

OXFORD CITY PLANNING COMMITTEE

17th September 2024

Application number: 22/02880/RES

Decision due by 3rd March 2023

Extension of time 22nd October 2024

Proposal Erection of 1no. laboratory enabled office building for research and development with ancillary commercial space (all within use class E). Erection of 1no. building to accommodate motor vehicles, cycles and end of journey facilities. Provision of new access, external visitor cycle parking, landscaping and services infrastructure. Approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to planning permission 12/01424/EXT. (Amended description, plans and documents).

Site address Plot 2000, John Smith Drive, Oxford, Oxfordshire – see **Appendix 1** for site plan

Ward Temple Cowley Ward

Case officer Jennifer Coppock

Agent: Mrs Stephanie Weeks **Applicant:** Mr Robin Moxon

Reason at Committee Major development

1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

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

- 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 development at Plot 2000 Advanced Research Clusters (ARC) Oxford, John Smith Drive. The application seeks reserved matters approval for access, appearance, landscaping, layout and scale of 1no. building with a stepped elevation up to eight storeys and a maximum height of 34m in Research and Development use to accommodate Containment Level 2 (medium risk biological agents and hazards, genetically modified organisms, animals and plants) laboratories and associated offices, pursuant to outline planning permission 12/01424/EXT which expired in December 2022 following the submission of this application in November 2022.
- 2.2. The original outline planning permission 91/01303/NO was granted in November 1992 for the *Demolition of all buildings. Construction of buildings for B1 business use (125,023 square metres) & a hotel (10,451 square metres) incl. new roads, car parking, infrastructure & landscaping (Amended Plans) (Oxford Business Park, Garsington Road)*. Since then, the timeframe for the submission of reserved matters was extended several times, with the last such extension granted in December 2012 (12/01424/EXT as above). Of the 125,023 sq. m. of B1 floorspace permitted in 1992, 39,604sq. m. remains undeveloped. This application proposes a Gross External Area of 33,600sq. m. and therefore sits within the permitted floorspace.
- 2.3. Officers consider that the proposed development would respond appropriately to the site context, Local Plan policies and the Oxford Business Park site allocation. The development would result in a 16% net gain in tree canopy cover after 25 years through new and retained soft landscaping.
- 2.4. There would be no harm to any identified protected species and the proposal would achieve a Biodiversity Net Gain of 5.28% (the application was submitted in 2022, prior to the 10% BNG requirement becoming law as part of the Environment Act). The development would be of a sustainable design and construction, achieving a 43.3% reduction in carbon emissions when set against the 2021 Part L Building Regulations. The scheme would provide 302 car parking spaces and 18 motorcycle spaces, equating to a mode share of 39% with an agreement (secured by the s106) to reduce this down to 32% once the Cowley Branch Line is operational at peak times. This is considered acceptable in this location, in accordance with the objectives of the Oxford Local Plan 2036. A total of 266 cycle parking spaces would be provided on site, in excess of Local Plan requirements, with further details to be

secured by condition. There would be no adverse land contamination, noise pollution, air quality or flood risk and drainage impact as a result of the proposal.

2.5. Subject to the imposition of appropriately worded conditions and a section 106 legal agreement, the development would accord with all policies in the Oxford Local Plan 2036 and NPPF.

3. LEGAL AGREEMENT

3.1. This application is subject to a legal agreement to cover:

- An agreement to reduce car parking numbers by 52 spaces, from 302 to 250 bays within 3 months of the Cowley Branch Line operating a passenger service of 2 trains per hour at peak times between London Marylebone, Oxford City centre and Oxford Cowley.
- A requirement that tenancy agreements shall include the loss of parking spaces, with appropriate clauses inserted into lease agreements to secure their sacrifice.
- The provision and implementation of a Construction (excluding demolition, site clearance and remediation works) and End User Community Employment and Procurement Plans with the City Council.
- Agreement to achieve 5% Biodiversity Net Gain within the wider ARC Oxford site (edged blue on the site location plan).

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL as the original outline planning application was approved prior to the introduction of CIL.

5. SITE AND SURROUNDINGS

5.1. The site comprises undeveloped land, accessed off John Smith Drive – a private road within ARC Oxford, and extends to approximately 1.13ha. Plot 2000 sits immediately west of the Eastern By-Pass with its curved form responding to the road layout. Existing trees bound the site with two to three storey buildings in commercial use surrounding the plot. A pedestrian/ cycle path lies immediately northwest of the site, accessed from Garsington Road.

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

5.3. See site location plan below:

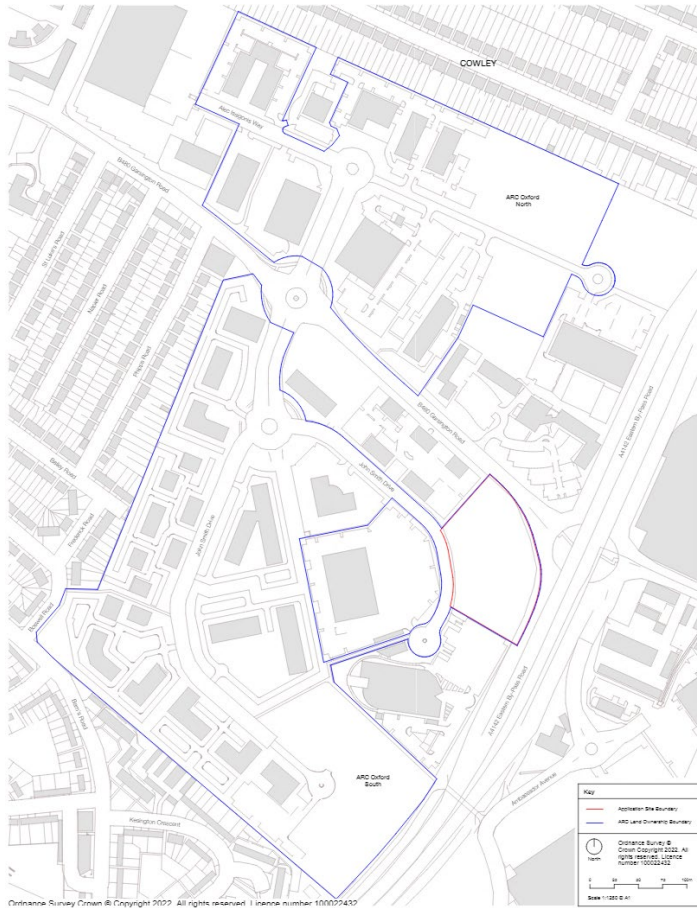


Figure 1: Site location plan

6. PROPOSAL

6.1. The reserved matters application proposes to erect 1no. eight storey CL2 laboratory and office building with stepped elevations and a maximum height of 34m and 1no. four storey multi-storey car park (MSCP) with end of journey facilities (showers, changing and drying rooms), mechanical plant and refuse storage. The buildings have a combined Gross Internal Area of 31,910sq. m. 4no. ancillary buildings would be located along the southern and eastern boundaries of the site to house generators, sub-stations and gases. As above, the laboratory building would accommodate Containment Level 2 laboratories and offices with private amenity space located on the ground and seventh floors, details of which are yet to be confirmed as the application is speculative with no end user secured at present. The MSCP would accommodate 302 car parking bays, 18 motorcycle bays and 213 cycle spaces as well as the ancillary uses set out above.

6.2. Enhanced landscaping is proposed to the boundary of the site in the form of additional tree planting and a new soft landscaped area is proposed fronting John Smith Drive with new tree and shrub planting and outdoor seating areas. 22 external visitor cycle parking spaces would also be located to the front of the building. As above, full details of cycle parking specifications would be secured by condition.

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

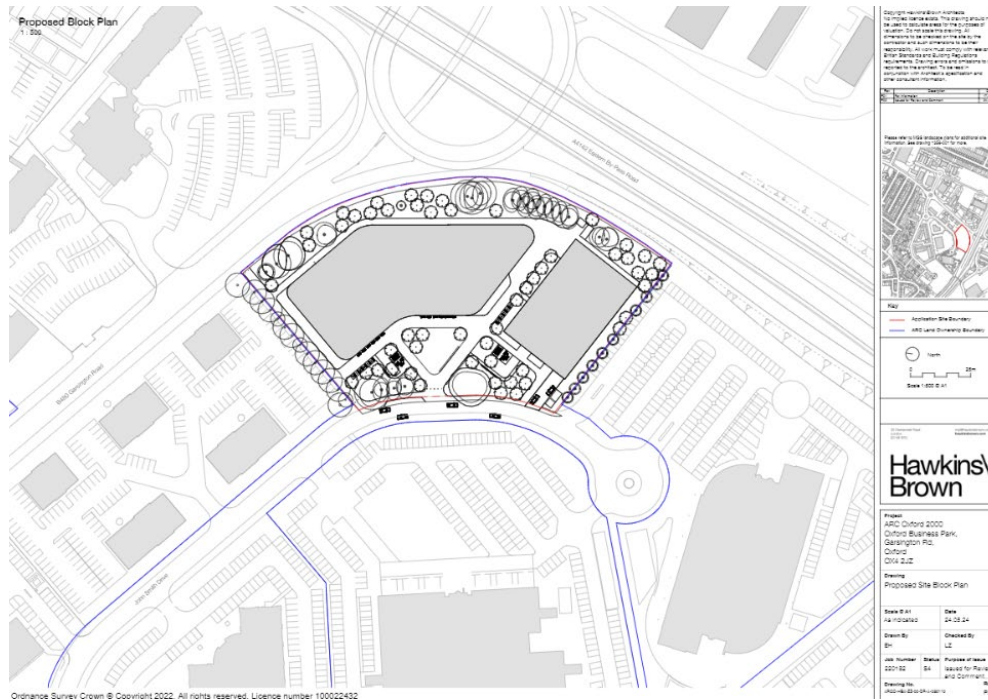


Figure 2: proposed block plan

7. RELEVANT PLANNING HISTORY

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

91/01303/NO - Demolition of all buildings. Construction of buildings for B1 business use (125,023 square metres) & a hotel (10,451 square metres) incl. new roads, car parking, infrastructure & landscaping (Amended Plans) (Oxford Business Park, Garsington Road). Approved 27th November 1992.

93/00706/NR - Details of access and landscaping on Garsington Road and some internal site roads. Details of landscaping on Eastern By-pass (part reserved matters of outline approval NO/1303/91). Approved 2nd February 1994.

99/01351/VF - Variation of condition 1 on permission NO/1303/91 to allow submission of reserved matters application until 26.11.2004. Approved 8th February 2000.

04/00215/VAR - Variation of condition 1 on permission 99/01351/VF to allow submission of reserved matters application until 30.11.2012. Approved 2nd April 2004.

12/01424/EXT - Extension to the outline planning permission 91/01303/NO for Class B1 business use, hotel, associated roads, car parking, infrastructure and landscaping. Approved 13th December 2012.

Trinity House

22/03067/FUL - Demolition of existing office building and erection of 1no. laboratory and office building for research and development (use class E). Erection

of gas store. Provision of motor vehicle and cycle parking and landscaping. Approved 9th October 2023.

Plot 4200

24/00335/FUL - Demolition of existing office buildings and erection of 1no. laboratory-enabled office building for research and development with ancillary commercial space (all within use Class E). Provision of new access, alterations to existing footpath, motor vehicle and cycle parking, landscaping and services infrastructure. (Amended plans and documents).

Plot 5000

24/01302/FUL - Demolition of existing office building and erection of 1no. laboratory-enabled office building for research and development with ancillary commercial and amenity space (Use Class E). Provision of new access, motor vehicle parking, cycle parking, services infrastructure and landscaping including new amenity space and pedestrian/cycle connection. Pending consideration, due to be heard at September 2024 Committee.

Pre-application advice

7.2. Pre-application engagement took place between August and November 2022 with the formal reserved matters application submitted prematurely shortly after, prior to the outline permission expiring in December 2022. Issues arose following receipt of the TVIA, scaled plans and other supporting technical documents so it was decided to put the application on hold whilst these issues were addressed. Since November 2022, Officers have worked hard with the applicants to agree on an acceptable scheme which has involved the following amendments:

- Reduction in maximum height from 61m to 34m.
- Reduction in Gross Internal Area from 33,587sq.m. to 31,910sq. m.
- Removal of overly dominant saw tooth roof.
- Separation of car park and lab and office functions to break up the overall massing.
- Activation of ground floor fronting Garsington Road.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents
Design	131-141	DH1 - High quality design and placemaking DH7 - External servicing features and stores	

Conservation/ Heritage	195-214	DH2 - Views and building heights DH3 - Designated heritage assets DH4 - Archaeological remains	High Buildings TAN
Housing	60-84	H14 - Privacy, daylight and sunlight	
Commercial	85-89	E1 - Employment sites - intensify of uses SP10 - Oxford Business Park	Employment Skills TAN
Natural environment	180-194	RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface G1 - Protection of Green/Blue Infrastructure G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	
Social and community	118-122	RE5 - Health, wellbeing, and Health Impact Assessment	
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 V8 - Utilities	
Environmental	157-179	RE1 - Sustainable design and construction RE6 - Air Quality RE8 - Noise and vibration RE9 - Land Quality	Energy Statement TAN
Miscellaneous	7-14	S1 - Sustainable development RE2 - Efficient use of Land RE7 - Managing the impact of development V9 - Digital Infrastructure	

9. CONSULTATION RESPONSES

9.1. Site notices were originally displayed around the application site on 21st December 2022 and an advertisement was published in The Oxford Times newspaper on 29th December 2022. Following receipt of amendments, pink site notices were posted on 4th June 2024 and an advertisement was published in The Oxford Times newspaper on 6th June 2024.

Statutory and non-statutory consultees

Highways Authority

9.2. No objection, subject to conditions.

Local Lead Flood Authority

9.3. No objection, subject to conditions.

Thames Water Utilities Limited

9.4. Thames Water had no comments to make on the original proposal and has not submitted further comments in response to the revised proposal.

Environment Agency

9.5. No comments to make due to current high workload. The EA has made the decision not to comment on reserved matters application in all but the most complex of cases.

Historic England

9.6. No comments to make.

Oxford Preservation Trust

9.7. Welcome the reduction in height and massing but stressed that a building of this scale would need to be considered carefully with regards to its impact on the immediate setting, longer distance views and the historic skyline. *(Please note that OPT state that the building measures 105.2m in height – this is incorrect, as the maximum building height is 34m).*

Active Travel England

9.8. Standing advice provided.

Thames Valley Police

9.9. Originally TVP raised an objection to the proposal based on building security, lighting, vehicle access, the layout of the internal cycle store and location of visitor cycle parking. The applicant addressed concerns by proposing a hedge (max. height of 1m) to the rear of the building, fronting Garsington Road, providing a more defensible boundary whilst maintaining an activated frontage. The applicants now propose to install 1no. bollard within the external entrance plaza, adjacent to the car park

entrance to avoid unauthorised motor vehicle access within the site, this is in addition to the CCTV already planned.

- 9.10. Following clarification of security measures and lighting strategy, TVP accept the cycle parking provision and level of lighting, subject to a condition to secure lighting details.

Public representations

- 9.11. No public representations were made in response to this application.

10. PLANNING MATERIAL CONSIDERATIONS

- 10.1. Officers consider the determining issues to be:

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

a) Principle of development

- 10.2. The principle of development was firstly established in 1992 when the original outline application was approved and subsequently renewed throughout the years up to 2012. As set out above, this application is concerned with matters of detail.

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

- 10.4. The Oxford Local Plan recognises at paragraph 128 that Oxford has *“one of the highest concentrations of knowledge intensive businesses in the UK. It has the fastest growing and one of the best educated workforces in the country and is the main centre of research and spin outs in the country. The Local Plan supports the growth of these sectors and puts in place measures to manage the effects of success”*. The Oxfordshire Strategic Economic Plan (2017) sets out the long-term vision and ambitions for economic growth in the County, which is that overall by 2030 *“Oxfordshire will be recognised as a vibrant, sustainable, inclusive world leading economy driven by innovation, enterprise and research intelligence”*. The Oxfordshire Local Industrial Strategy (2019) looks to position Oxfordshire as one of the top 3 global innovation ecosystems highlighting the County’s world leading science and technology cluster.
- 10.5. As above, the site forms part of a Category 1 employment site and as such, under the requirements of policy E1 of the Oxford Local Plan 2036, the site is protected for employment floorspace only. Planning permission will be granted for the intensification, modernisation and regeneration for employment purposes of any employment site if it can be demonstrated that the development makes the best and most efficient use of land and does not cause unacceptable environmental impacts and effects. Further, the Park is allocated under policy SP10 for employment and, potentially, other complimentary uses. The policy encourages the promotion of sustainable travel modes to the Park and there is a requirement to mitigate any harm to biodiversity value.
- 10.6. The submitted Planning and Economic Statement estimates that approximately 280 net additional on and off-site construction jobs would be created with the proposal estimated to contribute £41 million during the 2-year construction period. During the operational phase, 1,080 jobs would be created on site with up to £61.6 million of Gross Value Added (GVA) generated each year, once fully operational.
- 10.7. In addition to the above, the applicant has committed to entering into Construction and End User Community Employment and Procurement Plans (CEPP) which would ensure that local people are employed, and local businesses are supported during the construction and operational phases of the development. This would be secured by legal agreement.
- 10.8. It is therefore considered that intensifying development on the site for business (Use Class E(g)) uses within the research led employment sector, as proposed, is acceptable in principle subject to compliance with all requirements of policies E1, SP10 and the Local Plan as a whole.

b) Design, views and impact on heritage assets

- 10.9. The NPPF makes it clear that the purpose of planning is to help achieve sustainable development (Section 2), and that design (Section 12) and effects on the natural environment (Section 15) are important components of this.
- 10.10. Section 11 of the NPPF notes in paragraph 128 that in respect of development density the considerations should include whether a place is well designed and *“the desirability of maintaining an area’s prevailing character and setting...or of promoting regeneration and change”*.

- 10.11. Paragraph 135 of the NPPF states that decisions should ensure that developments will a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic in local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place to create attractive, welcoming and distinctive places and e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public open space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 10.12. Local Plan Policy DH1 requires developments to demonstrate high quality design and placemaking.
- 10.13. The site's location within the southern suburbs of the City is considered appropriate for additional height given its relatively unconstrained nature in planning policy terms. Further, the sites position within the Park acts as a 'gateway' from the Eastern bypass making it a suitable plot for a 'marker' building as the proposal can be described. The proposal is the result of extensive discussions between the applicant and Officers since 2022 and, although large, is now demonstrably considered and carefully designed to minimise harmful impact to the local and wider site context.
- 10.14. Separating the built form into two distinct elements has largely been informed by TVIA studies as to how best to minimise the negative impact of this large development on the site context – such methodology is considered best practice and always advised by Officers. Through the TVIA studies, the design team established that creating a physical gap by separating the MSCP from the main lab building, is critical to minimise a negative impact of cumulative development on key views out from the City centre, as set out in more detail below. The bulk, mass and scale of the lab building has been carefully designed so it largely sits behind the Trinity House (plot 1000) development, this is welcomed by Officers. Further, the distinctly different façade treatments of the MSCP and lab building has successfully added interest and breaks up the mass of these large buildings, as well presenting the MSCP as subservient to the main lab building. The lab building elevations are adequately broken up with varying fenestration and projecting fins. Larger windows are incorporated within the façade which contribute to an attractive and coherent rhythm.



Figure 3: Visualisation of the lab building and MSCP (section 3.9 of Design & Access Statement)

- 10.15. The Oxford Business Park, designed and built in the 1990s is characterised by buildings set within verdant landscape. Whilst the proposed built form is of a much larger scale and mass than existing buildings in the current site context, the proposal, which incorporates generous landscaping and planting provides an appropriate response to this landscape context.
- 10.16. As required by Local Plan policy DH2, the City Council will seek to retain significant views both within Oxford and from outside. Policy DH3 requires development to respond positively to the significant character and distinctiveness of heritage assets.
- 10.17. Oxford's historic built environment, including its central core and surrounding townscape, is intrinsically linked to its landscape setting. The city's character has been influenced by its physical and topographical environment, which has three fundamental elements:
- River meadows – these flat open areas permeate the city north to south.
 - Wooded farmland, estates & hills – these high and nearby hills form a natural green backdrop and 'amphitheatre' to the east and west of the city.
 - Alluvial lowland & vale farmland – these areas of lower lying hills are predominant to the north and south of the city and signal the location of the rivers.
- 10.18. Oxford's historic built environment features an architectural history that comprises:
- Medieval historic core, originating from C9th Saxon burgh, built on a raised gravel terrace at the confluence of the rivers which contains a cluster of tall buildings of exceptional architectural significance that form its iconic skyline and are collectively known as the 'dreaming spires'. The historic core is designated as Oxford's Central Conservation Area.

- Surrounding outlying villages of medieval origins, designated as individual conservation areas, which have been subsumed by later C19 and C20 development.
- C19 suburban expansion which subsumed the outlying villages and forms, which the poet Matthew Arnold termed “Oxford’s base & brickish skirt”.
- C20 expansion including the industrial development of the Cowley Motor Works to the south of the city.

10.19. The landscape and built environment elements identified above and their interrelationship with one another and the intrinsic connection of Oxford’s historic development to its landscape setting is fundamental to the significance of the city’s Central Conservation Area and can be appreciated from a number of views, both from viewpoints outside of the city looking in (i.e. view cones) and from high level viewpoints within the city looking out.

10.20. At the southern edge of the city, the east and west containing hills fall away to a much lower ridgeline with the backdrop of the Chiltern Hills beyond, which signals the river route and is where the areas of C20 expansion have taken place below and beyond the lower ridge line. The ability to visually appreciate the location, extent and forms of the hills and ridgelines that surround the city is essential to understanding its historic development and heritage significance.

10.21. Any new, tall building development that extends above the ridgeline along the southern edge has the potential to disrupt and detract from the setting of Oxford’s historic built environment and its Central Conservation Area, as well as affect the setting of other heritage assets. Notwithstanding this, the south-eastern suburbs, within which the site sits, are an ‘Area of Greater Potential’ which is less constrained by heritage considerations and therefore has the potential for growth in the form of tall buildings, as outlined in the High Buildings TAN. The High Buildings TAN identifies that buildings taller than 15m high at the Business Park would skyline in views from St Mary’s Tower.

10.22. In correlation with the TAN, the submitted TVIA views suggest that the upper storeys of the proposed development would be visible from St Mary’s Tower, as well as from Carfax Tower, St George’s and St Michael’s at the Northgate. Notwithstanding design amendments, the proposed building would still break the lower ridgeline and in views from St Mary’s, Carfax and St George’s in particular it would obscure a portion of the far hills, eroding the ability to appreciate this part of the City’s landscape setting and the ways in which this has shaped its historic development, thereby causing a degree of harm to the Central Conservation Area.

10.23. As a result of the most recent round of pre-application discussions, the massing of the proposed building has been amended in order to lessen the cumulative impact of Trinity House, Plot 2000 and Plot 5000, with the bulk of the Plot 2000 proposal’s massing situated so that it sits behind Trinity House in the views, and amendments to the plant screen to create a greater variation in height and a gap between it and Plot 5000. On the whole, this has greatly improved the appearance of the building in the high-level views from the Central Conservation Area. However, these changes to the design have had less of an impact on the appearance of the building from St

George's, as this is located further west and therefore the greater articulation and gap that have been created are not readily perceptible from here.

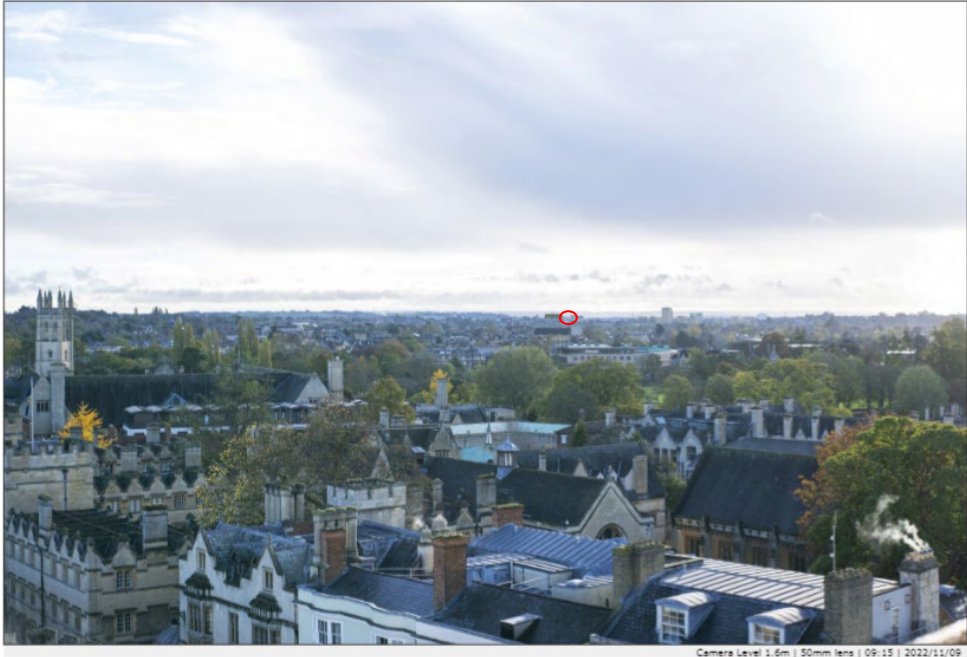


Figure 4: View from St Mary's Tower – plot 2000 circled in red.

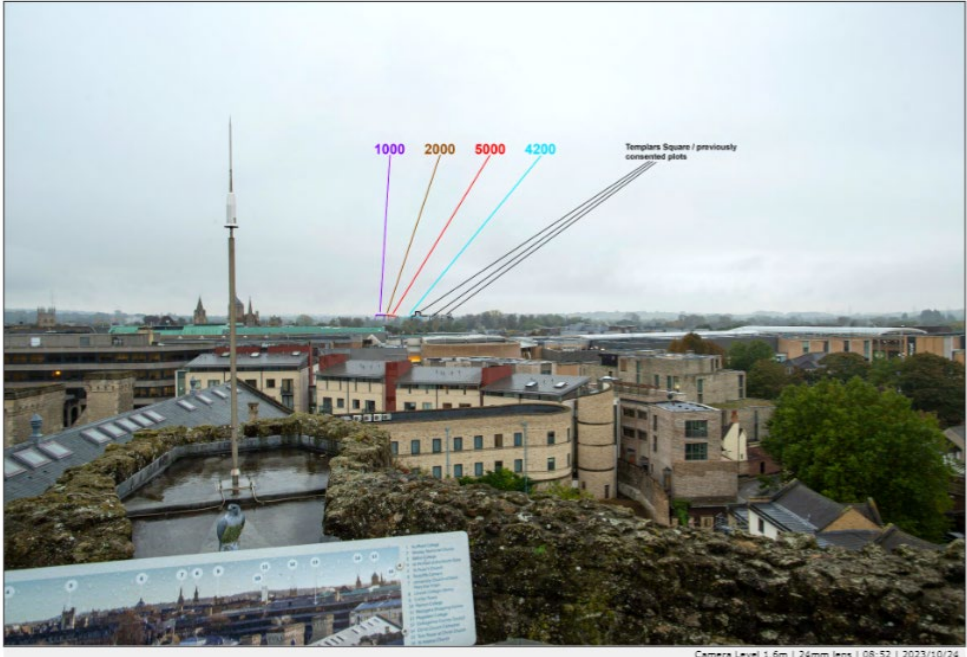


Figure 5: View from St George's Tower.

10.24. The proposed development would be lower in height than the existing mid-late-20th century tower blocks to the south of the city. However, the building would still be of considerable height, which together with its greater bulk and mass would be at odds with the scale of the surrounding lower built form that characterises this area, changing the character of the City's 'base and brickish skirt' and distracting somewhat from views of the 'dreaming spires' from the high-level viewpoints. The character of this part of the Conservation Area's setting will undergo change as a

result of the consented Trinity House scheme, which is of a similar scale and form to the proposed development. However, the proposed development at plot 2000 would contribute further to that change of character and would have a cumulative effect that would exacerbate the harm already caused. Overall, it is considered that the harm caused to the setting of the Central Conservation Area would equate to a low level of less than substantial.

- 10.25. With regards to the setting of Grade II* listed Town Hall, the proposal would introduce built form into the high-level panoramic view from Carfax that would sit adjacent to the spire of the Town Hall, nibbling away at the green and sky backdrop and reducing its visual prominence, causing a low level of less than substantial harm to the setting of this listed building.

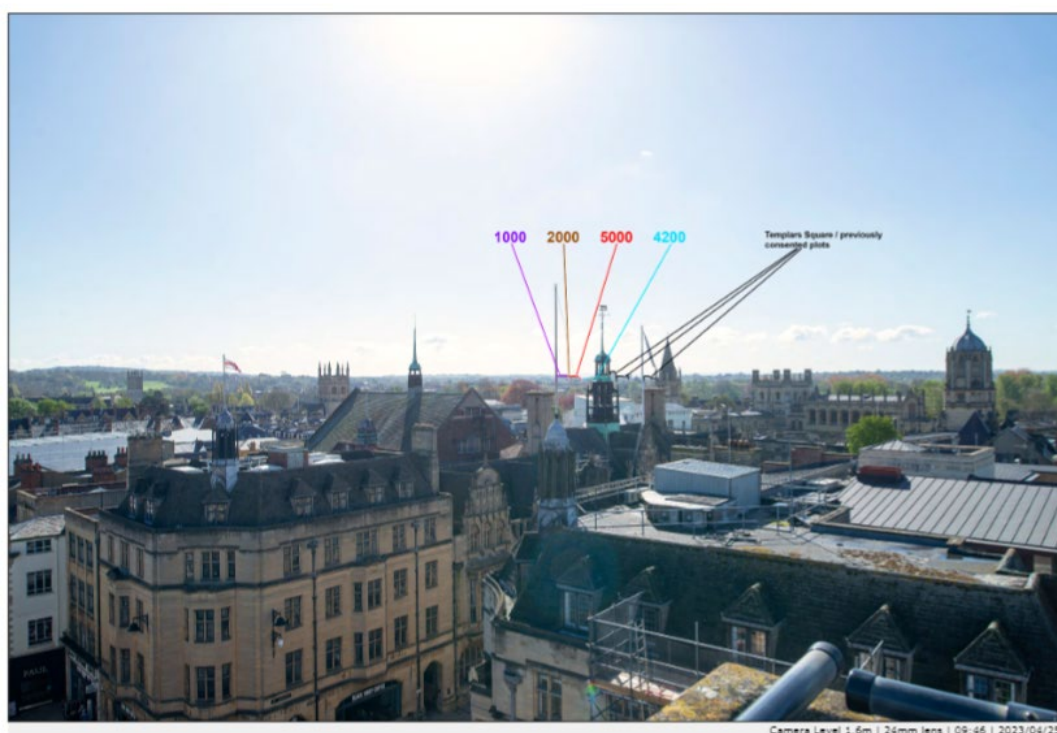


Figure 6: View from Carfax, illustrating impact on setting of the Town Hall.

- 10.26. Similarly to the Town Hall, in views from St. Michael at the Northgate, the development would nibble away at the landscape and sky backdrop of the Grade I listed Lincoln College Library spire, reducing its visual prominence and eroding the architect's intent for the building's spire to be a landmark in the city skyline. Again, causing a low level of less than substantial harm to the setting of this listed building.

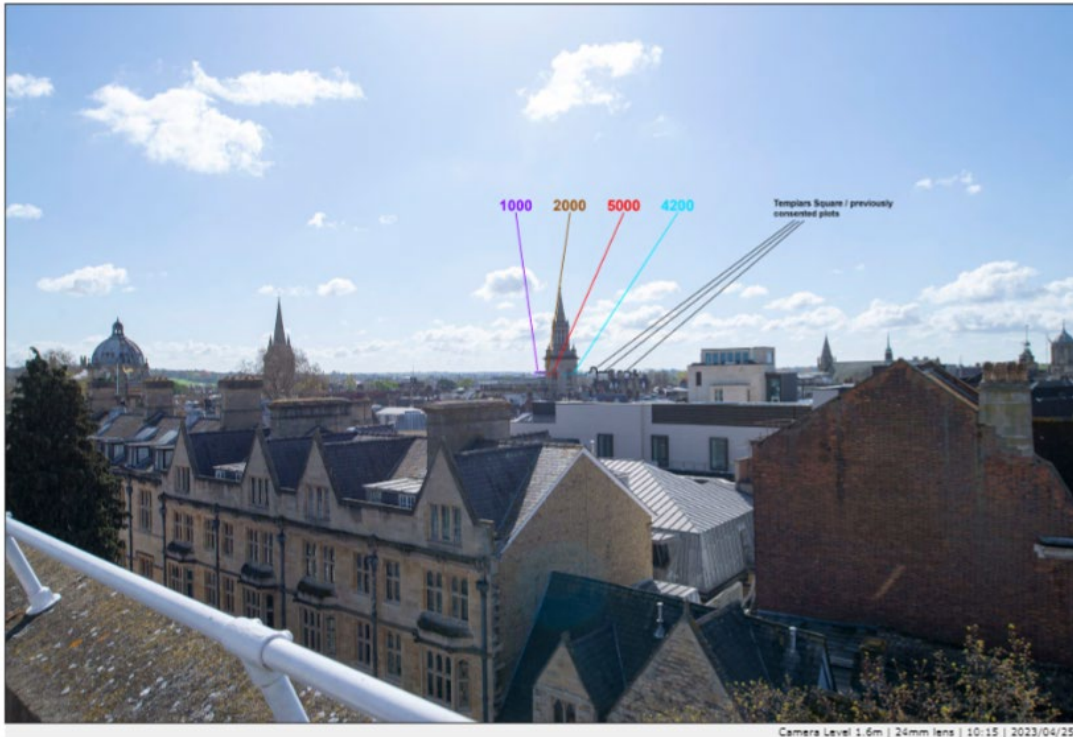


Figure 7: View from St Michael of the Northgate

- 10.27. When determining an application affecting a Conservation Area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended and Chapter 16 of the NPPF which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area. Paragraph 205 requires great weight to be given to conserving a designated heritage asset.
- 10.28. In terms of considering the planning balance of public benefits against harm to designated heritage assets, NPPF paragraph 206 states that there should be a clear and convincing justification for the harm, whilst paragraph 208 weighs the harm against public benefits including the optimum viable use.
- 10.29. In terms of providing a clear and convincing justification for the harm, the application has been developed following thorough discussions during the pre-application and formal application processes with Officers on the design, including an explanation of the space requirements for lab buildings. As widely understood now, the demand for high quality lab enabled office space within this part of the 'Golden Triangle' is outstripping supply making it difficult for Oxford to realise its potential as a global leader. As such officers consider that sufficient evidence has been provided to justify the overall height and form of the building.
- 10.30. With regards to public benefits, National Planning Practice Guidance states that public benefits that flow from a development could be anything that delivers economic, social, or environmental objectives. They need to flow from the development and should be of benefit to the public at large and not just a private benefit, although benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

- 10.31. Officers consider the public benefits outlined below as of most relevance.
- 10.32. Economic: The proposed development would strengthen the provision of lab-enabled office space within Oxford, further strengthening its position as a world leader for the Research and Development sector.
- 10.33. As set out above, during the construction phase (2 years), the proposal would result in the creation of 280 net additional on and off site jobs. The construction phase would contribute £41 million in GVA to the local economy.
- 10.34. During the operational phase, the proposal has the capacity to create a total of 1,080 on and off-site jobs. The operational phase would contribute £61.6 million in GVA per annum to the local economy.
- 10.35. Social: As outlined above, the proposed development would lead to far reaching economic benefits within the City with the applicant also committed to providing and implementing a CEPP which would ensure that employment in the construction and operational phases is made available to local candidates, particularly those within deprived areas and with disadvantaged backgrounds that would typically not be considered, or have the opportunity to apply, for jobs within the life science sector.
- 10.36. Environmental: The scheme would provide a 5% Biodiversity Net Gain in line with Local Plan requirements, as detailed below in the relevant sections.
- 10.37. Taking these benefits into account, and whilst giving great weight to the conservation of the setting of the Conservation Area and listed buildings, it is considered that the low level of less than substantial harm caused to the setting of the Central Conservation Area is outweighed by the public benefits that the proposal would bring with it.
- 10.38. In light of the above, it is considered that the proposal accords with policies DH1, DH2 and DH3 of the Oxford Local Plan 2036 and the NPPF.

c) Archaeology

- 10.39. Local Plan Policy DH4 states that where archaeological deposits and features are suspected to be present (including upstanding remains), applications should include sufficient information to define their character, significance and extent of such deposits so far as reasonably practical.
- 10.40. The site contains the remains of part of the demolished Cowley car plant and all previously undeveloped plots within ARC Oxford have the potential to preserve Roman remains relating to the extensive nationally important Oxford Roman pottery industry. Plot 2000 is already subject to an archaeological condition under the most recent renewal (ref. 12/01424/EXT) requiring a written scheme of investigation to be completed prior to the commencement of development. This condition would be carried forward as part of this permission and is set out below in section 13.
- 10.41. With the above mitigation measures in place, it is considered that the proposed development would comply with policy DH4 of the Oxford Local Plan 2036.

d) Impact on neighbouring amenity

- 10.42. H14 of the Oxford Local Plan 2036 requires new development to provide reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy RE7 requires the amenity of neighbours to be protected with regards to visual privacy, outlook, sunlight, daylight and overshadowing and impacts of the construction phase. Policy RE8 seeks to control nuisance from noise.
- 10.43. The site sits approximately 325m from its nearest residential neighbour and between 20m and 83m from surrounding commercial units within ARC Oxford and the Chiltern Business Centre to the east of the by-pass sit between 20m and 83m from the boundaries of plot 2000.

Privacy

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

Overbearing

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

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Proposed - Templars Square (Block) + Trinity House (Rendered) + Plot 2000 (Rendered) + Plot 4200 (Rendered) + Plot 5000 (Rendered)

1264 ARC Oxford Plot 2000 & 5000 - Verified Views

View 8

Level 3 VVM



Document Date 23 May 2024

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Figure 8: Verified view from Easter by-pass looking south west

Daylight/ sunlight

- 10.46. Due to the distance between the site and residential neighbours, the proposal would not impact on dwellings in terms of daylight/ sunlight and overshadowing as confirmed within the submitted GIA Daylight, Sunlight and Overshadowing Report. Further, the report demonstrates that, whilst not strictly required to adhere to BRE guidance, the open spaces associated with surrounding commercial neighbours would all receive at least 2 hours of sunlight on 21st March and so would meet the BRE guidelines in any event.
- 10.47. In light of the above, residential and commercial neighbouring properties would not be affected by the development.

Construction phase

- 10.48. In order to protect the amenity of neighbours during the construction process, conditions would be imposed requiring the submission of a Construction Traffic Management Plan prior to the commencement of development and a Construction Environmental Management Plan has already been approved. The Plans would identify the steps and procedures that would be implemented to minimise the creation and impact of noise, air quality, vibration, dust and waste disposal resulting from the site preparation, groundwork and construction phases of the development and manage construction vehicle access to the site.
- 10.49. Taking all of the above into account, it is concluded that the proposed development fully complies with policies RE7, RE8 and H14 of the Oxford Local Plan 2036.

e) Health and wellbeing

- 10.50. Local Plan policy RE5 seeks to promote strong, vibrant and healthy communities and reduce health inequalities. The application has been supported by a Health Impact Assessment (HIA) which considers the health impacts of the proposed development based on the NHS London Healthy Urban Development Unit (HUDU) Rapid Health Impact Assessment (HIA) as required by policy RE5.
- 10.51. Inclusive design has been considered both internally and externally throughout the scheme with wheelchair accessibility and flexibility available. Enhanced landscaping with seating areas for use by staff and visitors and the provision of safe and convenient staff cycle parking with changing facilities would deliver a welcoming site for all commuters and their individual needs.
- 10.52. As above, the scheme would provide employment locally in both the construction and operational phases and the applicant has committed to entering into a Community Employment and Procurement Plan (CEPP) which would form part of the S106 legal agreement.
- 10.53. In light of the above, and the contents of this report as a whole, it is considered that the proposed development would comply with policy RE5 of the Oxford Local Plan 2036.

f) Highways and parking

- 10.54. Oxford has the ambition to become a world class cycling city with improved air quality, reduced congestion and enhanced public realm. Road space within the city is clearly limited and to achieve its ambition there is a need to prioritise road space and promote sustainable modes of travel. For non-residential development, the presumption will be that vehicle parking will be kept to the minimum necessary to ensure the successful functioning of the development. Policies M1, M2, M3, M4 and M5 of the Oxford Local Plan 2036 seek to deliver these objectives.
- 10.55. Policy M1 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport. In accordance with policy M2, a Transport Assessment for major developments should assess the impact of the proposed development and include mitigation measures to ensure no unacceptable impact on highway safety and the road network and sustainable transport modes are prioritised and encouraged.

Sustainability

- 10.56. The site is located within a densely populated area of the city with a large number of residents within walking and cycling distance to ARC Oxford. As the Planning Committee is aware, it is currently anticipated that the Cowley Branch Line will be operational in May 2028. A new station is proposed adjacent to the Tesco Supermarket to the east of ARC Oxford which would further enhance the sites sustainability.
- 10.57. It is important to note that, whilst some 32 years ago and therefore largely irrelevant to today's context, the highways and transport impacts of the 1991 outline scheme were mitigated as part of the original application. As this is a reserved matters application under this outline planning permission, Officers are unable to seek further financial contributions or improvements to local transport infrastructure from this application as would be expected of new proposals of a similar character or scale.

Access and traffic generation

- 10.58. The site would be accessed from John Smith Drive via a priority junction. The location is deemed acceptable with the geometry of the road ensuring adequate visibility and the 20mph speed limit meaning the lightly trafficked road would be safe for additional vehicles. Pedestrian/cycle accesses would also be provided onto the existing routes on Garsington Road.
- 10.59. The expected trip generation to and from the proposed building is 289 two-way trips in the AM peak hour and 235 two-way trips in the PM peak hour. The impact of development on site on the highway network was agreed at outline stage, including any required mitigation, and is therefore not being assessed as part of this application.

Cycle and vehicular parking

- 10.60. 226 cycle spaces would be provided on the ground floor of the 'cycle hub' within the MSCP, 1 space in excess of the Local Plan's minimum standards. Spaces would be in the form of single tiered racks and Sheffield stands, with 12 spaces provided for larger bicycles. A further 44 visitor spaces, in the form of Sheffield stands, would be

provided adjacent to the main building entrance. This level of provision is considered acceptable.

- 10.61. As a result of design amendments, car parking has been reduced to 302 bays (including 10 visitor) from 334 which equates to a mode share of 39% when accounting for the 750 staff members on-site on any given day. Parking provision would be reduced to 250 bays (32% mode share), with these bays converted to either storage space or a suitable alternative use, when the Cowley Branch Line is operational with two trains per hour during peak times, to be secured by legal agreement. The proposed car parking provision is considered acceptable.
- 10.62. In light of the above, it is considered that the proposed development complies with Local Plan policies M1, M2, M3, M4 and M5.

g) Trees and landscaping

- 10.63. Policy G7 of the Oxford Local Plan 2036 requires that any unavoidable loss of tree canopy cover should be mitigated by the planting of new trees or introduction of additional tree cover. Policy G8 continues that development proposals affecting existing Green Infrastructure features should demonstrate how these have been incorporated within the design of the new development where appropriate.
- 10.64. The proposal would result in the loss of 4no. trees within categories B to U. These losses represent a small percentage of the existing canopy cover, and do not include any special or hard to replace features. The proposed landscape strategy mitigates this loss by planting 44no. new native trees as well as off-site tree planting along a section of John Smith Drive and roundabout which is welcomed.
- 10.65. The separation of the laboratory building and the MSCP has allowed for greater site permeability and has introduced further opportunities for tree, shrub and green wall planting, resulting in a more articulated and interesting landscape design.
- 10.66. The Council's Green Spaces TAN requires a Tree Canopy Cover Assessment (TCCA) to be submitted for various types of applications. For major non-residential developments, it needs to be demonstrated that there would be no net loss in canopy cover compared with a no development baseline scenario + 25 years. The proposal would provide a net gain in canopy cover of 16% as compared to a no-development scenario.
- 10.67. In light of the above, the proposals are considered to meet the requirements under Local Plan policies G7 and G8 and the Green Spaces TAN.

h) Sustainable design and construction

- 10.68. The Council is committed to tackling the causes of climate change by ensuring developments use less energy and assess the opportunities for using renewable energy technologies. As such, policy RE1 of the Oxford Local Plan 2036 requires schemes to incorporate a number of sustainable design and construction principles.
- 10.69. Policy RE1 requires developments for new build non-residential development of over 1,000sq. m. to achieve at least a 40% reduction in carbon emissions from a 2013

Building Regulations (or future equivalent legislation) compliant base case. As the Planning Committee will be aware, the new 2021 building regulations were introduced in June 2022 and form the basis of the submitted Energy Statement. Policy RE1 also requires that non-residential development achieves BREEAM Excellent accreditation.

10.70. A fabric first approach has been taken with the proposed building fabric values for walls, roofs and glazing being equal to or better than Part L of Building Regulation requirements in order to minimise heat loss through thermal elements. Further, deep window reveals as well as an overhang at ground floor level would minimise solar heat gains. Roof mounted photovoltaic panels are proposed as well as vertically mounted panels on the car park elevations and mechanical plant screening. Air Source Heat Pumps (ASHPs) are proposed for both space heating and hot water production.

10.71. The proposed building is anticipated to achieve a 43.3% reduction in carbon emissions, in excess of Local Plan requirements. Compliance with the required 40% reduction would be secured by condition.

10.72. The proposal therefore complies with policy RE1 of the Oxford Local Plan 2036.

- **Air Quality**

10.73. Policy RE6 of the Oxford Local Plan 2036 requires new development to mitigate its impact on air quality and minimise or reduce exposure to poor air quality.

10.74. The application site is located within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council for exceedances of the annual mean NO₂ air quality objective (AQO);

10.75. The submitted air quality baseline desk assessment demonstrates that current air quality levels at the application site are below relevant air quality objectives for NO₂, PM₁₀ and PM_{2.5} concentrations. Therefore, the location of the application site is considered suitable for its intended use without mitigation.

10.76. The development would be all-electric and as such, there would be no emissions associated with energy provision. 25% of parking bays would be provided with Electric Vehicle charging, in line with the Local Plan requirement. Details of this infrastructure would be conditioned along with the requirement for adequate ducting to be provided at 100% of spaces to enable additional charging points should demand dictate, in accordance with Local Plan policy M4.

10.77. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE6, subject to suggested conditions set out below.

- **Noise**

- 10.78. Policy RE8 of the Oxford Local Plan 2036 requires new developments to manage noise in order to safeguard or improve amenity, health, and quality of life for local communities.
- 10.79. The nearest noise-sensitive premises to the application site is the Premier Inn at approximately 61m to the north of the boundary. It is considered that appropriate noise guidelines have been followed within the submitted Noise Impact Assessment and proposed mechanical plant noise levels at the identified receptors have been adequately predicted. The proposal should therefore not have an adverse impact on the nearest sensitive receptor site.
- 10.80. In light of the above, it is considered that the proposed development complies with Local Plan Policy RE8, subject to conditions set out below.

- **Land Quality**

- 10.81. The Council has a statutory duty to take into account, as a material consideration, the actual or possible presence of contamination on land. As a minimum, following development, land should not be capable of being determined as contaminated land, meaning the contamination poses an unacceptable risk to human health or the environment, under Part 2A of the Environmental Protection Act 1990. In accordance with policy RE9 of the Oxford Local Plan 2036, a Phase 1 Desk Study and contaminated land questionnaire was submitted as part of the application.
- 10.82. As mentioned above, and widely known, ARC Oxford was the previous site of the Cowley motor works and although the land was previously de-commissioned and investigated for contamination and remediated in 1994, there is still potential for residual contamination risks on site which could cause harm to future occupiers and/or construction workers.
- 10.83. As recommended in the submitted Phase 1 Desk Study, a Phase 2 intrusive site investigation to quantify potential ground contamination risks to potential receptors is required prior to the commencement of development and would be secured by condition as well as a Phase 3 remediation strategy.
- 10.84. It is considered that, subject to conditions, the proposed development would comply with Local Plan policy RE9.

- **Flood risk and drainage**

- 10.85. Local Plan policy RE3 requires applications for development within flood zones 2 and 3 and sites over 1ha in flood zone 1 to be accompanied by a Flood Risk Assessment (FRA) demonstrating that the proposed development will not increase flood risk on or off site; and safe access and egress in the event of a flood can be provided; and details of the necessary mitigation measures to be implemented have been provided.
- 10.86. As above, the application site lies wholly within flood zone 1 (lowest probability of flooding) but does extend to over 1ha and therefore the application has been accompanied by an FRA.

- 10.89. As above, the site lies wholly within flood zone 1 and is not at risk of flooding as a result of this development.
- 10.90. Local Plan policy RE4 requires all development proposals to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. Surface water runoff should be managed as close to its source as possible.
- 10.91. Surface water would be attenuated via a tank and discharged into the existing sewer below John Smith Drive via a new manhole on site. The building's roofs would also store rain water, connected to an infiltration geo-cellular storage crate subject to further detailed design.
- 10.92. Thames Water has confirmed that there is capacity in the foul water network below John Smith Drive. A new connection would be made onto the existing sewer within John Smith Drive.
- 10.93. It is considered that the proposal would accord with the requirements of policies RE3 and RE4 of the Oxford Local Plan 2036.

- **Ecology**

- 10.94. Local Plan policy G2 states that development that results in a net loss of sites and species of ecological value will not be permitted. On sites where there are species and habitats of importance for biodiversity that do not meet criteria for individual protection, development will only be granted where a) there is an exceptional need for the new development and the need cannot be met by development on an alternative site with less biodiversity interest; and b) adequate onsite mitigation measures to achieve a net gain of biodiversity are proposed; and c) offsite compensation can be secured via legal obligation. Compensation and mitigation measures must offset the loss and achieve an overall net gain for biodiversity of 5% or more from the existing situation and for major development this should be demonstrated using a biodiversity calculator.
- 10.95. An updated biodiversity assessment and associated report have been provided, that are now current and valid. The predicted outcome for the proposed development is a 5.28% gain in biodiversity which would be driven by planting compensatory off-site trees within the wider ARC Oxford site; creating habitats onsite in the form of modified grassland, species-rich grassland, introduced shrub planting, biodiverse green roof, rain gardens, ground based green walls and urban tree planting; and retaining 25 semi-mature urban trees. The proposal therefore complies with the requirements of Local Plan policy G2. Please note that the application was submitted prior to the mandatory statutory requirement for a 10% uplift.
- 10.96. The Local Planning Authority, in exercising any of its functions, has a legal duty to have regard to the requirements of the Conservation of Habitats and Species Regulations 2017, which identifies four main offences for development affecting European Protected Species (EPS):

1. *Deliberate capture, injuring or killing of an EPS*

2. *Deliberate disturbance of an EPS, including in particular any disturbance which is likely*
 - a) *to impair their ability –*
 - i) *to survive, to breed or reproduce, or to rear or nurture their young; or*
 - ii) *in the case of animals of a hibernating or migratory species, to hibernate or migrate; or*
 - b) *to affect significantly the local distribution or abundance of the species to which they belong.*
3. *Deliberate taking or destroying the eggs of an EPS*
4. *Damage or destruction of a breeding site or resting place of an EPS.*

10.97. Officers are satisfied that that a due and thorough assessment for EPS can be undertaken, and that EPS are unlikely to be harmed as a result of the proposals. A Construction Environmental Management Plan (CEMP) shall be secured by condition to ensure no harm to wildlife potentially present onsite before, during and after construction.

10.98. In light of the above, it is considered that, subject to conditions set out in section 13 below, the proposal complies with policy G2 of the Oxford Local Plan 2036.

- **Utilities**

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

Electricity

10.100. The incoming electricity supply requirement for the proposed development is 4,356kVA. An 11KV high voltage supply would be provided to the site boundary with a high voltage ring main unit housed within an external GRP enclosure as shown on the proposed ground floor plan.

Gas

10.101. There is no requirement for a gas supply to the development. On plot below ground infrastructure would be required to enable laboratory gases delivered to the site to be fed into the building.

Water

10.102. Thames Water has confirmed that there is capacity within their clean water network for the proposed development.

Telecoms

10.103. Current records show that BT cables run parallel to the site boundaries with other telecommunication providers to be contacted to understand their proximity to the site.

Surface and foul water drainage

10.104. Thames Water has confirmed that there is network capacity for maximum flows of 4.3l/s and foul water drainage requirements for a commercial building of 23,000 sq. m.

10.105. In light of the above, it is considered that the proposed development complies with policy V8 of the Oxford Local Plan 2036.

11. PLANNING OBLIGATIONS

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

- An agreement to reduce car parking numbers by 52 spaces, from 302 to 250 bays within 3 months of the Cowley Branch Line operating a passenger service of 2 trains per hour at peak times between London Marylebone, Oxford City centre and Oxford Cowley.
- A requirement that tenancy agreements shall include the loss of parking spaces, with appropriate clauses inserted into lease agreements to secure their sacrifice.
- The provision and implementation of a Construction (excluding demolition, site clearance and remediation works) and End User Community Employment and Procurement Plans with the City Council.
- Agreement to achieve 5% Biodiversity Net Gain within the wider ARC Oxford site (edged blue on the site location plan).

12. CONCLUSION

10.107. Officers consider that the proposed development would respond appropriately to the site context and Local Plan policies and Oxford Business Park site allocation.

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

10.109. 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.

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

10.111. Officers consider that the proposed development would respond appropriately to the site context, Local Plan policies and the Oxford Business Park site allocation. It is

considered that there would be no harm to the highway network as a result of traffic generation. The development would result in a net gain in tree canopy cover through new and retained soft landscaping.

- 10.112. There would be no harm to any identified protected species and the proposal would achieve a Biodiversity Net Gain of 5.28%. The development would be of a sustainable design and construction, achieving a 43% reduction in carbon emissions when set against the 2021 Part L Building Regulations. The reduction in car parking provision is considered acceptable in accordance with the objectives of the Oxford Local Plan 2036 and adequate cycle parking would be provided, with further details to be secured by condition. The scheme would result in a low level of less than substantial harm to the setting of the Central Conservation Area due to its limited impact on views out to the rolling eastern hills. However, Officers consider that the public benefits that would derive from the proposed development would outweigh the harm caused. There would be no adverse land contamination, noise pollution, air quality or flood risk and drainage impact as a result of the proposal.
- 10.113. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out at section 13 of this report and the satisfactory completion (under authority delegated to the Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers.

13. CONDITIONS

Time limit

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

Reason: In accordance with Section 92(2b) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

Approved plans

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

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

Materials

3. Prior to installation, large scale (minimum of 1m x 1m) sample panels of the following shall be erected on site and, where feasible, shall remain on site for the duration of the development works. Samples shall be approved in writing by the Local Planning Authority before the relevant parts of the work are commenced:

- a) All precast concrete, metal cladding and panels, back painted glass, spandrel panels and metalwork trims and fins demonstrating the colour, texture, mortar, reflectivity and joints.
- b) All new hard landscaping.

Prior to installation, manufacturer specifications, images and scaled (1:20) drawings of the following shall be submitted to and approved in writing by the Local Planning Authority.

- a) Street furniture.
- b) Lighting.

The development shall be completed in accordance with the approved sample panels, approved drawings, images and specifications.

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

Plant equipment

4. Prior to installation, large scale details (1:50) of the design, size and finished appearance of all visible mechanical plant shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details upon installation.

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

Signage

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

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

Solar panels

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

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

Biodiverse roof

7. Prior to installation, a detailed maintenance plan from the suppliers for the proposed biodiverse roof shall be submitted to and approved in writing by the Local Planning Authority. The Biodiverse roof shall be provided in accordance with the approved details prior to occupation and maintained thereafter.

Reason: To ensure the longevity of this new green infrastructure and design quality in accordance with policies G8 and DH1 of the Oxford Local Plan 2036.

Lighting strategy

8. Prior to commencement of development above slab level, a comprehensive lighting strategy, including means to control light spillage and glare from both internal and external light sources, to meet the general standards of BS5489-1:2020, serving the entire scheme shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall also:
 - a) Identify those areas/ features that are particularly sensitive for bats and that are likely to cause disturbance in or around breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

Only the approved details shall be carried out, and they shall be retained thereafter, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure a sympathetic appearance of the proposed development and enhance the safety and amenity of residents in accordance with policies RE7 and DH1 of the Oxford Local Plan 2036 and to comply with the Conservation of Habitats Regulations 2017 (as amended) and The Wildlife and Countryside Act 1981 (as amended).

Phased contaminated land assessment

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

Phase 1 desk study has been submitted and approved. A Phase 2 intrusive investigation shall be completed in the area of the proposed development in order to fully 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 by the local planning authority to ensure the site will be suitable for its proposed use.

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

Land quality – remedial works

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

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

Land quality – unexpected contamination

11. 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. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued. Proposed new landscaped areas must only include clean, pre-tested soils that are suitable for use.

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

Noise levels

12. The noise emitted from the proposed installations located on site shall not exceed the existing background level at any noise sensitive premises when measures and corrected in accordance with BS4142:2014 +A1:2019 'Methods for rating and assessing industrial and commercial sound' with all machinery operating together at a maximum capacity.

Reason: To ensure that the amenities of future occupiers and neighbours are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

Emergency plant

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

Reason: To ensure that the amenities of future occupiers and neighbours are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

Anti-vibration isolators

14. Prior to first occupation, plant and equipment on site shall be mounted with proprietary anti-vibration isolators. Fan motors shall also be vibration isolated from the casing and adequately silenced and maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the amenities of future occupiers and neighbours are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

Construction works

15. Construction and demolition works and associated activities at the development, audible beyond the boundary of the site, shall not be carried out other than between the hours of 07:00-18:00 Monday to Friday daily, 08:00-13:00 on Saturdays and at no other times, including Sundays and Public/ Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the amenities of neighbours are protected in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

Notice of site works

16. At least 21 days prior to the commencement of any site works, all occupiers surrounding the site shall be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works shall be made available for enquiries and complaints for the entire duration of the works and updates of work shall be provided regularly. Any complaints shall be properly assessed as quickly as possible.

No waste materials shall be burnt on site of the development hereby approved.

All waste materials and rubbish associated with demolition and/ or construction shall be contained on site in appropriate containers which, when full, shall be promptly removed to a licensed disposal site.

Reason: To ensure that the amenities of neighbours are protected in accordance with policies RE7 of the Oxford Local Plan 2036.

Landscape proposals – implementation

17. The landscaping proposals as approved by the Local Planning Authority shall be carried out no later than the first planting season after first occupation or first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

Landscape proposals – reinstatement

18. Any existing retained trees, or new trees or plants planted in accordance with the details of the approved landscape proposals that fail to establish, are removed, die or become seriously damaged or defective within a period of five years after first occupation or first use of the development hereby approved shall be replaced. They shall be replaced with others of a species, size and number as originally approved

during the first available planting season unless otherwise agreed in writing by the Local Planning Authority.

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

Landscape management plan

19. Prior to first occupation or first use of the development hereby approved a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules and timing for all landscape areas, other than small, privately owned domestic gardens, shall be submitted to, and approved in writing by, the Local Planning Authority. The landscape management plan shall be carried out as approved by the Local Planning Authority.

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

Tree Protection Plan

20. The development hereby approved shall be carried out in strict accordance with the Tree Protection Plan (dwg. no. 05879 TPP Rev B 10.5.24, Aspect Tree Consultancy).

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

21. The development hereby approved shall be carried out in strict accordance with the Arboricultural Method Statement (dwg. no. 05879 AMS Rev B 10.05.24, Aspect Tree Consultancy).

Reason: To protect retained trees during construction in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2036.

Arboricultural Monitoring Programme

22. Prior to the commencement of development, including demolition and enabling works, an Arboricultural Monitoring Programme (AMP) shall be submitted to and approved in writing by the Local Planning Authority. The AMP shall include a schedule of a monitoring and reporting programme of all on-site supervision and checks of compliance with the details of the Tree Protection Plan and/or Arboricultural Method Statement, as approved by the Local Planning Authority. The AMP shall include details of an appropriate Arboricultural Clerk of Works (ACoW) who shall conduct such monitoring and supervision, and a written and photographic record shall be submitted to the Local Planning Authority at scheduled intervals in accordance with the approved AMP.

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

Energy Statement

23. The development shall be implemented in strict accordance with the approved Energy Statement (Clancy Consulting Ref: 7_10023-CCL-XX-XX-RP-MEP-5902 14.06.2024). The development shall not be occupied until evidence (including where

relevant Energy Performance Certificate(s) (EPC), Standard Assessment Procedure (SAP) and Building Regulations UK, Part L (BRUKL) documents) have been submitted to the Local Planning Authority to confirm that the energy systems have been implemented according to details laid out in the approved Energy Statement and achieve the target performance (i.e. at least a 40% reduction in operational carbon emissions compared to Part L of 2021 Building Regulations compliant base case) as approved.

Reason: To ensure that the proposed development sufficiently incorporates sustainable design and construction principles in accordance with policies S1 and RE1 of the Oxford Local Plan 2036.

BREEAM

24. Prior to first occupation of the development, an Interim BREEAM Report from the registered BREEAM assessor shall be submitted to and approved in writing by the Local Planning Authority. The report must contain:

- A copy of the interim design certificate confirming 'Excellent' certification has been achieved;
- Evidence to show the development is on track to achieve a post-construction rating of 'Excellent' with a margin of comfort.

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

EV Charging

25. Prior to installation, details of the Electric Vehicle charging infrastructure that is proposed to be installed on-site shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include the following:

- Location of EV charging points
- Charging points to cover at least 25% of the total parking provision
- Appropriate cable provision to prepare for increased demand in future years.

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

Reason: To contribute to improving local air quality in accordance with policies M4 and RE6 of the Oxford Local Plan 2036.

Biodiversity Enhancements

26. Prior to first occupation, all ecological enhancement features, as per the approved Biodiversity Feature Plan (Macgregor Smith Landscape Architects, May 2024) shall be installed in full. All locations and specifications of enhancement features must be as per the approved plan. The approved devices shall be fully constructed under the oversight of a suitably qualified ecologist prior to occupation of the approved development. Any new fencing shall include holes suitable for the safe passage of hedgehogs. The approved devices and fencing holes 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 the Oxford City Local Plan, and paragraph 174 of the National Planning Policy Framework.

Construction Environmental Management Plan (Biodiversity)

27. Prior to commencement of development, including any site preparation works and/or vegetation clearance, a Construction Environmental Management Plan (CEMP) shall be produced by a suitably qualified ecologist, to be submitted to and approved in writing by the Local Planning Authority. The CEMP shall outline all sensitive working methodologies and protective measures required to ensure no direct or indirect harm to species encountered onsite before, during and after the development; and ensure no adverse impacts to any retained habitats. The CEMP shall include the below minimum mandatory requirements:

- Precautionary working methods for nesting birds (timing of works, pre-mobilisation assessment, avoidance measures and assignment of personnel responsibilities)
- Protective measures to ensure no adverse indirect impact to habitats or species (dust suppression, noise and runoff)
- Measures to ensure no adverse impact to transient or unanticipated fauna that may be present onsite (ecological walkover, pre-mobilisation checks and/or fingertip searches, supervision or Ecological Clerk of Works (ECoW) appointment, covering of open trenches and excavations)
- Confirmation of retained habitats (including all onsite trees to be retained), and any measures that may be required (such as protective fencing) to ensure no harm to these habitats.
- Protective measures to ensure no adverse impacts to habitat creation works associated with the HMMP.
- Methodology to ensure no harm to foxes and their young, due to the presence of an onsite fox earth; as per the requirements of the Wild Mammals (Protection) Act 1998.
- Working methodology to ensure no harm to hedgehogs, as identified in the Preliminary Ecological Appraisal reports (Ecology Solutions, November 2022).
- A sensitive lighting plan for bats, in compliance with 'Bats and Artificial Lighting in the UK' Guidance Note GN 08 / 23. Once approved in writing, the CEMP must be strictly adhered to throughout the lifespan of the development.

Reason: To comply with The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats Regulations 2017 (as amended) and to protect wildlife and habitats in Oxford City in accordance with the National Planning Policy Framework.

Construction Traffic Management Plan

28. Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall be appropriately titled, include the site and planning permission number and shall identify;

- 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.
- 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 Department.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak.

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.

Travel Plan

29. Prior to first occupation of the development, a full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To promote sustainable modes of transport in accordance with policy M2 of the Oxford Local Plan 2036.

SuDS

30. Prior to the commencement of development, a detailed surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to first occupation of the development. The scheme shall include:
- A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;

- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Comprehensive infiltration testing across the site to BRE DG 365;
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details;
- Consent for any connections into third party drainage systems.

Reason: To ensure that sustainable drainage principles are incorporated into the development in accordance with policy RE4 of the Oxford Local Plan 2036.

SuDS as built and maintenance details

31. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:
- a) As built plans in both .pdf and .shp file format;
 - b) Photographs to document each key stage of the drainage system when installed on site;
 - c) Photographs to document the completed installation of the drainage structures on site;
 - d) The name and contact details of any appointed management company information.

Reason: To ensure that sustainable drainage principles are incorporated into the development in accordance with policy RE4 of the Oxford Local Plan 2036.

INFORMATIVES:

1. All species of bats and their roosts are protected under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended). Please note that, among other activities, it is a criminal offence to deliberately kill, injure or capture a bat; to damage, destroy or obstruct access to a breeding or resting place; and to intentionally or recklessly disturb a bat while in a structure or place of shelter or protection. Occasionally bats can be found during the course of development even when the site appears unlikely to support them. In the event that this occurs, work should stop immediately and advice should be sought from a suitably qualified ecologist. A European Protected Species Mitigation Licence (EPSML) may be required before works can resume.
2. All wild birds, their nests and young are protected under The Wildlife and Countryside Act 1981 (as amended). Occasionally nesting birds can be found during the course of development even when the site appears unlikely to support them. If any nesting birds are present then the buildings works should stop immediately and advice should be sought from a suitably qualified ecologist.

14. APPENDICES

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

14.2. **Appendix 2** – ODRP report

15. HUMAN RIGHTS ACT 1998

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

16. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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