park and is considered reasonable and necessary, given the need to achieve a modal shift towards more sustainable modes of travel in line with Policy M1 of the Oxford Local Plan. This would need to be secured through an accompanying Section 106 agreement.
- 10.72. Where a proposal is for the expansion of an existing operation on an existing large site, a comprehensive travel plan should be submitted that looks at the development in the context of the whole site and demonstrates that opportunities will be sought to enhance and promote more sustainable travel to and from the wider site. The Travel Plan will be kept under review to ensure that future opportunities to encourage a shift towards sustainable modes of travel are taken.

- 10.73. As noted in the above sections of this report, the proposed parking falls within land allocated under Policy SP14 of the current Oxford Local Plan as well as Policy SP3 of the emerging Local Plan. There is also future potential for other sections of the stadium site to be redeveloped in the near- or long-term future, whilst the emerging Local Plan indicates that other parcels of the Ozone site may also be suitable for redevelopment. The provision of the parking for the building should not compromise the ability to redevelop the land to the north of the site in line with the site allocation policy. Equally, notwithstanding the proposed enhancements to public transport within the area, a quantity of car parking is still likely to be required to serve the building. To ensure that a necessary quantity of car parking is re-provided within the site to serve the building and to allow for comprehensive development on the wider Kassam Stadium site in line with the site policy, a clause should be added to the Section 106 agreement requiring that a maximum of 161 or 122 spaces shall be retained for use by occupiers of the development. The lower figure being in the event that the Cowley Branch Line is operational at 2 passenger trains per hour during peak times. There is existing parking on the site elsewhere that could be repurposed for use by the occupiers of the development, or alternatively this may be provided elsewhere as part of a more comprehensive development of the wider site. An extensive area of surrounding land is under the applicant's ownership, therefore re-provision/allocation of parking within the wider site would be realistic and reasonable.
- 10.74. Policy M4 of the Oxford Local Plan requires that 25% of parking spaces should be fitted with electric vehicle charging points. The applicants have outlined that a total of 40 parking spaces would be fitted with EV charging points, These would be provided in the area to the north of the Littlemore Brook. This would comply with the minimum requirements of Policy M4.
- 10.75. A Framework Travel Plan has been prepared and submitted alongside the planning application. This will need to be updated to a full travel plan prior to the first occupation of the development. The updated travel plan will need to provide baseline travel information, modal shift targets, a detailed action plan with a timeline and responsible person and budget for the delivery of these targets.
- 10.76. The proposals would enhance connectivity for cyclists and pedestrians. Currently there is access to the north of the bingo hall linking the Kassam Stadium with Minchery Lane and Littlemore, however the legibility and the public realm is of a poor standard. The proposals would provide a pedestrian and cycle route to the north of the building, benefitting from new surfacing and lighting. Currently there is panel fencing along the western boundary of the site preventing access from Minchery Lane along the southern side of the brook, this would be removed. The removal of the fence and provision of the new access path and public realm would improve the legibility and quality of access across the site, whilst improving the standard of public realm in Minchery Road in terms of safety and overall attractiveness.
- 10.77. Policy M5 of the Oxford Local Plan outlines minimum requirements relating to the provision of cycle parking in all new developments. The proposals include the provision of 88 cycle parking spaces based on a total of 438 staff, which exceeds the minimum standards outlined under Policy M5 (1 space per 5 staff). The proposals also include the provision of 4 showers, this aligns with the requirement

under Policy M5 to provide 1 shower per 500m² up to 1,000m² and 1 shower per 4,000m² thereafter.

Ecology

10.78. Policy G2 of the Oxford Local Plan states that development that results in a net loss of sites and species of ecological value will not be permitted. The Littlemore Brook and Northfield Brook Oxford City Wildlife Site (OCWS) is included within the boundary of the development site.

10.79. On sites of local importance for wildlife, including Local Wildlife Sites, Local Geological Sites and Oxford City Wildlife Sites (OCWS), on sites that have a biodiversity network function, and where there are species and habitats of importance for biodiversity that do not meet criteria for individual protection, development will only be permitted in exceptional circumstances whereby:

- 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;
- b) adequate onsite mitigation measures to achieve a net gain of biodiversity are proposed; and
- c) where this is shown not to be feasible then compensation measures will be required, secured by a planning obligation.

10.80. The majority of the development site contains buildings and artificial surfaces which are of very low ecological value, therefore the key consideration would be the impact of the development on the adjacent Littlemore and Northfield Brook OCWS.

10.81. The applicant has provided a Preliminary Ecological Appraisal (PEA) in support of the planning application, which provides a thorough assessment of the potential constraints. A finalised Ecological Impact Assessment (EIA) will be required that identifies, quantifies, and evaluates the potential effects of the proposed development on habitats, species and ecosystems. This will need to specify clear measures taken to avoid and mitigate negative impacts arising from the proposed development and identify specific measures that would be adopted to compensate for any residual effects.

10.82. As Minchery Farm OCWS is in close proximity to the site, a buffer zone would need to be established during construction to avoid negative impacts on the wildlife site. A Construction Ecological Management Plan (CEMP) would be required in line with the recommendations set out within the applicant's ecology assessment.

10.83. The Environment Agency within their initial consultation response and two subsequent consultation responses requested provision of a minimum 10 metre wide buffer zone alongside the river, measured from the top of the bank (as opposed to being measured from the watercourse). The EA advised that providing a 10 metre buffer zone is best practice from an ecological perspective as this assists in providing river corridors for wildlife. Officers would note that providing a buffer zone which is specifically 10 metres wide to all watercourses is not a policy requirement under Policy G2 of the Local Plan, nor the NPPF or NPPG. Site Policy SP14, which relates to the Kassam Stadium sites includes a requirement to 'retain'

but not 'provide' a 10 metre buffer to the Littlemore Brook. The wording therefore does not require an applicant to provide a 10 metre buffer to a watercourse, where there is existing development already falling within a 10 metre distance of the watercourse. The Local Plan reference to retention of a 10 metre buffer also does not specify whether the measurement is to be applied in relation to the side of river or the top of the bank, notwithstanding the EA's request that the measurement be taken from the top of the bank. It should also be noted that the land south of the Littlemore Brook, including the Ozone site is not included within the site allocation for the Kassam Stadium sites under Policy SP14 in the existing Local Plan. There is a more general requirement to take opportunities to protect and enhance the watercourse on or adjacent the site.

- 10.84. The proposals as originally submitted included the provision of hard landscaping to the north of the proposed building, comprising of paving and benches which fell within 10 metres of the Brook, measured from where the bank meets the existing watercourse. Overall, the area covered by the hard landscaping which would lie within 10 metres of the Brook, as initially proposed equated to 134sqm. Presently there is an impermeable tarmac access road located to the north of the bingo hall building, of which 196sqm of the road lies within 10 metres of the brook. Notwithstanding that there is not a policy requiring provision of a 10 metre buffer, where no such provision presently exists, the applicant has made amendments to the proposed plans to provide a 10 metre buffer measured from where the brook meets the bankside that is free of hard landscaping. This would equate to a 196sqm reduction in hard landscaping within this 10 metre buffer. From a biodiversity and flood risk perspective this would equate to considerable betterment compared with the present situation.
- 10.85. In line with the requirements set out under Policy G2 of the Oxford Local Plan, it would be required that a 5% net gain in biodiversity is achieved. A biodiversity net gain plan has been provided in support of the application. The net gain strategy includes native scrub planting between the building service yard and the adjacent Hampton by Hilton Hotel and SuDS planting, consisting of damp-tolerant species between the landscaping to the north of the proposed building and Littlemore Brook. Other contributors include modified grassland, sedum green roofs and urban trees. Additional tree planting in the south of the Site would generate 0.15 hedgerow units. Enhancements to the banksides of Northfields Brook are proposed with improved management and the addition of log piles.
- 10.86. It is indicated that the enhancement measures would lead to a net gain of 15.72% in habitat units, 24.92% in hedgerow units and 9.6% in river units. This would significantly exceed the minimum 5% net gain requirement set out under Policy G2 of the Oxford Local Plan. A Landscape and Ecological Management Plan would be required, this would be secured by planning condition.
- 10.87. The submitted Preliminary Ecological Appraisal identifies the site as having negligible potential to support roosting bats due to the absence of potential bat roost features. It is identified that there is a high likelihood that the brook and adjacent riparian habitat would support commuting bats. A lighting design strategy for biodiversity will be required by planning condition, which will outline measures to limit internal and external lighting within the corridor area used by commuting bats.

10.88. Overall, the proposals would deliver significant on-site enhancement from a biodiversity perspective and the proposals are considered to comply with Policy G2 of the Oxford Local Plan.

Trees

10.89. Policy G7 of the Oxford Local Plan specifies that planning permission will not be granted for development proposals which include the removal of trees, hedgerows and other valuable landscape features that form part of a development site, where this would have a significant adverse impact upon public amenity or ecological interest.

10.90. An Arboricultural Impact Assessment (AIA) has been prepared in support of the planning application which identifies a total of 48 trees within the site area, 10 of which are in Category B, 34 in Category C and 4 in Category U. There would be the loss of one small oak tree (Category C) which would be required to enable the construction of the proposed cycle store building.

10.91. There would be some limited encroachment into the RPA of four trees, of which pruning work would also be required to three of these trees to enable the installation of hard landscaping and seating. The AIA suggests that there would be no lasting damage to the trees as a result of the work and officers concur with this assessment.

10.92. The proposed landscaping scheme includes significant additional tree planting, which would increase the canopy cover across the site, compared with the loss of the single oak tree and limited pruning required.

10.93. The proposals would therefore comply with Policy G7 of the Oxford Local Plan.

Flooding

10.94. Policy RE3 of the Oxford Local Plan requires new development to be located in areas of low flood risk (Flood Zone 1). In considering proposals elsewhere, the sequential and exceptional tests will be applied. Applications on sites within Flood Zones 2, 3 and on sites larger than 1ha in Flood Zone 1 must be accompanied by a Flood Risk Assessment (FRA).

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

10.96. There is an existing 500m³ surface water attenuation tank serving the Ozone Leisure Complex, of which 130m³ of the volume of the tank serves the application site. It is proposed that a new 250m³ tank would be provided below the proposed access road to the service yard, which would serve the roof, access road and service yard and connect into the 500m³ tank via flow control. Due to level difference the hard landscaping to the north and west of the proposed building would not be able to connect into this tank and would discharge into the existing tank. The attenuation tanks currently discharge via a pump into the Littlemore Brook.

- 10.97. The majority of the development site (approximately 80%) falls within flood zone 1 and is at low risk of flooding, this includes the footprint of the proposed building and cycle parking structure. Areas of the site, including landscaped spaces to the north of the building and approximately half of the area of car parking to the north west of the site falls within Flood Zones 2 and 3. The proposals to landscape the area to the north of the building, would not significantly worsen the flood risk, as at the current time this consists mainly of a tarmac surfaced access road. Aside from the addition of electric vehicle charging points, the car park to the north west would not be altered.
- 10.98. The surface water drainage strategy has been reviewed by Oxfordshire County Council as Lead Local Flood Authority who have considered this to be acceptable in terms of the measures proposed to manage surface water drainage, officers concur that the proposals make appropriate provision for the management of surface water drainage.
- 10.99. The applicant has submitted further information in relation to the EA's request that the applicant evidence that the proposed building lies out of the 1% Annual Exceedance Probability (AEP) for flood risk plus appropriate allowance for climate change. This includes the submission of a detailed topographical survey for the proposed works and the applicant has submitted further information in response to this request. A formal response from the Environment Agency is expected prior to the committee meeting, however, should a response not be forthcoming ahead of the meeting, delegated authority is sought to resolve any outstanding objections or concerns that the EA have in relation to the submitted plans.
- 10.100. It is proposed that foul drainage would discharge into the existing Thames Water sewer. Thames Water have advised that a condition will be required to ensure that confirmation has been provided that 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 prior to first occupation of the building.
- 10.101. Officers consider that the proposals would comply with Policies RE3 and RE4 of the Oxford Local Plan.

Land Quality

- 10.102. The former uses of the land include use for leisure activities and prior to that the land was part of a former sewage works where sewage sludge spreading occurred. Although the site and surrounding area were investigated and remediated during the original re-development to the current Ozone Leisure Park in the early 2000's, residual ground contamination risks are likely to be present in made ground at the site.
- 10.103. The submitted Phase 1 ground investigation report has confirmed that ground contamination risks are potentially present at a low to moderate risk level which merits further investigation. It is therefore considered that an intrusive site investigation of the site is necessary to quantify potential contamination risks to groundwater, construction workers and future end-users.

10.104. The submitted Phase 1 Environmental Site Assessment provides an appropriate assessment of risk resulting from prior contamination, however a Phase 2 comprehensive intrusive investigation will be required to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals, alongside a Phase 3 remediation strategy to ensure the site will be suitable for its proposed use. The phase 2 and 3 assessments will be required by planning condition. Subject to the submission of appropriate phase 2 and 3 reports, the proposals would be acceptable when assessed against Policy RE9 of the Oxford Local Plan.

Air Quality

10.105. Policy RE6 of the Oxford Local Plan states that planning permission will only be granted where the impact of new development on air quality is mitigated and where exposure to poor air quality is minimised or reduced. The planning application is accompanied by an Air Quality Assessment (AQA).

10.106. The air quality baseline desk assessment shows that current air quality levels at the application site are below relevant air quality objectives for NO₂, PM₁₀ and PM_{2.5} concentrations. Therefore, the location of the application site is considered suitable for its proposed use.

10.107. The proposed development will be all-electric and not rely on the use of combustion sources as a primary energy supply.

10.108. According to the site's air quality and transport assessments, the proposed development proposed development will lead up to 1,459 fewer vehicle trips compared with the existing use. Atmospheric dispersion modelling was undertaken to determine the impacts of traffic generated when the proposed development proposed development is fully operational. Analysis of modelling results show that the proposed development proposed development is expected to have a negligible impact on air quality and that NO₂, PM₁₀ and PM_{2.5} concentrations are expected to meet long and short term NAQOs in 2028 at all modelled sensitive receptors when the proposed development is operational. The provision of electric charging infrastructure to cover at least 40 spaces (25% of the allocated parking) would be required by condition to accord with Policy M4 of the Oxford Local Plan.

10.109. The impacts of demolition and construction work on dust soiling and ambient fine particulate matter concentrations have been assessed on the AQA, which identified that there is a medium risk of dust impacts, due to the proximity of existing receptors to the proposed development. The risk of dust causing a loss of local amenity and increased exposure to PM₁₀ concentrations has been used to identify appropriate dust mitigation measures. Provided these measures are implemented and included within a dust management plan, the residual impacts are considered to not be significant.

10.110. Laboratories will be fitted with fume cupboards, some of which will be recirculatory with HEPA filtration. A number will be ducted to roof level, connected to a header system, and discharged at high velocity to atmosphere via a proprietary fan and flu arrangement. This will ensure that any odours or

contaminants are adequately removed from the building and dispersed outside. Due to the likely intermittent use of the fume cupboards and the location of extract flues on the building it is concluded that laboratory emissions will be adequately dispersed and are unlikely to have a significant effect on local air quality.

10.111. Overall, it is considered that the development would comply with the aims of Policy RE6 of the Oxford Local Plan.

11. CONCLUSION

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

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

11.3. Therefore, in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.

11.4. The provision of a building falling under a Class E (g) life science use would be acceptable on this site in line with Policy AOC7 of the Oxford Local Plan and Paragraphs 85 and 87 of the NPPF. The scope of existing planning permissions applicable to the building already allow for the loss of the existing community use of the site as a bingo hall and would allow the building to be reused for a life science use and there are clear design benefits to redeveloping the site, compared with retaining and converting the existing building. Whilst the proposals must be considered as a departure from Policy V7 of the Oxford Local Plan, the significant economic benefits of providing the new purpose-built life sciences space, design benefits from redeveloping the site and fallback position established under the existing permissions on the site, would represent significant material grounds to justify departure from Policy V7 of the Oxford Local Plan.

11.5. Officers consider that the design of the proposed building is of a high standard and is contextually appropriate accounting for the character and context of the area. The proposals would enhance the public realm along Minchery Lane, accounting for the proposed landscaping improvements, removal of the existing boundary fencing, provision of new public realm and active ground floor frontages. The scale and height, whilst greater than the existing building, are considered appropriate, when considering the visual impact of the development in localised

and longer-range views. Officers also consider that the scale and siting of the development would not have any significant negative impacts with regards to the amenity of any surrounding residential properties.

- 11.6. The scale and siting of the building would impact on the setting and significance of the Grade II* listed Priory, which would exacerbate the harm caused to the Grade II* listed building by the other very large buildings that have been built on the formerly open and rural land surrounding the designated heritage asset. Consequently, officers consider that the development would result in less than substantial harm to the setting and significance of this designated heritage asset. With regard to the setting of the Central (City & University) Conservation Area, it is considered that the proposal would result in a low level of less than substantial harm, as it would introduce further tall built form into the city's characteristically low-rise suburbs. In both instances, officers consider that there is clear and convincing justification for this level of harm in line with Paragraph 208 of the NPPF. There are public benefits from the development, in particular the economic benefits of providing additional high quality purpose-built laboratory space to address demand for the provision of this space within the city. As such it is considered that the development accords with Policies DH1 and DH3 of the Oxford Local Plan and the NPPF. In coming to this conclusion great weight and due regard has been given to the requirements of Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 11.7. No net increase in parking provision is proposed within the application, with allocated parking based on a modal share of 46% of staff. Given the presence of surrounding parking there would be a requirement for the developer to set out measures to manage parking across the wider Kassam Stadium site. Planning obligations will also be required to outline a strategy for the future relocation of the parking, accounting for the site's allocation in the Local Plan and to reduce the extent of parking once the Cowley Branch Line becomes operational. To improve the site's wider sustainability and accessibility by public transport, financial contributions would be sought towards delivery of the Cowley Branch Line and towards the Eastern Arc bus service, totalling £450,588. The development would enhance existing cycle and pedestrian connectivity through the site, whilst an acceptable quantum of cycle parking would be provided to serve the development. The proposals are therefore considered to comply with Policies M1, M2, M3, M4 and M5 of the Oxford Local Plan.
- 11.8. The proposals are considered to not adversely impact on ecology and provisions have been set out within the application to exceed 5% biodiversity net gain in accordance with Policy G2 of the Oxford Local Plan.
- 11.9. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Planning and Regulatory Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers and subject also to the conditions set out in section 12 below.

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

Reason: To avoid doubt as no objection is raised only in respect of the deemed consent application as submitted and to ensure an acceptable development as indicated on the submitted drawings in accordance with Policy S1 of the Oxford Local Plan.

Material Samples

3. Samples of the exterior materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before the start of above ground works on the site (excluding demolition) and only the approved materials shall be used.

Reason: In the interests of visual amenity in accordance with Policy DH1 of the Oxford Local Plan.

Phased Risk Assessment

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

A Phase 1 (desk study and preliminary risk assessment) has been completed and approved.

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

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

Reason: To ensure that any ground and water contamination is identified and

adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy RE9 of the Oxford Local Plan 2016 - 2036.

Remedial Measures

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

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

Contamination – Watching Brief

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

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

Dust Mitigation

7. No development shall take place until the complete list of site-specific dust mitigation measures and recommendations that are identified on Table 8-1(pages 30to 32) of the Air Quality Assessment that was submitted with this application (AQAUnit 1, Ozone Leisure Park, from Ramboll, May 2023), are included in the site's Construction Environmental Management Plan (CEMP). The Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The construction phase of the development shall be carried out in accordance with the approved CEMP.

Reason: To ensure that the overall dust impacts during the construction phase of the proposed development will remain as “not significant”, in accordance with the results of the dust assessment, and with Core Policy RE6 of the new Oxford Local Plan 2016- 2036.

Electric Vehicle Charging

8. Prior to the first occupation of the building, details of the Electric Vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following provision:
 - Location and specification of EV charging points;
 - The amount of electric car charging points should cover at least 25% of the amount of permitted non allocated parking (40 spaces);

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

Reason - To contribute to improving local air quality in accordance with policy M4 of the Oxford Local Plan 2016-2036 and enable the provision of low emission vehicle infrastructure.

Travel Plan

9. Prior to the first occupation of this site the framework travel plan shall be updated to a full travel plan and shall be submitted to the Local Planning Authority for approval in writing. The development shall not be occupied until the full travel plan has been approved in writing and the development shall be operated/occupied in accordance with the approved plan.

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

Cycle Parking

10. Before the first 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

CTMP

11. A Construction Traffic Management Plan (CTMP) shall be submitted to and be approved in writing by the Local Planning Authority prior to commencement of works. This shall identify:-

- The CTMP must be appropriately titled, include the site and planning permission number.

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

The development shall be carried out in full accordance with the approved CTMP unless otherwise agreed in writing by the Local Planning Authority.

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

Piling Method Statement

12. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the

works) has been submitted to and approved in writing by the Local Planning Authority after consultation with Thames Water. Any piling shall be undertaken in accordance with the terms of the approved piling method statement."

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

Water Network Upgrades

13. No part of the development shall be occupied until written confirmation has been provided to the Local Planning Authority 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 development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

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

Energy Statement Compliance

14. The development shall be carried out in full accordance with the recommendations of the Energy and Sustainability Statement prepared by Ramboll dated May 2023 accompanying this planning application.

Reason: To ensure the incorporation of sustainable design and construction with the approved scheme and to ensure carbon reduction in line with Policy RE1 of the Oxford Local Plan.

Archaeology – Demolition Methodology

15. No development shall take place until the applicant, or their agents or successors in title, has submitted a demolition methodology designed to facilitate controlled recording of archaeological remains and this has been approved in writing by the Local Planning Authority. All works shall be carried out and completed in accordance with the approved methodology, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including prehistoric, Roman and medieval remains (Local Plan Policy DH4)

Archaeology – Programme of Recording

16. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological recording work in accordance with a written scheme of investigation which has been submitted to the Local Planning Authority by the applicant and approved in writing by the Local Planning Authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including prehistoric, Roman and medieval remains (Local Plan Policy DH4).

Noise Mitigation – Plant

17. The external noise levels emitted from plant/ machinery/ equipment shall ensure that the rating level of the noise emitted from the proposed installation located at the site shall not exceed the existing background level at any noise sensitive premises when measured and corrected in accordance with BS4142:2014 +A1:2019 “Methods for rating and assessing industrial and commercial sound.

Reason: To protect the amenity of surrounding residential uses from excessive noise generation in accordance with Policies RE7 and RE8 of the Oxford Local Plan.

Noise Mitigation – Plant installation and Ducting

18. Prior to 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.

Reason: To protect the amenity of surrounding residential uses from excessive noise generation in accordance with Policies RE7 and RE8 of the Oxford Local Plan.

Secured by Design

19. Prior to commencement of development, an application shall be made for Secured by Design (SBD) 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 by the Local Planning Authority.

Reason: To ensure that the design of the development maximises public safety and reduces opportunities for crime in accordance with Policy DH1 of the Oxford Local Plan.

Underground Services – Tree Roots

20. No development shall take place until details of the location of all underground services and soakaways have been submitted to and approved in writing by the Local Planning Authority. The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas of retained trees as defined in the current British Standard 5837 "Trees in Relation to Design, Demolition and Construction - Recommendations". Works shall only be carried out in accordance with the approved details unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

Tree Protection Plan

21. The development shall be carried out in strict accordance with the tree protection measures contained within the approved planning application details, including as shown on drawing number 210-OZO-DRW-TRPP 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.

Arboricultural Method Statement

22. The development shall be carried out in strict accordance with the approved methods of working and tree protection measures contained within the planning application details - Arboricultural Implications Assessment (Including AMS), unless otherwise agreed in writing beforehand by the Local Planning Authority. The Local Planning Authority shall be informed in writing when physical measures are in place, in order to allow Officers to make an inspection prior to the commencement of development.

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

Arboricultural Monitoring Programme

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

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

Drainage FRA and Drainage Strategy

24. The approved drainage system shall be implemented in accordance with the approved detailed drainage design as outlined in the following documents prior to the first occupation of the building:

- Flood Risk Assessment reference RUK2021N00725-RAM-RP-00008
Version: 3.0 dated 28th July 2023 including figures and appendices.
- Drainage Strategy planning report reference RUK2022N00491-RAM-RP-00008 / Version 1.1 dated May 2023.

Reason: To ensure the appropriate incorporation of measures to manage drainage and to prevent flooding in accordance with Policies RE3 and RE4 of the Oxford Local Plan.

Record of SuDS

25. Prior to first occupation of the development, 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 the appropriate incorporation of measures to manage drainage and to prevent flooding in accordance with Policies RE3 and RE4 of the Oxford Local Plan.

Ecology – Lighting Design Strategy

26. Prior to commencement of above ground works, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) Show how and where internal and external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places; and

C) Ensure lighting levels do not exceed baseline levels within the Littlemore Brook or associated riparian corridor in the absence of any further detailed assessment as to the usage of the corridor by foraging and commuting bats, noting that a horizontal lux level of 8.8 at ground level prevails at the southern edge of the riparian corridor to the north of the building during the hours of operation of the existing lighting columns.

All internal and 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 accordance with the approved strategy. Under no circumstances shall any other external lighting be installed without prior written consent from the Local Planning Authority.

Reason: To prevent harm to species and habitats within and outside the site 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.

Construction Environmental Management Plan (Biodiversity)

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

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

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

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

Landscape and Ecological Management Plan (LEMP)

28. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the occupation of the development. The content of the LEMP shall include the following.

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

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The LEMP shall include 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports.

The approved LEMP shall be implemented following first occupation of the development.

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

29. Prior to commencement of the development, details of ecological enhancement measures including the bat boxes and bug hotels proposed in Section 7 of the report 'Ecological Impact Assessment' produced by MKA Ecology and dated 23rd August 2023 shall be submitted to and approved in writing by the Local Planning Authority, in addition to details of at least 20 swift bricks. Details must include the proposed specifications, locations, and arrangements for any required maintenance. The approved devices shall be fully constructed under the oversight of a suitably qualified ecologist prior to

occupation of the approved development. The approved devices shall be maintained and retained in perpetuity unless otherwise approved in writing by the Local Planning Authority.

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

13. APPENDICES

- **Appendix 1** – Site location plan
- **Appendix 2** – Oxford Design Review Panel Report

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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