

**Oxford City Planning Committee**

**17<sup>th</sup> September 2024**

**Application number:** 24/00690/FUL

**Decision due by** 25<sup>th</sup> June 2024

**Extension of time** 27<sup>th</sup> September 2024

**Proposal** Demolition of Beaver House and 39-42 Hythe Bridge Street and construction of a new 5 storey building (Class E) with basement. Removal of modern extensions to 42A Hythe Bridge Street, refurbishment and change of use to a flexible use including Classes E and F. Further associated alterations to the site layout to include revised access, creation of a community garden and hard and soft landscaping and infrastructure works

**Site address** Site Of 23-42A, Hythe Bridge Street, Oxford, Oxfordshire – see **Appendix 1** for site plan

**Ward** Carfax And Jericho Ward

**Case officer** Michael Kemp

**Agent:** Mr Timothy Price    **Applicant:** Forge Bio GP 2 LTD

**Reason at Committee** The proposals are major development

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## RECOMMENDATION

1.1. The Oxford City Planning Committee is recommended to:

1.1.1. **Approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 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. **Agree to delegate authority** to the Head of Planning Services to:

- Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary; and
- 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.

## **EXECUTIVE SUMMARY**

- 1.2. This report considers the demolition of Beaver House (29-38 Hythe Bridge Street) and 39-42 Hythe Bridge Street. A new building is proposed across the footprint of the buildings that would be removed, which would provide life sciences space (laboratory and office spaces), alongside café space at ground floor level. The new building would be between three and five storeys in scale.
- 1.3. The proposals include the refurbishment of the Boatman's Chapel (42A Hythe Bridge Street) to include the demolition of modern single storey rear extensions to the building and its conversion for use as a flexible community space falling within use classes E and/or F. A new garden space is proposed to the rear of the building.
- 1.4. The proposals would be acceptable in principle and would make a strong contribution towards the city's knowledge economy, whilst also contributing to the wider regeneration of the West End, which is a fundamental purpose of Policy AOC1 of the Oxford Local Plan 2036. The development would provide a new community use and has the potential to provide 810 jobs within its operational phase, a net increase of 190 jobs compared with the employment generating potential associated with the existing space on the site.
- 1.5. Whilst the loss of a retail unit in the form of the Chinese Supermarket would technically be contrary to Policy V2, there are considered to be material circumstances that justify departure from the policy. Policy V2 cannot be applied in practice given the introduction of Class E permitted development rights and this must be afforded significant weight. The significant regeneration benefits associated with the development and enhancements to the public realm, along with the provision of an alternative employment generating use, whilst considered in relation to the lack of weight that can be applied to Policy V2 of the Oxford Local Plan provides significant grounds to justify departure from Policy V2 of the Oxford Local Plan.
- 1.6. The proposals would cumulatively equate to a medium level of less than substantial harm to the significance of heritage assets but would deliver significant economic benefits; significant regeneration benefits; provision of dedicated space for community use at 42A Hythe Bridge Street and; biodiversity net gain which would significantly exceed the 10% statutory requirement. As such, the public benefits of the development are considered to be substantial and when assessed in the context of Paragraph 208 of the NPPF it is considered that the benefits would outweigh the medium level of less than substantial harm to heritage assets. The development is therefore considered acceptable when assessed in relation to Policies DH2, DH3 and DH5 of the Oxford Local Plan.

- 1.7. The proposal would not comply with Policy RE1 however, this is predominantly due to site specific constraints which have impacted on the overall building design. Officers are satisfied that the proposals maximise the opportunity for energy efficiency and carbon reduction, as much as can be achieved considering the specific constraints of the site, as well as delivering a range of other significant regeneration benefits as highlighted within this report. Therefore, it is considered that, in this instance, there are significant grounds to justify departure from Policy RE1 of the Oxford Local Plan.
- 1.8. The proposals would be car-free and would result in a significant reduction in car parking provision when compared to the existing. Cycle parking would be provided in accordance with the Local Plan standards.
- 1.9. Subject to conditions, there would be no adverse land contamination, impact on trees, noise pollution, air quality, flood risk or drainage impacts as a result of the proposal.
- 1.10. 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 Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

## **LEGAL AGREEMENT**

- 1.11. This application is subject to a legal agreement to cover:
- Financial contribution of £94,458 towards footpath widening.
  - Financial contribution of £1,656.75 towards off-site cycle parking.
  - Financial contribution of £3265 towards travel plan monitoring.
  - Preparation of a Community Employment and Procurement Plan (CEPP) and to secure a monitoring fee for the CEPP.
  - A Community Use Programme for 42A Hythe Bridge Street to ensure that public access is secured for use of the building.

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

- 1.12. The proposal is liable for a CIL contribution of £293,942.88.

## **SITE AND SURROUNDINGS**

- 1.13. The application site includes 3 buildings and surrounding areas of hardstanding and car parking, the buildings on the site are as follows:
- Beaver House (23-38 Hythe Bridge Street). A large four storey building constructed in the early 1970's, which is located on the corner of Hythe Bridge Street and Rewley Road, facing Frideswide Square. The building provides 9935sqm (GIA) of floorspace. The exterior façade consists of a mix of grey concrete and extensive sections of dark coloured glazing across the upper floors. The building is currently used as offices. There is existing parking within the basement of the building, as well as surface level parking

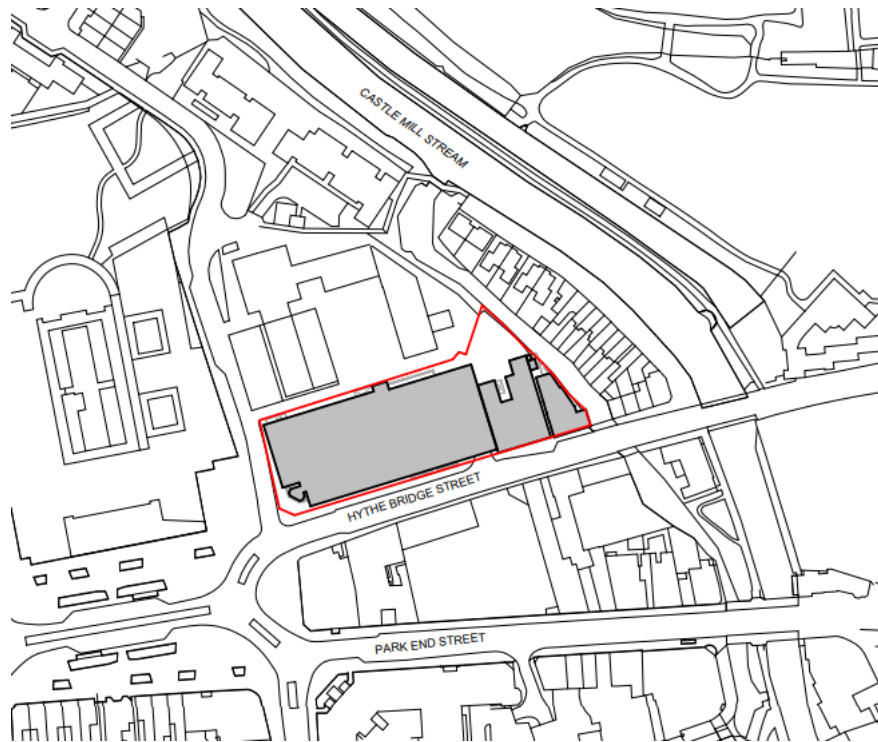
to the rear, which is accessed via an undercroft access from Hythe Bridge Street.

- 39-42 Hythe Bridge Street. A three-storey building constructed in the early 1950's. The building has a red brick façade. The building extends to the rear, stepping down to single storey level. There is an attached red brick chimney to the rear of the building. The ground floor of the building is divided into two units currently used as a Chinese Restaurant and Chinese Supermarket. The upper floors of the building are used for a private educational use.
- 42A Hythe Bridge Street. A single storey building also known as the 'boatman's chapel'. The building has been extended to the rear. The building is currently used as a restaurant. The building was constructed in 1868 to replace the floating chapel at Fisher Row and served the community of boatmen and their families on the Oxford Canal. The building is of social and architectural interest and is a locally listed building, which is included on the Oxford Heritage Asset Register.

1.14. The site is located within the West End area of the City Centre. There are a mix of surrounding land uses. The site to the north is used as a fire station, whilst the Saïd Business School is located to the west on the opposite side of Rewley Road. There is a row of terraced residential properties located to the east and north east of the site on Upper Fisher Row. The gardens of these properties extend up to the 'Wareham Stream' a small watercourse which feeds from Castle Mill Stream. The buildings to the south of the site are of varying character, age and appearance and are used for a variety of uses including retail units, a hotel, a backpackers hostel and nightclub. This site is referred to as the 'island site' within the West End Area SPD and is identified as a potential site for redevelopment to provide a mix of uses.

1.15. Part of the application site, including Nos.39-42 and No.42A Hythe Bridge Street falls within the Central Conservation Area. Beaver House falls outside of the Conservation Area boundary.

1.16. See block plan below:



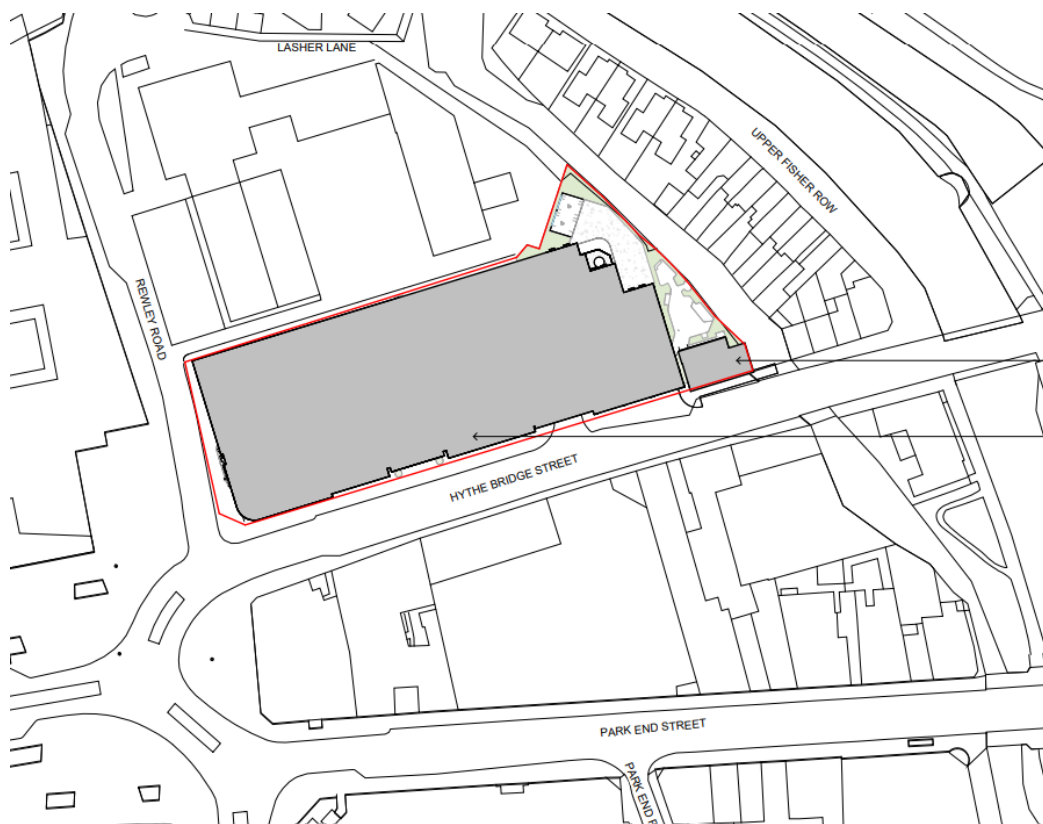
## PROPOSAL

- 1.17. The application proposes the demolition of Beaver House (29-38 Hythe Bridge Street and 39-42 Hythe Bridge Street). A new building is proposed across the footprint of the buildings that would be removed, which would provide life sciences space (laboratory and office spaces), alongside café space at ground floor level. The new building would be between three and five storeys in scale.
- 1.18. A café would occupy a section of the ground floor along the Hythe Bridge Street frontage, including a section of the corner with Frideswide Square. Entrances to the building are proposed on the corner of the building facing Rewley Road and Frideswide Square and along the Hythe Bridge Street frontage. A deeper two-level basement is proposed, the basement would house storage space, plant, cycle storage and toilets. Outdoor terraces are proposed on the third and fourth floor of the building, which would function as amenity space for the future occupiers, with planting also proposed. The proposed materials palette consists of a mix of buff, red, pale red and rose red brick with bronze coloured metal cladding and red sandstone cladding on the upper floor of the building. A wider pavement width is proposed along Hythe Bridge Street, which would be up to 4.8 metres, with a minimum of 3 metres width retained to the south of the proposed colonnade.
- 1.19. The proposals include the refurbishment of the boatmans chapel (42A Hythe Bridge Street) to include the demolition of modern single storey rear extensions to the building and its conversion for use as a flexible community space falling within use classes E and/or F. A new garden space is proposed to the rear of the building.
- 1.20. Vehicular access to the site would be provided from Hythe Bridge Street between the new building and boatmans chapel. Two accessible parking spaces

would be provided to the rear of the new building and north west of the boatmans chapel. There would be a substantial reduction in parking as existing parking spaces in the basement of Beaver House would be removed and only the two accessible spaces would be provided. In conjunction with the removal of the marked bays in the parking area to the rear of the building, there would be a reduction of 71 spaces from the existing arrangement. A loading bay is proposed to the side of the building for servicing. Cycle parking would be provided within the basement of the proposed building.

1.21. In total the development would create approximately 19,805sqm of floorspace, including the retained original floorspace at 42A Hythe Bridge Street.

1.22. A proposed block plan is shown below:



## RELEVANT PLANNING HISTORY

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

68/19764/A_H - Outline application for redevelopment by the erection of a building to provide offices and mail order warehouse for the processing of books with canteen, caretaker flat and ancillary accommodation. Permitted 12th March 1968.
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69/19764/A\_H - Construction of offices, mail order warehousing with ancillary accommodation and canteen. Permitted 11th March 1969.

70/19764/A\_H - Construction of offices and mail order warehousing with ancillary accommodation including a canteen. Permitted 14th April 1970.

73/01254/A\_H - Change of use of building from retail sales of second hand furniture to furniture auction rooms. Permitted 25th September 1973.

74/00685/A\_H - Erection of generator house on existing roof. Permitted 12th August 1974.

77/00801/A\_H - Third floor extension to form directors offices, new boardroom and storage area. Permitted 19th October 1977.

91/00421/NF - Change of use from retail (Class A1) to restaurant (Class A3) excluding take-away service. Permitted 17th July 1991.

92/00209/NF - Single storey rear extension to restaurant and screened area at rear with five escape walkway and guard-rail beside back stream (Additional Plans). Permitted 20th May 1992.

93/01008/NF - Extension to form conservatory annex to existing restaurant including covering in link way, new store and bin store. Refused 10th November 1993.

94/00414/NF - Single storey extension to restaurant for kitchen. Internal alterations to extend customer seating into former kitchen. Provision of disabled W.C. & external ramped access. Alteration to external plant. External store & bin enclosure. Permitted 24th June 1994.

00/00127/NO - Outline application (seeking approval for siting, design & external appearance) for the construction of an extension to provide 3rd floor on roof of existing building, health & fitness centre ancillary to business use below. Permitted 17th April 2000.

01/00756/NFH - Change of Use of part 1st floor and 2nd floor from Class B1 (offices) to Class D1 (education use). Permitted 9th June 2003.

09/01474/FUL - Change of use of 39-42 Hythe Bridge Street from education (use class D1) to offices (use class B1) (First and second floors). Permitted 7th September 2009.

10/03415/FUL - Part change of use of ground floor reception area to provide coffee kiosk (class use A1). (Amended plans). Permitted 7th March 2011.

11/01187/VAR - Removal of condition 3 (occupancy restriction) of planning permission reference 01/00756NFH. Permitted 6th June 2011.

## RELEVANT PLANNING POLICY

1.24. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan
Design	131-141	DH1 - High quality design and placemaking DH6 - Shopfronts and signage DH7 - External servicing features and stores
Conservation/Heritage	195-214	DH2 - Views and building heights DH3 - Designated heritage assets DH4 - Archaeological remains DH5 - Local Heritage Assets
Commercial	85-87	E1 - Employment sites - intensify of uses V2 - Shopping Frontages in the city centre
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 V6 - Cultural and social activities V7 - Infrastructure, cultural and community
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 RE2 - Efficient use of Land 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 AOC1 - West End and Osney Mead

1.25. The draft Local Plan 2040 has been approved by Oxford City Council’s cabinet and the period for public consultation has expired. The initial examination hearings took place in summer 2024 with further examination expected in Autumn/Winter 2024. The policies within the draft local plan are, therefore, afforded limited weight at the present time, where considering development proposals. Where Local Plan 2040 policies are applicable they have been referenced within the relevant sections of this report.



## CONSULTATION RESPONSES

- 1.26. Site notices were originally displayed around the application site on 8<sup>th</sup> April 2024 and an advertisement was published in the Oxford Times newspaper on 11<sup>th</sup> April 2024.
- 1.27. The application was readvertised as a departure from the development plan, on the basis that the proposals are considered to be contrary to Policy V2 and RE1 of the Oxford Local Plan (shopping frontages in City Centre and sustainable design and construction) and site notices were displayed around the application site on 7<sup>th</sup> May 2024 and 20<sup>th</sup> August 2024 and an advertisement was published in the Oxford Times newspaper on 9<sup>th</sup> May 2024 and 22<sup>nd</sup> August 2024.

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

#### Oxfordshire County Council

##### Highways

- 1.28. Initial objection raised within the consultation response date 25<sup>th</sup> April 2024 for the following reasons:
- The proposed vehicle access is unsuitable for the central location and adequate vehicle and pedestrian visibility splays have not been demonstrated. A Stage 1 RSA has also not been submitted. The application is therefore not in line with paragraph 116 of the NPPF which states that applications for development should create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclists and vehicles.
  - The applicant has failed to demonstrate that a refuse vehicle can access and egress the site in forward gear.
  - The applicant has failed to demonstrate that the disabled spaces can be accessed, and vehicles can access and egress the site in forward gear.
- 1.29. Following receipt of further information in direct response to the above points the County Council removed their previous objection in a revised response dated 28<sup>th</sup> May 2024.
- 1.30. The access for cyclists will be east of the main reception on Hythe Bridge Street. From the main cycle lobby, there will be two cycle lifts which will lead into the basement cycle parking area. Information has been provided to demonstrate that sufficient capacity is available with the two cycle lifts to accommodate demand in the peak hours. The location of the cycle entrance and access to the basement parking area is considered acceptable.
- 1.31. The existing vehicle access is located to the east of the main pedestrian access adjacent to 39-42 Hythe Bridge Street. This vehicle access currently serves the service yard, surface level car parking and basement parking. The vehicle access will be moved approximately 25m to the east to accommodate a new access road that serves a loading bay and two disabled parking spaces. The kerb build out on Hythe Bridge Street has been moved towards the west and is now located west of

the access road. The TA states that, as agreed during the pre-application discussions, the proposed access will include a 'blended /Copenhagen' style raised crossing which prioritises pedestrians.

- 1.32. It should be noted that a S278 Agreement will be required for all alterations to the adopted highway.
- 1.33. The site will be car free; the vehicle access will be used for accessing the loading bay and the two disabled car parking spaces in the northeastern corner of the site. The existing access to Beaver House includes steps and a disabled ramp which reduce the footway on the northern side of Hythe Bridge Street to approximately 1.3m to 1.6m in places. The applicant proposes to widen the footway slightly and remove the stairs which will widen the footway in front of the building to a minimum width of 2.38m. These proposed footway width increases are welcomed.
- 1.34. The site is car-free with two disabled parking spaces provided. Oxford City Council does not have parking standards for disabled parking, provision will be considered on a case by case basis. The proposed number of disabled parking spaces appears appropriate. A total of 200 cycle parking spaces have been provided in the basement accessible via two cycle lifts. Appendix 7 of the Adopted Oxford Local Plan 2036 states that the minimum bicycle parking standards for business are 1 space per 90 sqm or 1 space per 5 staff.
- 1.35. The GIA of the building, excluding the area associated with the basement and plant facilities, is 14,950 sqm. Therefore, in line with Oxford City Local Plan standards, a total of 166 cycle parking spaces are required. The applicant has therefore provided sufficient cycle parking for staff. The Oxford Local Plan does not include minimum standards for visitor parking. However, OCC Technical Advice Note 12 Car and Bicycle Parking states that visitor/short term parking should be convenient and accessible, ideally provided in a prominent location as close as possible to the destination entrance/exit. Oxfordshire County Council minimum cycle parking standards for use class E, as stated in parking Standards for New developments, are 1 space per 100sqm for staff and 1 space per 250 sqm for visitors. This would therefore require 150 spaces for staff and 60 spaces for visitors.
- 1.36. It was agreed at pre-application discussions that, as there is not sufficient space to provide additional visitor cycle parking externally, this requirement could be incorporated within the long stay store. However, it is considered that a contribution to additional city centre cycle parking is also required as it is likely that a number of visitors to the new development prefer to park their bicycle on-street in the city centre and walk the final section to the site to avoid the basement parking, which would require forward planning and might take additional time. Such a contribution would be in line with CIL requirements as it would be necessary to make the development acceptable in planning terms and directly related to the development.
- 1.37. The applicant proposes to provide 4% accessible/enlarged Sheffield Stands, 47% Sheffield stands and 49% double stacked. The proposed cycle parking mix is considered acceptable. The development will provide one locker per long stay

space and a total of 10 showers. This exceeds the Local Plan requirements and is therefore considered acceptable.

- 1.38. Refuse collection will be undertaken from the service yard located to the rear of the building. Swept path analyses of a refuse vehicle, a 10m rigid vehicle and an 8m Box Van have been included in the TA. As the site is situated in a central location near principal public transport routes, a Delivery and Servicing Plan is required and should be secured by condition.
- 1.39. Information from the applicant states that a total of 997 people would be the maximum occupancy of the site, with a typical occupancy of 798 people. The proposed development will be car-free, there will therefore be no employee or visitor vehicle trip to and from the site apart from a very small number of taxi trips. The applicant anticipates a 1% peak hour taxi mode share which would result in 4 two-way vehicle movements.
- 1.40. The net trip generation assessment suggests that the proposed development would result in a total person trip increase of 136 two-way person trips in the AM peak and 101 two-way person trips in the PM peak. The majority of the increased person trips would be made by bicycle and bus.
- 1.41. During the pre-application process it was decided that a Pedestrian Comfort Level Assessment should be undertaken, and this has been included in Appendix G of the TA. The information demonstrates that the slightly widened footways in front of the development are of sufficient width to accommodate future existing pedestrians as well as the additional pedestrians resulting from the proposed development. However, Hythe Bridge Street is a key link between the city centre and Oxford Railway Station. The pedestrian survey conducted by the applicant shows hourly two-way pedestrian flows exceeding 900 in the PM peak hour and this is likely to increase in the next few years. Improvements, similar to what has been provided on Frideswide Square, will be required to provide a suitable pedestrian corridor from the city centre to the railway station.
- 1.42. A traffic filter will be introduced on Hythe Bridge Street just north of the roundabout with Park End Street to help reduce congestion in and around central Oxford. The filter will restrict daytime traffic to vehicles with a permit. As complementary proposals for Hythe Bridge Street have not yet been finalised, carriageway width requirements are currently unknown. The applicant has therefore agreed to provide a Section 106 contribution towards future footway widening and landscaping improvements once the future nature of Hythe Bridge Street is known.
- 1.43. A Full Travel Plan will be required for this development. This should be produced prior to first occupation and then updated within 3 months of full occupation once an adequate survey opportunity is available. The travel plan should meet the criteria set out within appendix 5 of the OCC guidance document 'Transport for New Developments – Transport Assessments and Travel Plans March 2014'. A £3,265 (RPI index linked April 2024) travel plan monitoring fee will be required to enable the travel plan to be monitored for a period of five years.

Drainage

1.44. No objection subject to conditions.

Canals and Rivers Trust

1.45. No comments to make.

Oxford Preservation Trust

1.46. Objects to the planning application for the following reasons:

- The proposed new building is of a much larger scale and massing than the existing one, especially at its upper storeys. Its will inevitably dominate Frideswide Square through sheer size and bulk, rather than contributing to the interest and variety of the streetscape in a way which complements the neighbouring buildings.
- OPT notes that the application site sits within an area that is earmarked for change within the City Council's City Centre Action Plan and the West End Spatial Framework. This does not, however, give a green light to build something that is insensitive to its surroundings and the wider city as a whole.
- NPPF guidance stresses the importance of considering the impact on designated heritage assets. OPT's view is that this proposal will cause harm to designated heritage assets including the Castle Mound Scheduled Monument, St Michael's Tower and the adjoining Central (City & University) Conservation Area.
- The harm will be twofold: Historically significant views of the green setting beyond the city will be obscured. For many centuries, from the 11th century onwards, the purpose of these views was primarily defensive. The historical significance of these views – and of the designated heritage assets from which they are viewed – will be permanently harmed if they are obscured.
- Currently, 360° views across the city from these vantage points enable the appreciation and understanding of a varied skyline representing centuries of evolution within its landscape setting. The height and bulk of the proposed building will dominate the skyline, drawing the eye away from the rich roofscape which surrounds it.
- OPT considers that the current scheme does not comply with the requirements of Local Plan policy DH2, DH3 or the guidance found within the High Buildings TAN. OPT believes that more thoughtful and sensitive design can be found to ensure that what is built preserves the views, avoids harming designated assets and enhances, rather than detracts from, the skyline of the city.
- The proposed mainly flat roof, with two large central chimneys makes no reference to the character of the surrounding development, or the characteristics that make the Conservation Area special. The overall massing, design and bulk of the proposed building will also have an adverse visual impact at street level, changing the character of the conservation area, where the majority of buildings are much smaller in scale.
- It is regrettable, in terms of sustainable development, that the existing building is to be demolished. The Energy Statement submitted should clearly assess the full carbon cost of demolition and new build, using a

whole life carbon assessment. The proposed replacement building should also achieve the highest possible standards of sustainability to mitigate against the impacts of demolition.

### Thames Valley Police

1.47. Do not object but have made the following comments in relation to the proposed development:

- The recommendations of Secured by Design Commercial 2023 should be used as the minimum standard across the development. Once tenants for the building are identified, I recommend a Security Needs Assessment (SNA) is completed by a competent Suitably Qualified Security Specialist (SQSS). This assessment should then be used to inform the design and specification of access points and controls, CCTV systems, alarms and any additional lighting requirements throughout the development.
- Unable to locate detailed landscaping or boundary treatment plans within this application. The rear servicing yard should be enclosed and secured to prevent unauthorised access, and it is unclear what boundary separates the lab building and community use garden. Ask that details are provided prior to permission being granted.
- Unable to locate any plans for temporary visitor cycle storage. Permitting short term visitors into the main cycle storage for the development may present issues regarding access control and undermining secure lines into the development. Ask that details are provided as to how temporary visitor cycle storage will function. Cycle storage facilities should be covered by CCTV and fully access controlled. Internal cycle stores must be compartmentalised with no more than 70 cycles per compartment
- Unable to locate detailed landscaping plans, however buildings should be provided vehicle mitigation measures such as bollards along the perimeter where it abuts the road/car parking, to mitigate against the risk of accidental or deliberate vehicular incursion or ram raid type attacks.
- It is unclear from plans how post deliveries will be managed outside of the buildings opening hours. All buildings should facilitate postal deliveries either via secure external post boxes certificated to DHF TS009, or via through-the-wall post boxes into a container also rated to protect against arson attacks.

### Thames Water

1.48. Thames Water would advise that with regard to foul water sewerage network infrastructure capacity, Thames Water not have any objection to the above planning application, based on the information provided and subject to the suggested conditions.

1.49. With regard to surface water network infrastructure capacity, Thames Water would not have any objection to the above planning application, based on the information provided.

1.50. Following initial investigations, Thames Water has identified an inability of the existing sewage treatment works infrastructure to accommodate the needs of this

development proposal. Thames Water has contacted the developer in an attempt to agree an infrastructure and phasing strategy for sewage treatment but has been unable to do so in the time available and as such Thames Water request a condition requiring that confirmation is provided that either:- all sewage works upgrades required to accommodate the additional flows from the development have been completed; or - a development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied.

1.51. The proposed development is located within 15m of a strategic water main. Thames Water request that the following condition be added to any planning permission. Request that a condition be attached stating that no piling shall take place until a piling method statement has been submitted to and approved in writing by the local planning authority in consultation with Thames Water.

1.52. 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 attached to any planning permission requiring that 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.

#### Active Travel England

1.53. No specific comments – refer to ATE standing advice.

#### Historic England

1.54. The Beaver House building is outside the conservation area, unlisted, and built in 1971-72 by the Oxford Architects Partnership for Blackwells' headquarters. Externally the building does have some external architectural qualities in the mould of 'high tech' architectural style, however the interiors appear of very limited or no architectural note. Whilst the building has some architectural merit it isn't a positive townscape feature adjacent to the conservation area in terms of building rhythm, activity at street level and materials. However, it may be possible to imaginatively reuse the building whilst addressing some of these issues.

1.55. The proposed demolition of the existing Beaver House presents an opportunity to deliver new townscape that enhances the setting of the conservation area as seen looking west along Hythe Bridge Street. As considered above, 37-42 Hythe Bridge Street is a modestly positive building group in the conservation area and the proposed demolition would result in some harm to it. The proposed replacement building (the whole building, only part of which would sit in the conservation area) appears of similarly modest/ quiet architectural language and it appears intentionally so, so it sits comfortably along Hythe Bridge Street. Its greater height and massing will be perceptible from street level looking west but will appear as a stepped change in scale and is therefore unlikely to harm one's experience of the conservation area from the ground - this is principally because

of the stepped building height from east to west. However, from high vantage points, including those from Castle Mound and St George's Tower, the scale of the proposed new building would, in our opinion, feel out of scale in relation to the conservation area it sits adjacent to. The height and mass of the upper parts of the building are lacking in the 'lively' qualities which are achieved by varied roof heights, pitched roofs and chimneys across the historic city and to which the Local Plan and TAN 7 steer new development in terms of architectural qualities. Another key detractor for the designs is that it would partially obscure, permanently, some of the landscape beyond Oxford seen out to the north west from Castle Mound/ St George's Tower which is an informative view that helps situate the city within its surroundings, and which is valued for 2 key reasons. The first reason is that, for the defensive structure of the Castle Mound clear views to surrounding landscape was strategically critical, to see those coming from afar. And so, the proposals would diminish the historical significance of the defensive structure. Many centuries of development have obscured what would have been a much more open vista but any remaining is precious and, because it is now only relatively small views out, very delicate to even small-scale changes. Secondly, the views across Oxford from high points within the conservation area enable appreciation to the modern viewers of many centuries of history in the view, the time-depth of the city, and are rightly greatly valued. Buildings with large footprints and unrelieved mass, such as that proposed, that obscure what is beyond it diminished the viewer's ability to appreciate these qualities. The proposed two central chimneys particularly stand out, which rise up to meet the ridgeline in views from Castle Mound. The odd juxtaposition it creates draws the viewer's eye to them, increasing the dominance of the building from this vantage point.

- 1.56. In design terms, we feel there remains an opportunity for the redevelopment of Beaver House to create improved townscape and roofscape, that adds to the character of the city of Oxford. We understand the proposed use poses considerable limits on achieving a varied and lively roof form because of the need for such large floorplans. The requirements set out for the proposed use result in upper floors that are large in scale (relative to the historic and valued character of Oxford) and distinctly lacking in lively character. It appears, from the development of these proposals, that locating a use which is not able to provide the roofscape, variation in heights and massing at upper levels indicates the use may not be a suitable one for this site. There may be other uses for the site that support the aims of the West End and Osney Mead SPD but result in less heritage harm.
- 1.57. The approach to soften the outline of the building, relies in part on green roofs. This is probably maintainable in the short to medium term. However, as the building enters middle age where even the best designs can begin to feel less loved, its less clear and there may be little incentive to maintain these areas, particularly considering the proposed use of the building. A more honest approach, which attempts to create an attractive roof-scape in its own terms would be preferred. This includes the design approach for the chimneys. If this is the least visible location these chimneys can be placed, more could be done architecturally to assimilate these with the building below, so they seem part of the whole. If a livelier roof form cannot be achieved, the alternative is to reduce the massing. In our view a smaller footprint on the fourth floor, particularly at its western and eastern ends, would reduce the dominance and bulk of the development, as seen from St Georges Tower and Castle Mound, and add a more notable variation to

the roof form. Such a reduction would also allow more of the open landscape to the northwest to remain visible from St George's Tower and Castle Mound.

1.58. In its current form, there would be clear harm from the proposals to the Central Conservation Area and Castle Mound. In the language of the NPPF this harm would be less than substantial and at the lower end of that range. In accordance with paragraph 201, your Council will need to consider whether it is possible to develop the site in a manner that avoids (or reduces) harming the scheduled monument and conservation area, through design revisions to the building's mass and shape at upper levels, which will otherwise permanently obscure in part the visual presence of the landscape beyond Oxford to the north west. Having made a judgement on this you will need to give great weight to the conservation of the scheduled monument and conservation area and weigh up the heritage harms against the public benefits of the scheme in its assessment.

### National Highways

1.59. No objection. It is understood that the proposed development will remove existing car parking spaces and be a car-free (with two accessible car parking spaces). We are therefore content that the proposal will unlikely impact the safe and efficient operation of the strategic road network.

### Oxford Civic Society

1.60. Unable to support the application for the following reasons as summarised below:

- 1.61. Demolition of this large building contradicts environmental and climate change concerns as widely held by the public and expressed in local and national documentation. The building was designed on Burolandschaft principals and was laid out open plan and thus capable of supporting labspace spatial requirements. If the appearance is considered to be "out of date" it denies the historic context in which it was built and its association with one of, if not the leading local family owned publishers and book sellers. A place is made of expressions of time. If the building is energy inefficient then the argument should be made for recladding not for demolition.
- The assertion that Oxford requires more labspace is arguable. At our pre-application meeting with the design team that there was no dedicated client. It is in effect a speculative venture.
  - The assertion that a new building will offer employment is irrelevant. So will the existing.
  - The design exploits the height limit on buildings in Oxford and as anticipated results in a flat roof skyline which erodes the essential character of the historic city. The building design lacks an understanding of its context. A broken skyline is crucial to the conservation of the city's character.
  - The building is sited at a key entrance to the city. Visitors and commuters are now given a memorable architectural entrance with a corner tower and iconic period architecture. The proposed building has nothing of the arrival experience one should expect when leaving Oxford Station and moving into the city centre. The elevations comprising of panels of different coloured brick work have nothing to do with any historic dimensional references such as old plots but merely



relate to a new structural grid which has no place significance. The resulting proportions of the façade divisions and use of the materials does not respond to its single use. The result is a poorly conceived appearance which is out of scale with its physical and historic urban context.

- Height in itself is not necessarily a bad thing. Opportunities to bring carefully located and considered variety in the façade composition have been ignored. For example, a greater emphasis at the critical corner would improve the townscape quality and a broken skyline would be more appropriate in the city context.
- The proposal gives nothing to the public realm. Opportunities for a wider public footpath have been ignored and the uses at ground floor level give little to create an active edge. The loss of the retail uses at numbers 39 onwards exacerbates the issue. The lack of some public use within the building frontage is regrettable.
- The large access driveway to blue badge parking is regrettable and appears to contradict the statements for improving community use of this precious city centre land. Whilst provision of such parking in a city which is promoting a car free environment is contentious, the length of driveway is not inevitable. Much of this land should be given over to the planted area near the stream to bring a little more biodiversity to the area.
- The retention of the Boatman's Chapel is welcome. The loss of its use as a restaurant is less so. The proposed community use lacks credibility. Where for example is the housing and who will care for the building and its garden?
- The proposed frontage planting lacks conviction and practicality. Will the two trees beneath the canopy survive? There is little in the proposal which shows any consideration or gain for public benefit or any appreciation of an opportunity for making this a memorable experience on entering a renowned university city.

### Environment Agency (EA)

1.62. The EA initially objected to the proposals on biodiversity grounds, firstly because of the risk to nature conservation posed by the insufficient buffer provision from the Wareham Stream and its associated riparian habitat and secondly, because of the encroachment of the development onto the Wareham Stream buffer zone.

1.63. Following amendments to the scheme the EA removed their first objection on 26<sup>th</sup> July 2024.

1.64. Further information and design amendments were submitted by the applicant which the EA responded to with the following comments: "We note and welcome the enhancements to the Wareham stream outlined in paragraph 4.6 of the "10370\_Beaver House, Oxford\_Biodiversity Gain Plan\_v3.0.pdf" document. This text lists the planting of shrubs and plugs throughout the marginal habitat, the removal of litter and large debris and the introduction of 200mm, locally sourced river terrace gravels to the stretch of the Wareham stream that flows adjacent to the development site. Specifically the works proposed within the channel will both enhance and create spawning habitat, bolstering the sounding area's capacity to support young fish populations. We consider these enhancements to be appropriate measures for mitigating the development's significant encroachment into the watercourse and ultimately achieving ecological betterment, as evidenced

by the proposed 20.80% net gain. Subject to the conditions below, we therefore withdraw our previous objection dated 26 July 2024 relating to the development's risk to nature conservation.”

1.65. The EA confirmed on 20<sup>th</sup> August 2024 that there were no outstanding objections subject to conditions.

### **Public representations**

#### Oxford Bus Company

1.66. Support the planning application for the following reasons as summarised below:

- The site is in a highly sustainable location in terms of accessibility to public transport links both bus and rail.
- Support the growth of world class research and development activities in the most sustainable locations in the city.
- This accessibility also has direct relevance for attracting talent to the technology biosciences and research cluster. Supporting access to a high-quality lifestyle, while avoiding car dependency, is essential to ensuring the growth of the innovation economy is undertaken on the most sustainable basis possible.
- The proposals have substantially evolved over their genesis and in particular, result in a built form that sits more comfortably in their context; while also creating greatly improved animation and surveillance over Park End Street than is provided by Beaver House. This is necessary for a key gateway site directly on one of the two main walking and cycling routes between the station and the city centre.

1.67. A total of 15 public comments have been received in objection to the planning application, the comments are summarised below:

- Concern about loss of Bangkok House restaurant.
- Internal features of Bangkok House must be preserved.
- Object to removal of existing buildings on environmental grounds.
- The proposed buildings are unattractive.
- Object to removal of businesses run by Oxford's ethnic minorities (Chinese supermarket)
- Concern regarding scale and height of proposed building.
- Consider the architectural design of the building to be “heavy and aggressive”.
- The increasing height of modern buildings is ruining the architectural skyline of the city.
- There will be disruption during construction process concern that road closures and diversions will be required.
- Question need for further life sciences buildings in Oxford.
- Questioned whether the site is a suitable location for life sciences development.
- Council need to be sure that no animal testing will be carried out on site.
- The Boatman's Chapel building must be retained.

- 39-42 Hythe Bridge Street are in keeping with the character of the area and should be retained.
- Building design is not a significant improvement on the existing design.
- Loss of energy and carbon and resource generation associated with the demolition of the existing buildings and construction of the new buildings.
- Query the sustainability and energy performance of the new buildings.
- Concern regarding community garden and noise and impact on privacy on adjoining residents at Upper Fisher Row. It is unclear what screening would be provided.
- It is proposed that the Community Garden will be closed at night, however it is unclear what time this will be specifically.
- Concern regarding access to the garden and potential for drug dealing, crime and anti-social behaviour. A CCTV camera will not be adequate, query how access into this space would be managed.
- A managed urban wild space of scientific value that could also be of educational value, involving supervised school visits would be preferred.
- Concern regarding impact on light and overshadowing of properties at Upper Fisher Row.
- Removal of parking spaces could lead to unauthorised parking on Rewley Road.
- Development would set an unwelcome precedent for development of the 'island site' opposite.
- A mix of housing and small business premises would be a more positive use of the site.
- The façade facing Frideswide Square would be unappealing and out of scale with the 1930s Royal Oxford Hotel on the opposite corner.
- For the pedestrian, it simply extends the lack of visual interest at ground level currently provided by Beaver House much further along the street.
- The loss of restaurants and the supermarket reduces the streets status as a destination rather than a thoroughfare.
- Beaver House should be adapted rather than demolished given the environmental costs.
- The architectural design has the standard copy-paste appearance of modern urban architecture with no reference to Oxford's heritage.
- There is no justification for the demolition of Nos. 39-42 Hythe Bridge Street or the redevelopment of the former boatman's chapel. The 1930s neo-classical façade of the former is attractive and makes a positive contribution to the streetscape.
- Concerns about increased traffic generation.
- Concerns about cumulative impacts of construction traffic and existing works to Station bridge and Botley Road.

1.68. A total of 12 public comments have been received in support of the planning application, the comments are summarised below:

- The existing building is unattractive, and the replacement is an improvement in design terms.
- The design is sympathetic to the character of the area and attractive.
- The proposals would provide much needed lab space for the city.

- The proposals would add jobs to the area during operational and construction phases of development.
- Support density of the development.
- Proposals would help in leading to redevelopment of the surrounding area.
- The site has good access to public transport and is accessible by active travel.

1.69. 3 general comments were submitted:

- Planting and landscaping needs to be maintained and maintenance should be a condition on any planning approval.
- "Proposed basement 02 plan" is now inconsistent with the other documents as it does include the bottom of the bicycle lifts (which is "Proposed ground floor plan"), nor any bicycle storage. The "Transport Assessment" requires 200 secure bike spaces (these are in the original basement plan).
- The "application form" states there are no existing cycle spaces. However there are bike racks in the basement car park of Beaver House (at present which are used by the current staff) The net difference in cycle spaces is therefore overstated.
- It is unclear how the community hub would operate.

## **PLANNING MATERIAL CONSIDERATIONS**

1.70. Officers consider the determining issues to be:

- Principle of development
- Design and Heritage
- Neighbouring amenity
- Health Impact
- Transport
- Ecology
- Trees
- Flooding/drainage
- Land Quality
- Air Quality

### **Principle of development**

#### Proposed Use

1.71. Policy E1 of the Oxford Local Plan states that 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.

- 1.72. Beaver House (28-38 Hythe Bridge Street) is listed as a Category 2 employment site in the Oxford Local Plan. The proposals involve the regeneration of this part of the site to intensify its use as employment space, therefore, the redevelopment of Beaver House complies with Policy E1 of the Local Plan.
- 1.73. The upper floors of Nos.39-42 are used for private tuition and are classed as an educational use. Policy E2 of the Oxford Local Plan relates to educational uses but does not include any provisions relating to the loss of educational uses and the Local Plan is otherwise silent on this matter, therefore the loss of educational uses on the site would not conflict with the Local Plan. The Local Plan is also silent in respect of the principle of siting employment uses on sites that do not fall under an existing employment use, except where there is a conflict with other policies such as where there is a loss of housing or retail within a designated retail frontage.
- 1.74. The application site falls within the West End and Osney Mead Area of Change. Policy AOC1 of the Local Plan aims to facilitate the regeneration of the area and is permissive of new development, which provides a vibrant mix of uses and maximises the areas contribution to Oxford's knowledge economy. In providing new high-quality laboratory and office space, the proposals would make a strong contribution towards the city's knowledge economy, whilst also contributing to the wider regeneration of the West End, which is a fundamental purpose of Policy AOC1. Policy WEAOF of the Council's Emerging Local Plan, whilst afforded limited weight, similarly reflects the aims of Policy AOC1 of the Local Plan in terms of encouraging wider regeneration in the area.
- 1.75. Paragraph 87 of the NPPF states that planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative, or high technology industries, and for storage and distribution operations at a variety of scales and in suitably accessible locations. The Council's vision for the redevelopment of the West End aligns with the NPPF in this regard and the proposals would provide approximately 13,000sqm of NIA lab and office space which would help to facilitate the growth of knowledge industries in the form of life sciences within a central and sustainable location in the city.
- 1.76. The application is supported by an Economic Statement, which assesses the economic value that the proposed development could potentially deliver. The Economic Statement estimates that the development has the potential to provide 810 jobs within its operational phase, a net increase of 190 jobs compared with the employment generating potential associated with the existing space on the site. The Economic Statement outlines that the total GVA of the proposed uses is expected to be worth approximately £72,500,000 per year, compared with the existing uses which are estimated to be worth £21,100,000 per year an increase of £50.4m per year. The economic benefits of the development are therefore considered to be substantial.
- 1.77. The applicant has 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.

- 1.78. It is proposed that No.42A Hythe Bridge Street is used for community purposes. The principle of providing new cultural and community facilities within the City Centre is supported under Policies V6 and V7 of the Oxford Local Plan.

#### Loss of Retail Use

- 1.79. Hythe Bridge Street lies within a City Centre shopping frontage, as defined within the policy map accompanying the Oxford Local Plan. Policy V2 of the Oxford Local Plan states that planning permission will only be granted at ground floor level within the city centre for the following uses:

- a) Class A1 (retail) uses; or*
- b) Class A2 – A5 (financial and professional services, restaurant, pub and take-away) uses where the proposed development would not result in the proportion of units at ground floor level in Class A1 use falling below 60% of the total number of units within the defined Primary Shopping Frontage or 40% of units in the Secondary Shopping Frontage; or*
- c) Other town centre uses where the proposed development would not result in the proportion of units at ground floor level in Class A1 use falling below 60% of the total number of units in the Primary Shopping Frontage or below 40% of the total number of units in the Secondary Shopping Frontage and where the proportion of Class A units at ground floor level does not fall below 85% in the Primary Shopping Frontage or the Secondary Shopping Frontage.*

*Planning permission will be granted for development of upper storeys for housing, student accommodation and other uses appropriate to a town centre as long as the functioning of the ground floor unit(s) in the shopping frontage is not undermined. In exceptional circumstances, planning permission will be granted for changes of use from A1 or other A class uses to other town centre uses that would lead to a breach of the ground floor percentage thresholds, if it is demonstrated that changes in the retail circumstances of Oxford city centre mean that there is no longer demand for the existing levels of A1 or other A class units, and if sufficiently robust evidence is provided to clearly demonstrate that the uses proposed would not adversely impact the function, vitality and viability of the particular street frontage itself or the shopping frontage as a whole.*

- 1.80. Nos.39-42 includes two ground floor units, which are used as a Chinese restaurant and a Chinese Supermarket. No.42A is currently occupied by a Thai Restaurant. The ground floor frontage of Beaver House is used wholly as office accommodation. Of these units, only the Chinese Supermarket would be classed as falling under a retail use.
- 1.81. Policy V2 of the Oxford Local Plan predates changes to the Use Classes Order 1987, which was introduced on 1<sup>st</sup> September 2020. The former use classes A1 (retail), A2 (financial and professional services), A3 (restaurants) and parts of Class D1 were merged into a single use class (Class E). The changes afford greatly increased flexibility for buildings to be used for a range of purposes, without

the need for planning permission to be sought to change the use of a building. This is a material consideration which impacts upon the weight that can be given to Policy V2, where assessing the loss of retail uses within the City Centre, as planning permission is not required to change the use of existing shops to uses falling within Class E.

- 1.82. Policy C1 of the Emerging 2040 Oxford Local Plan, which relates to town centre uses, no longer includes specific reference to shopping frontages in the City Centre. The policy instead states that new Class E and other town centre uses will be permitted within the city centre. The policy includes emphasis on retaining active frontages at ground floor level, given that this is a key tool in achieving vibrancy, securing activity at ground floor level. Streets where active frontages must be retained are defined on the Policies Map for each centre. Within those defined active frontages, a minimum threshold is set for the proportion of Class E (commercial, business and service uses) at ground floor level.
- 1.83. The proposal would result in the loss of a single retail unit (Chinese supermarket) as well as two restaurants (former Class A3). The proposed café and research and development uses would each fall under Class E. The proposed life science use comprises office space which is classed as a main town centre use as well as laboratory space, which is not specifically classed as a main town centre use within the NPPF. The café space would be classed as a main town centre use. The proposals include the provision of community space falling within use Class F1, which is also not specifically classed as a main town centre use, although it is reasonable to consider that this is a use that contributes to the vitality of the City Centre. The design of the proposed building includes active frontages facing Hythe Bridge Street and Rewley Road, which in design terms is an enhancement on the existing ground floor elevation of Beaver House, which is set at a higher level than Hythe Bridge Street and features obscure glazing with raised access ramps which creates a very poor relationship with the public realm, reducing activity and interaction with the street frontage.
- 1.84. Policy V2 of the Oxford Local Plan is permissive of other town centre uses where the proposed development would not result in the proportion of units at ground floor level in Class A1 use falling below 60% of the total number of units in the Primary Shopping Frontage or below 40% of the total number of units in the Secondary Shopping Frontage and where the proportion of Class A units at ground floor level does not fall below 85% in the Primary Shopping Frontage or the Secondary Shopping Frontage. Since the introduction of the wider use Class E, the Council are no longer recording units as Class A1 retail when undertaking City Centre use surveys. The most recent surveys undertaken in 2022 indicates that 75.47% of the units fall under a Class E use, which includes each of the former Class A uses. Where assessed in relation to Policy V2 of the Oxford Local Plan it is likely that the development would result in the proportion of the (former) Class A units at ground floor level falling below 85% in the secondary shopping frontage. Whilst the loss of a retail unit in the form of the Chinese Supermarket would technically be contrary to Policy V2, there are considered to be material circumstances that justify departure from the policy. As noted, Policy V2 cannot be applied in practice given the introduction of Class E permitted development right and this must be afforded significant weight. The proposed office and café uses would be classed as main town centre uses, whilst laboratory space also falls

within Class E. The proposed life science use is also consistent with the Council's vision for redevelopment and regeneration within the West End area of the city as outlined under Policy AOC1 of the Local Plan. The proposals provide active frontages at ground floor level along the Hythe Bridge Street frontage consistent with Policy C1 of the Emerging Local Plan, whilst providing notable improvements to the public realm which are discussed in further detail in the section of the report below.

- 1.85. In summary the significant regeneration benefits associated with the development and enhancements to the public realm, along with the provision of an alternative employment generating use, whilst considered in relation to the lack of weight that can be applied to Policy V2 of the Oxford Local Plan provides significant grounds to justify departure from Policy V2 of the Oxford Local Plan.

## **Design and Heritage Impact**

### Design Approach

- 1.86. 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.

- 1.87. 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.*

- 1.88. 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.



- 1.89. 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.
- 1.90. The design of the building adopts a cluster approach comprising of multiple articulated bays which together form a cohesive whole. The cluster approach was selected to ensure that the building design is suitably articulated to provide visual interest and to break down, what would otherwise be, a very large building mass. Additionally, the cluster approach allows the building to respond more effectively to the surrounding context by modulating the height of the building and stepping down towards the Boatman's Chapel and residential areas beyond the red line.
- 1.91. The materiality of the building has been informed by the material context surrounding the site including brick, stone and granite, with glazing and metal cladding highlighting the ground floor level. Consideration has been given to the building proportions and rhythm and the proposals successfully address the important corner which fronts Frideswide Square.
- 1.92. Flues are proposed at roof level, however these have been positioned so as to minimise visibility from street level and to reduce the impact on the green backdrop of the hill line when viewed from key view points within the city.
- 1.93. In terms of public realm, the proposal would deliver a number of significant improvements when compared to the existing arrangement. Increased visibility and activation at ground floor level would be provided by increasing the amount of glazing along the street frontage to 'showcase science' and locating the café and community uses along Hythe Bridge Street. Additionally, it is proposed to widen the existing footpath and improve the pedestrian experience along Hythe Bridge Street with additional planting and upgraded surface treatment.

#### Heritage Impact

- 1.94. The eastern part of the site, including 39-42 Hythe bridge Street and Boatman's Chapel is included within the boundary of the Central (University and City) Conservation Area, and is further identified as being part of the Western Fringe character zone, which has more successive chapters of industrial development from the 18th century onwards and a more varied use compared to the traditional core of the Central Conservation Area.
- 1.95. The site is also in close proximity to several prominent designated heritage assets, including various grade I listed buildings at Worcester College and Worcester College grade II\* Registered Park and Garden, Oxford Castle, and the scheduled ancient monuments of Oxford Castle Mound and Rewley Abbey.
- 1.96. 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).

- 1.97. 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.
- 1.98. 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."
- 1.99. 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.
- 1.100. 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.
- 1.101. Beaver House was built in 1971, and although the building has typical characteristics of late 20th century architectural design including large scale use of glass and concrete, it is considered to not be of exceptional design quality. Whilst the building is large and presents a landmark as entering the historic core of Oxford, between the train station and the central core, it is more the scale and materials than the architectural quality that is noticeable. Whilst this building historically was the headquarters of Blackwells, it is more the original bookshops on Broad Street that have the associative historical significance. Given this, there is no objection from a heritage perspective to the demolition of Beaver House.
- 1.102. The proposal includes the demolition of 39-42 Hythe Bridge Street, this three-storey brick building with stone detailing and timber sash windows is noted to be a positive contributor to the character and appearance of the conservation area. Whilst the building has somewhat been altered, particularly with the ground floor shop fronts which are quite untidy, it is still largely legible as a historic terrace, however it is largely stripped of historic fabric internally due to several office uses over the past 70 years. Interestingly, to the rear there is a tall brick chimney stack, this is suspected to be from a historic boiler room, or potentially from uses that pre-date the existing building, as it is characteristic of the industrial western fringe in this area. Given the architectural detailing present within the principal elevation of this building and the historical interests in this area from continued phases of

development in the 19th and early 20th century, it is considered the demolition of this building constitutes a low level of less than substantial harm to the character and appearance of the conservation area, as it will constitute a total loss of significance. The supporting documentation submitted with the application presents a robust argument for demolition, as the additional floorspace needed to make the scheme a viable project cannot be delivered through conversion of the existing buildings as part of the scheme and retrofitting the existing building is not possible due to the level of intervention required. Therefore, it can be considered this level of harm is justified to bring forward a sustainable and economically viable scheme.

- 1.103. Boatman's Chapel, 42A Hythe Bridge Street, is identified on the Oxford Heritage Asset Register and is locally listed. The building is identified on the Central (University and City) Conservation Area Appraisal as being a positive contributor to the character and appearance of the conservation area. The proposals are to retain and retrofit this building for a flexible community use, which could be seen as an enhancement. The materials identified on the proposed plans include cast iron rainwater goods, timber framed windows and matching bricks, to ensure the external appearances are sympathetic, however further details of the fenestration should be requested by condition, alongside a further condition seeking a material schedule for works to this building and requirement for them to be viewed on site prior to the commencement of works. Internally, the proposals include bespoke timber fittings, a new timber floor and sustainable upgrades such as insulating lining added to the walls and between the roof rafters. The proposals include a significant proportion of demolition; however, this is largely orientated to the unsympathetic modern extensions to the rear and utilising the land gained for landscaping and a community garden which is positive and will improve the views across to the site from Castle Mill Stream. Ultimately this is a positive element to the scheme, creating an accessible community asset in a locally significant building. Community access will be secured in the s106 agreement.
- 1.104. The proposed replacement building is substantial in scale, increasing the footprint of the existing Beaver House and increasing the height, this will also have an impact on the character and appearance of the conservation area, particularly when entering/exiting the historic core of Oxford. The visual impacts of this application are demonstrated within the Views Study and the Townscape, Landscape and Heritage Assessment (TLHA) documents submitted within the application.
- 1.105. There are several areas presented within the proposal that causes impact to the historic environment. Namely, the impact on the proposed views, the demolition of the non-designated heritage assets as well as the impact on the character and appearance of the conservation area, therefore it is considered the proposals cumulatively equate to a medium level of less than substantial harm.
- 1.106. 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:

- Significant economic benefits resulting from the provision of 13,000sqm high quality research and development and office space to meet an identified demand for R&D and life science space in Oxford offering the potential to provide 810 jobs. Provision of community employment during the operational and construction phases of the development.
- Significant regeneration benefits within the West End area through the removal of Beaver House and replacement with a building of a significantly enhanced design on a prominent site. Enhancements to the public realm through improvements to the pedestrian infrastructure and activation of the street scene.
- Provision of dedicated space for community use at 42A Hythe Bridge Street.
- Biodiversity net gain exceeding the 10% statutory requirement.

1.107. The public benefits of the development are considered to be substantial in social, economic and environmental terms and where assessed in the context of Paragraph 208 of the NPPF it is considered that the benefits would outweigh the medium level of less than substantial harm to heritage assets. The development is therefore considered acceptable where assessed in relation to Policies DH2, DH3 and DH5 of the Oxford Local Plan.

### Archaeology

1.108. The development involves groundworks in a location that has potential for medieval and post-medieval remains. The site is located on the periphery of Rewley Abbey, a Cistercian Abbey and Studium Generale (college of higher learning) for the order, that was established in 1281 and closed in 1536 as part of Henry VIII's dissolution of the monasteries. The 16th century Agas map shows a wall along the northern Hythe Bridge frontage (through the Beaver House site) which is likely to be the outer precinct wall, with a gate house located to the west (outside the site) and a water course directly behind the wall (through the Beaver House site). A second linked channel to the north is likely to be the moat around the Abbey inner precinct. Later 18th century maps show a large residence located to the east of the Beaver House plot with associated garden.

1.109. An archaeological borehole transect completed in 2023 by Oxford Archaeology revealed alluvial deposits underlying modern made ground, which may evidence the moat of Rewley Abbey. This was located to the north of the proposed Beaver House extended footprint. The limited geotechnical work within the existing Beaver House footprint suggests that the existing basement is excavated into the natural gravel with evidence for thick modern made ground over gravel outside the basement footprint. The test pits and boreholes may have missed any infilled watercourse located just north of the street frontage.

1.110. In line with the National Planning Policy Framework and Policy DH4 of the Oxford Local Plan, any consent granted for this application should be subject to conditions to secure controlled demolition, staged archaeological recording and historic building recording.

### **Sustainability**

1.111. 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 1000m<sup>2</sup> 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.

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

- Fabric first approach to reducing energy demand in line with the energy hierarchy, targeting best practice building form and thermal performance from the Low Energy Transformation Initiative (LETI) Climate Emergency Design Guide. Fabric performance of the building has been carefully designed to balance heat loss, heat gain and daylight access. The form factor minimises the impact of façade losses and gains on the energy demand of the building.
- Maximised efficiency for the operational use of the building including lighting efficacy and controls, thermal performance and ventilation.
- Air Source Heat Pumps (ASHP)
- Photovoltaics (PV)

1.113. The proposed development has demonstrated that it would be possible to achieve a BREEAM Outstanding rating.

1.114. Despite the comprehensive measures proposed the development would fail to achieve the 40% reduction in carbon emissions required by Policy RE1, instead achieving a 34% reduction when compared to the current Part L 2022 Building Regulations. The proposal would therefore be contrary to Policy RE1 and has been advertised as a departure from the development plan.

1.115. Whilst the failure to comply with the 40% carbon reduction target would be contrary to Policy RE1, there are considered to be material circumstances that justify departure from the policy. Fundamentally, the issues preventing a policy compliant scheme are the combination of the high energy demand required for research and development laboratories, and the site specific constraints associated with development located both within, and immediately adjacent to the conservation area, in close proximity to a number of listed buildings and within the more constrained urban city centre environment.

- 1.116. The site specific constraints and heritage sensitivities have had numerous implications for the building design, namely, the reduction in the amount of roof area, the inclusion of green terraces and the 'stepping' of the roof form, all of which have been developed in order to respond to (and reduce harm to) Oxford's historic skyline. Therefore, while these measures have been positive in addressing significant concerns about design and heritage, they have subsequently reduced the amount of roof areas that can be utilised for PV panels. The visibility of the building from important view points in the city and the lack of available roof space is an important distinction between this site and other recently consented R&D developments that are located outside of Oxford's historic core.
- 1.117. Officers have robustly reviewed the building designs and modelling data and challenged the applicant to seek improvements that have resulted in improvements to the energy performance of the buildings resulting in the proposed 36% carbon reduction.
- 1.118. In summary, there a number of competing material considerations that officers have had to weigh up in determining whether the application would be acceptable despite not complying with Policy RE1. As set out above, great weight must be given to the significance of heritage assets and in responding to these assets there has been a notable impact on the proposed building design specifically the reduced the amount of available roof space which can be utilised for PV panels. Officers are satisfied that the proposals maximise the opportunity for energy efficiency and carbon reduction, as much as can be achieved considering the specific constraints of the site, as well as delivering a range of other significant regeneration benefits as highlighted within this report. Therefore, it is considered that, in this instance, there are significant grounds to justify departure from Policy RE1 of the Oxford Local Plan.

## **Amenity**

- 1.119. 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.
- 1.120. A number of residential properties are located close to the site to the east and north east. This includes Nos.43 to 46 Hythe Bridge Street and Nos.1 to 12 Upper Fisher Row. Each of the properties are located on the opposite side of Wareham Stream, a small watercourse and have rear gardens of varying size.
- 1.121. The side elevation of Beaver House is located between 23 and 40 metres from the rear gardens of the nearest properties located at Upper Fisher Row and Hythe Bridge Street and between 41 and 52 metres from the rear elevation of the properties at Upper Fisher Row. Several of the adjoining properties have been extended at single storey level. Beaver House measures 18 metres to the roof

ridge across the majority of the building, including the three-storey east elevation nearest the adjoining properties. Across a small section of the building there is a plant enclosure which raises the overall height of the building to 22.7 metres. No.9 Upper Fisher Row is a two-storey detached property that is notably set back from the other houses at Upper Fisher Row and immediately adjoins the Wareham Stream watercourse. There is a distance of 30 metres between the side elevation of Beaver House and the rear elevation of this property.

- 1.122. 39-42 Hythe Bridge Street is a three storey building at the front which steps down to two storeys and single storey at the rear. The three-storey section of the building measures 11 metres in height and is located between 23 and 29 metres from the rear gardens of No.43 Hythe Bridge Street and No.1 Upper Fisher Row. The two-storey section of the building is located approximately 22 metres from the nearest neighbouring gardens, whilst the single storey section of the building is located 14 metres from the nearest neighbouring gardens. The two-storey section of the building is located between 33 and 36 metres from the rear elevations of the nearest neighbouring dwellings at Upper Fisher Row. The single storey extension to the rear of No.42A Hythe Bridge Street is located between 11 and 15 metres from the rear gardens of the adjoining properties at Upper Fisher Row and Hythe Bridge Street and 20 metres from the rear elevation of the houses.
- 1.123. The three-storey section of the proposed building measures 12 metres to the roof ridge, whilst the four-storey section measures 16.4 metres to the roof ridge with the five storey section of the building measuring 20.5 metres to the roof ridge. The three-storey section of the building would be sited approximately 14 metres from the rear of No.9 Upper Fisher Row, the closest property to the building and 21 metres from the rear elevation of No.8 Upper Fisher Row. The four-storey section of the building would be sited approximately 20 metres from the rear elevation of No.9 Upper Fisher Row and 25 metres from the rear elevation of No.8 Upper Fisher Row. The five storey section of the building would be sited approximately 19 metres from the rear elevation of No.9 Upper Fisher Row and 26 metres from the rear elevation of No.8 Upper Fisher Row. The three-storey section of the building would be sited between 13 and 21 metres from the rear gardens of the nearest neighbouring properties in Upper Fisher Row and Hythe Bridge Street, whilst the four-storey section of the building would be sited between 18 and 28 metres away from the gardens of the nearest neighbouring properties. The five-storey section would be located approximately 21 to 30 metres away from the gardens of the nearest neighbouring properties.
- 1.124. The proposed building would be cumulatively larger than the existing development on the site, although there are sizeable existing buildings on the site, in particular Beaver House. The proposals retain appropriate separation to the existing houses and weight should be given to the City Centre location of the site and the need to ensure that the development makes optimum use of land within an area of the West End where there is strategic focus on regeneration. Officers consider that the scale is appropriate where considering the impact on the adjoining homes and consider that the development would not have an overbearing impact.
- 1.125. Roof terraces are proposed at second and third floor level, which would provide communal outdoor amenity areas for the occupiers of the building. Accounting for

the buildings proximity to the adjoining gardens and houses, the siting of the terraces have the potential to increase overlooking of the adjoining properties resulting in a loss of privacy for existing occupants. Accounting for this, it is necessary to require the addition of privacy screening along the eastern side of the terraces to an appropriate height that screens views below into the adjoining gardens and dwellings. This could consist of a combination of appropriately designed screens in conjunction with planting. It is considered that this would appropriately mitigate overlooking of the adjoining properties. Windows are proposed at first and second floor level along the eastern elevation of the building within the three-storey section of the building closest to the adjoining properties. Officers consider that it would be necessary to condition that these windows are fitted with obscured glazing to safeguard the privacy of the adjoining occupiers and conditions have been included to secure these measures.

1.126. The buildings to the south of the site are used for a range of purposes and including a furniture store, nightclub, backpackers' hostel and hotel. It is considered that the siting of the development would not adversely affect the function of any of these adjoining uses, particularly where accounting for the scale of the existing building. Hotel/hostel uses are not subject to the same amenity standards as residential dwellings and the hotel and hostel rooms are already overlooked by Beaver House and the siting of the building, whilst larger in scale would not significantly increase the degree to which the rooms would be overlooked.

1.127. A Daylight and Sunlight Assessment has been prepared and submitted as part of the planning application. There are two windows in the rear elevation of No.9 Upper Fisher Row, consisting of a small window serving a bathroom and a larger window serving a kitchenette/living space. This is one of three windows serving this room, the other being located on the east elevation of the building. The largest proportional reduction in light resulting from the development would be to this window, which would be 15%, this is within the BRE guidelines, which recommend that percentage reduction to light should be no more than 20%. The applicant's Daylight and Sunlight Assessment suggests that just one room that will experience a proportional No Sky Line (NSL) reduction of more than the guideline 20% which is within 11 Upper Fisher Row and would be 21.8%, marginally in excess of the BRE guidance. The largest proportional reduction in Annual Probable Sunlight Hours to any window would be 14.5%, which is to a window serving 9 Upper Fisher Row, this is within the guideline 20%. Overall, the impact of the development on natural light to the rooms and internal spaces within the surrounding properties is anticipated to be very low compared with the baseline situation.

1.128. The impact of the siting of the proposed buildings has been assessed in relation to the extent to which there would be a loss of light to the adjoining gardens, based on the proportion of the area of each garden that is able to receive at least 2 hours of sunlight on 21<sup>st</sup> March. There would be a small percentage reduction in sunlight to the gardens of several of the properties in particular No.10 (11%), No.7 (11%), No.6 (10%) and No.5 (9%). The greatest loss of light would be to the garden area of No.8 Fisher Row, where sunlight would be reduced from 42% to 35%, equating to a percentage reduction of 16.6%. This does not however exceed BRE guidance relating to loss of light, which recommends that any increase in overshadowing should not be greater than 20% of its former value. The siting of the buildings would



result in the sunlight to Nos. 1 and 6 Upper Fisher Row falling below the recommended BRE guidance that 50% of all gardens receive at least 2 hours of sunlight on 21<sup>st</sup> March. However, the percentage reduction in direct sunlight would be small at 5% and 10% respectively and the sunlight levels would fall only slightly below 50% at 46 and 48% respectively.

1.129. Taking the above factors into account officers consider that the development would comply with Policies H14 and RE7 of the Oxford Local Plan.

1.130. Policy RE8 of the Oxford Local Plan states that planning permission will only be granted for development proposals which manage noise to safeguard or improve amenity, health, and quality of life. The application is accompanied by a Noise Impact Assessment which provides an appropriate analysis of the impact of the development on the amenity of surrounding uses, including the nearest residential uses. The proposals include the provision of plant associated with extract equipment and Air Source Heat Pumps. Subject to the fitting of attenuation to the plant and a conditional requirement limiting that noise from the proposed installations located at the site shall not exceed the existing background level, it is considered that the noise generation associated with the plant and mechanical equipment would not have a significantly adverse impact on the amenity of surrounding uses.

1.131. The proposals include outside spaces at ground floor level to the rear of No.42A Hythe Bridge Street and terraces at third and fourth floor level on the new building. It is considered that activity within these areas and general activity associated with the building would not be harmful to the amenity of the surrounding residential uses, accounting for the City Centre location and surrounding uses, which includes nighttime uses. To prevent disturbance to surrounding neighbours a condition should be required specifying that garden to the rear of No.42A shall not be used beyond 11pm. Subject to appropriate conditions it is considered that the development would not have an adverse impact on the amenity of surrounding land uses by reason of noise disturbance and the development would comply with Policy RE8 of the Oxford Local Plan.

## **Health Impact**

1.132. 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.

1.133. In particular the following provisions are likely to contribute positively towards promoting strong, vibrant and healthy communities:

- Reduction in parking and associated vehicle movements – reducing congestion, promoting sustainable travel and improving air quality.
- Improvements to the public realm and activation of the street, including the widening of pavements to promote walking and safety of the environment for pedestrians using a key thoroughfare.

- Improvements to the safety and security of the public realm through designing out existing opportunities for crime and through improved lighting. Secured by Design accreditation to be achieved.
- Creation of high-quality employment opportunities during the operational and construction phases of the development including local employment opportunities to be secured through the CEPP.

1.134. In terms of the impact of the development on community health and wellbeing it is considered that there would not be any significant harm and the impacts of the development that have the potential to cause harm such as noise or impacts associated with the construction phase can be appropriately mitigated. Officers therefore consider that the proposals would comply with Policy RE5 of the Oxford Local Plan.

## **Transport**

1.135. 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.

1.136. Policy M3 of the Oxford Local Plan states that the parking requirements for all non-residential development, whether expansions of floorspace on existing sites, the redevelopment of existing or cleared sites, or new non-residential development on new sites, will be determined in the light of the submitted Transport Assessment or Travel Plan, which must take into account the objectives of this Plan to promote and achieve a shift towards sustainable modes of travel. The presumption will be that vehicle parking will be kept to the minimum necessary to ensure the successful functioning of the development. 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.

1.137. The existing vehicle access is located to the east of the main pedestrian access adjacent to 39-42 Hythe Bridge Street. The vehicle access will be moved approximately 25m to the east to accommodate a new access road that serves a loading bay and two disabled parking spaces.

1.138. There are currently a total of 66 car parking spaces located on the site within the basement of Beaver House and at ground floor to the rear of Beaver House and Nos.39-42A Hythe Bridge Street. The parking is currently accessed via an undercroft access that crosses the pavement between Beaver House and Nos.39-42. Two accessible parking spaces would be retained to serve the building, which would be located in the north east corner of the site to the rear of Beaver House. This is justified in operational terms as a level of disabled parking provision is required to facilitate access for all users.

1.139. In total the proposals would result in a net reduction of 64 parking spaces. The site is within the City Centre and is in a highly sustainable location that falls within 200 metres Oxford Railway Station, bus stops benefitting from frequent services as well as two public car parks at Worcester Street and Oxford Railway Station.

Gloucester Green Bus Station is also within 300 metres of the site. Given the sustainable location of the site, no general parking provision would be required or expected to serve the proposed uses and the loss of 64 parking spaces is supported. The applicant's Transport Assessment estimates that the reduction in on-site parking would equate to a net reduction of 53 two-way vehicle trips in the AM peak and 57 two-way vehicle trips in the PM peak. This would be beneficial in terms of highway safety and amenity and would assist in reducing traffic congestion, consequently also improving air quality. The reduction in parking would align with Policy M3 of the of the Oxford Local Plan as well as Policy M1, which promotes a modal shift away from private car use, towards active travel and uptake of public transport including bus and rail.

- 1.140. There would be servicing needs associated with the proposed development. A loading bay is proposed to the new life sciences building, which is of a size large enough to accommodate a 10m rigid truck at once or the equivalent to two 7.5t box vans at the same time. The applicant's Transport Assessment states that the development could generate a demand for 16 daily servicing vehicles, comprising 13 LGV's and 3 HGV's. Servicing and well as access to the disabled parking spaces would be provided via a new service route to the side of the proposed building.
- 1.141. Policy M4 of the Oxford Local Plan requires that 25% of parking spaces should be fitted with electric vehicle charging points. Where applying this ratio at least one of the two disabled parking spaces would be required to be fitted with an EV charge point.
- 1.142. A Copenhagen style crossing is proposed over the new access into the site. Details of the final design of the crossing have been requested by the County Council as part of a planning condition. A S278 Agreement will be required for all alterations to the adopted highway. Pedestrian and vehicle visibility splays have been shown at the site entrance on a plan submitted by the applicants which demonstrates that adequate visibility can be achieved.
- 1.143. The access for cyclists will be east of the main reception on Hythe Bridge Street. From the main cycle lobby, there will be two cycle lifts which will lead into the basement cycle parking area. Information has been provided to demonstrate that sufficient capacity is available with the two cycle lifts to accommodate demand in the peak hours. A total of 200 cycle parking spaces are proposed within the building within the basement of the building. The proposed mix of cycle parking would be as follows:
- Accessible / Enlarged Sheffield Stand: 4% - 8 spaces
  - Sheffield Stand: 47% - 94 spaces
  - Double Stacked: 49% - 98 spaces
- 1.144. The 2036 Local Plan sets out a requirement of one shower per 500 sqm for the first 1,000 sqm of floor space, with one shower per 4,000 sqm thereafter. Based on this requirement, the proposed development would be required to provide six showers. 10 showers are proposed within the building which would exceed this requirement.

- 1.145. Hythe Bridge Street is a key link between the city centre and Oxford Railway Station with a significant amount of pedestrian traffic which will increase with the proposed development. The existing access to Beaver House includes steps and a disabled ramp which reduce the footway on the northern side of Hythe Bridge Street to approximately 1.3m to 1.6m in places. The applicant proposes to widen the footway slightly and remove the stairs which will widen the footway in front of the building to a minimum width of 2.38m and would improve accessibility for pedestrians. A Pedestrian Comfort Level Assessment was undertaken which demonstrates that the slightly widened footways in front of the development are of sufficient width to accommodate future existing pedestrians as well as the additional pedestrians resulting from the proposed development.
- 1.146. The pedestrian survey conducted by the applicant shows hourly two-way pedestrian flows exceeding 900 in the PM peak hour and this is likely to increase in the next few years. Improvements, similar to what has been provided on Frideswide Square, will be required to provide a suitable pedestrian corridor from the city centre to the railway station. A traffic filter will be introduced on Hythe Bridge Street just north of the roundabout with Park End Street to help reduce congestion in and around central Oxford. The filter will restrict daytime traffic to vehicles with a permit. As complementary proposals for Hythe Bridge Street have not yet been finalised, carriageway width requirements are currently unknown. A financial contribution to future improvements adjacent to the site is considered appropriate. Based on a site frontage of 120m and 2m widening, which costs £787,15 per metre, a total cost of £94,458 has been calculated. The calculation is based on the cost of widening the northern footway only.
- 1.147. There is currently not sufficient space within the site to provide external visitor cycle parking, and a contribution towards city centre cycle parking to provide an additional 10 spaces is required. The cost for one Sheffield stand (two cycle parking spaces) is £331.35, therefore a contribution of £1,656.75 is required.
- 1.148. A condition will require the submission and approval of a construction traffic management plan to ensure that the proposed works would not impact on the transport network or neighbouring amenity.
- 1.149. In conclusion, subject to the conditions and obligations set out above, officers consider that the transport impacts of the proposal would be acceptable and in accordance with Local Plan Policies M1, M2, M3, M4 and M5.

## **Ecology**

- 1.150. Policy G2 of the Oxford Local Plan states that development that results in a net loss of sites and species of ecological value will not be permitted. Policy G2 of the Oxford Local Plan requires that all developments achieve a 5% net gain in biodiversity on greenfield sites or brownfield sites that have become vegetated. From 12<sup>th</sup> February 2024 it is now mandatory that all developments achieve a 10% net gain in biodiversity, this applies to all developments submitted after this date, therefore the proposed development would be expected to demonstrate compliance against the higher standards adopted nationally.

- 1.151. The majority of the site consists of previously developed land comprising buildings or tarmac parking, there is an area of overgrown and unmanaged mixed shrub and brambles within the car park area adjoining the Wareham Stream and eastern boundary of the site, however the site is of very low ecological value overall. The site is identified as having a low or negligible potential to support most protected species given the developed nature of the site, however the site is identified as offering moderate potential to support foraging and commuting bats given its location adjoining a watercourse and the presence of scrub habitat on site. The site is identified as offering low potential for roosting bats given the adjoining urban environment, lighting and noise. No.42A Hythe Bridge Street was assessed as having potential to support roosting bats, the building was surveyed and identified the likely absence of roosting bats within the building.
- 1.152. A biodiversity net gain plan has been submitted in support of the planning application. It is proposed that additional mix scrub planting would be provided on the site. Whilst landscaping is proposed within the upper floor terraces of the building. Accounting for the current low biodiversity value of the site, this would equate to an 871.62% net gain in habitat units. Additional encroachment into the watercourse and riparian area of the Wareham Stream is not proposed and there would be a neutral (0%) impact on the watercourse.
- 1.153. To address comments made by the EA the application also proposes enhancements to the Wareham Stream which would include the planting of shrubs and plugs throughout the marginal habitat, the removal of litter and large debris and the introduction of 200mm, locally sourced river terrace gravels to the stretch of the Wareham stream that flows adjacent to the development site. Specifically the works proposed within the channel would both enhance and create spawning habitat, bolstering the sounding area's capacity to support young fish populations. These works would mitigate the proximity of the development to the watercourse and achieve an ecological betterment (20.80% net gain).
- 1.154. As such the proposals would exceed the requirements of Policy G2 of the Local Plan.

## **Trees**

- 1.155. 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.
- 1.156. There are no trees falling within the site itself, however the tree survey contained in the applicant's Arboricultural Impact Assessment (AIA) identifies 8 trees on third party land outside the site, which could be impacted by the works. The AIA identifies that all but one the trees (T7 willow) would be retained. The willow tree proposed for removal is identified as being within a poor condition.
- 1.157. Tree planting is proposed within the garden area to the rear of No.42A Hythe Bridge Street and adjacent to the parking and access areas within the site as well as on the upper floor roof terraces, resulting in a significant increase in tree canopy

cover across the site. A landscaping plan would be required by planning condition outlining the specific details of soft landscaping and tree planting. Subject to securing an acceptable landscaping plan by condition, the proposals would not impact detrimentally on existing trees and would be compliant with Policy G7 of the Oxford Local Plan.

## **Flooding**

- 1.158. 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).
- 1.159. 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.
- 1.160. The site primarily lies within Flood Zone 2 and is therefore considered to be at a high risk of flooding. A small section of the eastern part of the site that adjoining the Wareham Stream watercourse lies within Flood Zone 3 and therefore considered to be at a very high risk of flooding. A small part of the western edge of the site lies within Flood Zone 1 and is at a low risk of flooding.
- 1.161. The combined footprint of the existing buildings measures 1343sqm, whilst the footprint of the proposed buildings would measure 1059sqm which equates to a reduced footprint of 284sqm and therefore the development would not result in the loss of floodplain storage which would require compensation elsewhere.
- 1.162. The proposed drainage strategy includes the incorporation of SuDS, namely blue roofs which would connect to a rainwater harvesting and attenuation tank within the basement of the building. Permeable paving is proposed as surfacing for the access roads, hardstanding and disabled parking bays. Outfall discharge is proposed into the Wareham Stream to the east of the site.
- 1.163. A detailed surface water drainage scheme will be required by planning condition prior to the commencement of development along with a record of completed SuDS prior to the first use of the building.
- 1.164. Subject to conditions the proposals are considered to comply with Policies RE3 and RE4.

## **Land Quality**

- 1.165. The site has had former potentially contaminative industrial and commercial uses and therefore there are likely to be potential contamination risks present at the site. A ground investigation has been completed at the site which has identified moderate groundwater contamination risks and potential hydrocarbon vapour risks which require detailed further assessment and possible remediation works to be completed.

- 1.166. The investigation was relatively limited in scope due to access restrictions and there are several areas of the site that have not been fully investigated for contamination risks. This includes the properties at 39-42a Hythe Bridge Street. It is also apparent that sampling data may be compromised due to limitations of the technique used to sample groundwater and no hydrocarbon vapour risk assessment has been completed. It is acknowledged within the submitted geo-environmental report that a full contamination risk assessment has not been achieved and recommends further investigation works.
- 1.167. It is possible that the hydrocarbon contamination identified on site may be emanating from an off-site source, such as the adjacent fire station to the northern boundary. In this regard, it is recommended that monitoring for fire fighting chemicals should also be performed in any future groundwater analysis to include PFAS substances. As the site investigation data set is considered insufficient for the characterisation of contamination risks across the whole site. It is therefore considered necessary to undertake further site investigation in all areas of the site to also include those areas of the site that were inaccessible. This may be better achieved post site demolition. The submitted conceptual site model will then need to be updated, once the further investigation works is complete, to confirm contamination risks across the site and whether any remedial treatment works are required.
- 1.168. A further contamination risk assessment is therefore required by planning condition, which will need to be carried out, completed and submitted for approval prior to the commencement of development (excluding demolition) to manage any risk of contamination in accordance with Policy RE9 of the Oxford Local Plan.

## **Air Quality**

- 1.169. 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).
- 1.170. The baseline assessment shows that the application Site is located within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council (OCC) for exceedances of the annual mean NO<sub>2</sub> air quality objective (AQO).
- 1.171. The energy strategy for the proposed development will be all-electric and not rely on the use of combustion sources as a primary energy supply. High efficiency heat pumps and a significant photovoltaic array have been incorporated to provide an all-electric, fossil free heated and cooled building. As no combustion sources are proposed, no local air quality impacts are anticipated and hence a detailed assessment of the impacts of combustion emissions from an associated energy plant have been screened out.
- 1.172. Except for the two disabled parking spaces, the development will be car free. A total of 64 car parking spaces will be removed from the basement and existing yard, which means there will be an overall reduction in parking provision on-site. This will result in a net reduction of 150 trips in the AM peak hour and 159 trips in

the PM peak hour, with compensating increases in trips undertaken by public transport, walking and cycling.

- 1.173. The impacts of demolition and construction work on dust soiling and ambient fine particulate matter concentrations have been assessed on the AQ Assessment, which identified that there is a medium risk of dust soiling impacts due to the proximity of existing receptors to the proposed development. The sensitivity of the area for human health was classified as “low risk”. The risk of dust causing a loss of local amenity and increased exposure to PM10 concentrations has been used to identify appropriate dust mitigation measures. Provided these measures are implemented and included within a dust management plan, the residual impacts are considered to be not significant. It is proposed that a dust management plan would be secured by planning condition.
- 1.174. An accompanying Travel Plan has been prepared to support the planning application to encourage sustainable transport choices by employees and visitors and to reduce single occupancy vehicle trips. The success of the Travel Plan will be monitored against clearly defined targets related to travel. It will be monitored for a period of 5 years post full occupation. If the Travel Plan is not meeting its targets at the end of the initial period of monitoring, the Travel Plan will be reviewed and remedial measures will be implemented, to be agreed with the Oxford City Council and Oxfordshire County Council.
- 1.175. Based on the information above, it is considered that air quality should not be viewed as a constraint to planning, and the Proposed Development conforms to the air quality principles of National Planning Policy Framework and Policy RE6 of the Oxford Local Plan.

## **Utilities**

- 1.176. Local Plan Policy V8 requires developers to explore existing capacity (and opportunities for extending it) with the appropriate utilities providers.
- 1.177. A Utilities Report has been submitted in support of the application which demonstrates that discussions have been commenced with SSEN regarding the relocation of an existing substation within the basement of the existing building.
- 1.178. Thames Water have been consulted as part of this application and have suggested conditions.
- 1.179. There is no requirement for a gas supply to the proposed development.
- 1.180. The existing water, electricity and telecommunications arrangements would be retained in relation to no. 42A Hythe Bridge Street.
- 1.181. In light of the above, it is considered that the proposed development would comply with Policy V8 of the Local Plan.

## **CONCLUSION**

- 1.182. 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.

- 1.183. 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.
- 1.184. 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.
- 1.185. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the NPPF, and relevant policies of the Oxford Local Plan 2016- 2036, when considered as a whole.
- 1.186. The proposals would be acceptable in principle and would make a strong contribution towards the city's knowledge economy, whilst also contributing to the wider regeneration of the West End, which is a fundamental purpose of Policy AOC1. The development would provide a new community use and has the potential to provide 810 jobs within its operational phase, a net increase of 190 jobs compared with the employment generating potential associated with the existing space on the site.
- 1.187. Whilst the loss of a retail unit in the form of the Chinese Supermarket would technically be contrary to Policy V2, there are considered to be material circumstances that justify departure from the policy. Policy V2 cannot be applied in practice given the introduction of Class E permitted development right and this must be afforded significant weight. The proposed office and café uses would be classed as main town centre uses, whilst laboratory space also falls within Class E. The proposed life science use is also consistent with the Council's vision for redevelopment and regeneration within the West End area of the city as outlined under Policy AOC1 of the Local Plan. The proposals provide active frontages at ground floor level along the Hythe Bridge Street frontage consistent with Policy C1 of the Emerging Local Plan, whilst providing notable improvements to the public realm. Therefore the significant regeneration benefits associated with the development and enhancements to the public realm, along with the provision of an alternative employment generating use, whilst considered in relation to the lack of weight that can be applied to Policy V2 of the Oxford Local Plan provides significant grounds to justify departure from Policy V2 of the Oxford Local Plan.
- 1.188. The proposals would cumulatively equate to a medium level of less than substantial harm to the significance of heritage assets but would deliver significant

economic benefits; significant regeneration benefits; provision of dedicated space for community use at 42A Hythe Bridge Street and; biodiversity net gain which would significant exceed the 10% statutory requirement. As such, the public benefits of the development are considered to be substantial and where assessed in the context of Paragraph 208 of the NPPF it is considered that the benefits would outweigh the medium level of less than substantial harm to heritage assets. The development is therefore considered acceptable where assessed in relation to Policies DH2, DH3 and DH5 of the Oxford Local Plan.

- 1.189. The proposal would not comply with Policy RE1 however, this is predominantly due to site specific constraints which have impacted on the overall building design. Officers are satisfied that the proposals maximise the opportunity for energy efficiency and carbon reduction, as much as can be achieved considering the specific constraints of the site, as well as delivering a range of other significant regeneration benefits as highlighted within this report. Therefore, it is considered that, in this instance, there are significant grounds to justify departure from Policy RE1 of the Oxford Local Plan.
- 1.190. The proposals would be car-free and would result in a significant reduction in car parking provision when compared to the existing. Cycle parking would be provided in accordance with the Local Plan standards.
- 1.191. Subject to conditions, there would be no adverse land contamination, impact on trees, noise pollution, air quality, flood risk or drainage impacts as a result of the proposal.
- 1.192. 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 Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

## **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.

A follow-up site investigation scheme shall be completed, based on the current Phase 1 and Phase 2 report to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site. This shall include the recommendations supplied in the Phase 1 and Phase 2 Report provided by RSK (March 2024) with an expanded groundwater monitoring scheme.

An options appraisal and remediation strategy, which has been informed by the results of the site investigation and the detailed risk assessment referred to above, shall be submitted giving full details of the remediation measures required and how they are to be undertaken.

Phase 3 requires that a remediation strategy, validation plan, monitoring plan and a verification plan be submitted to and approved in writing by the Local Planning Authority to ensure the site will be suitable for its proposed use. The details shall include the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identify any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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 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 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 – Monitoring and Maintenance Plan

6. The development hereby permitted shall not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.

Reason: This condition seeks to ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 180 of the National Planning Policy Framework.

#### Contamination – Watching Brief

7. 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

8. No development shall take place until the complete list of site-specific dust mitigation measures and recommendations that are identified on Page 8 (paragraph 5.1.16) of the Air Quality Assessment that was submitted with this application, are included in the site's Construction Environmental Management Plan (CEMP). The CEMP will need to be submitted to and approved in writing by the Local Planning Authority. Reason – to ensure that the overall dust impacts during the construction phase of the proposed development will remain as “not significant”, in accordance with the results of the dust assessment, and with Core Policy RE6 of the new Oxford Local Plan 2016-2036.

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.

## Visibility Splays – Access

9. No development shall commence unless and until full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed in strict accordance with the approved details and shall be retained and maintained as such thereafter. Agreed vision splays shall be kept clear of obstructions higher than 0.6m at all times.

Reason: To ensure a safe and adequate access.

## 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 of the Oxford Local Plan 2036.

## Delivery and Servicing Plan

11. The development shall not be occupied until a delivery and servicing management plan has been submitted to and approved in writing by the Local Planning Authority. The delivery and servicing management plan will include details of delivery times which must be outside network peak hours. The

development shall thereafter be carried out strictly in accordance with the approved delivery and servicing management plan.

Reason - In the interests of highway safety and to comply with Government guidance within the National Planning Policy Framework.

## Construction Traffic Management Plan

12. A Construction Traffic Management Plan (CTMP) shall be submitted to the Local Planning Authority and agreed 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 hours.

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.

#### Travel Plan

13. Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework.

#### Piling Method Statement

14. 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 in accordance with Policies RE3 and V8 of the Oxford Local Plan.

#### Water Network Upgrades

15. 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 in accordance with Policies RE3 and V8 of the Oxford Local Plan.

## Sewage Network Upgrades

16. No development shall be occupied until confirmation has been provided that either:- all sewage works upgrades required to accommodate the additional flows from the development have been completed; or - a development and infrastructure phasing plan has been agreed with the Local Authority in consultation 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: Sewage Treatment Upgrades are likely to be required to accommodate the proposed development. Any upgrade works identified will be necessary to avoid sewage flooding and/or potential pollution incidents in accordance with Policies RE3 and V8 of the Oxford Local Plan.

## Demolition

17. No demolition shall take place until the applicant, or their agents or successors in title, has submitted a demolition statement that details how demolition will be undertaken in such a manner as to facilitate post demolition archaeological trial trenching and mitigation. 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 medieval and postmedieval remains in accordance with Policy DH4 of the Oxford Local Plan.

## Archaeology

18. No development shall take place until written schemes of investigation (WSI) have been submitted to and approved by the local planning authority in writing for Stage 1) post demolition trial trenching and Stage 2) further mitigation. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSIs, which shall include the statement of significance and research objectives, and

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

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 Late Saxon, medieval and post-medieval remains in (Policy DH4 of the Oxford Local Plan).



## Historic Building Recording

19. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic building recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the 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 early modern structures (Local Plan Policy HE2, Local Plan Submission Draft Policies DH4).

## Noise Limits – Plant

20. The noise emitted from the proposed installations 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,” with all machinery operating together at maximum capacity.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise from plant/mechanical installations/equipment in accordance with Policy RE8 of the Oxford Local Plan.

## Anti-Vibration – Plant Equipment

21. Prior to use, machinery, plant or equipment 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 ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with Policy RE8 of the Oxford Local Plan.

## Noise – Emergency Plant

22. Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10 dB one metre outside any premises.

The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency loss of power. Testing of emergency plant and generators hereby permitted shall be carried

out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise from plant/mechanical installations/equipment in accordance with Policy RE8 of the Oxford Local Plan.

## Surface Water Drainage Strategy

23. Not to commence Development until a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall be provided in full in accordance with the approved details before the development is first occupied and shall include:

- A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;
- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Comprehensive infiltration testing across the site to BRE DG 365 (if applicable)
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details.
- Consent for any connections into third party drainage systems.

Reason: To ensure development does not increase the risk of flooding elsewhere; in accordance with Policies RE3 and RE4 of the Oxford Local Plan.

## Infiltration

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

Reason: This condition seeks to ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 180 of the National Planning Policy Framework.

## Record of Completed 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.

## Dewatering

26. The development hereby permitted may not commence until such time as a scheme to:

- specify the type of groundwater management.
- secure de-watering of the site • specify the manner of groundwater remediation methods.
- Identify method of disposal of any contaminated groundwater abstracted and measures to prevent dewatering causing further migration of contamination.
- secure the protection of the nearby watercourse Castle Mill Stream (WFD designation GB106039030334).

has been submitted to, and approved in writing by, the Local Planning Authority.

Any such scheme should include a maintenance program of the facilities to be provided. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: This condition seeks to ensure that the proposed dewatering does not harm the water environment in line with paragraph 180 of the National Planning Policy Framework.

## Underground Tanks

27. The development hereby permitted may not commence until such time as a scheme to install any underground tanks has been submitted to, and approved in writing by, the Local Planning Authority.

The scheme shall include the full structural details of the installation, including details of: excavation, the tanks, tank surround, associated pipework and monitoring system. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes subsequently agreed, in writing, by the local planning authority.

Reason: To ensure that the underground storage tanks do not harm the water environment in line with paragraph 180 of the National Planning Policy Framework and Position Statement D2 and D3 of the 'The Environment Agency's approach to groundwater protection'.

#### Storage of Oils, Fuels or Chemicals

28. Details of any facilities for the storage of oils, fuels or chemicals associated with this development shall be submitted to and approved by the Local Planning Authority. The details shall include:
- secondary containment that is impermeable to both the oil, fuel, chemical and water, with no opening used to drain the system.
  - a minimum volume of secondary containment at least equivalent to the capacity of the tank plus 10% or, if there is more than one tank in the secondary containment, at least equivalent to the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest.
  - all fill points, vents, gauges and sight gauge located within the secondary containment.
  - associated above ground pipework protected from accidental damage.
    - below ground pipework having no mechanical joints, except at inspection hatches and have either leak detection equipment installed or regular leak checks.
    - all fill points and tank vent pipe outlets designed to discharge downwards into the bund. The scheme shall be implemented as approved prior to any storage of oils, fuels or chemicals.

Reason: To ensure that the proposed , does not harm groundwater resources in line with paragraph 180 of the National Planning Policy Framework and position statement D1 of 'The Environment Agency's approach to groundwater protection'.

#### Boreholes

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

Reason: This condition seeks to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 180 of the National Planning Policy Framework and

Position Statement A8 of 'The Environment Agency's approach to groundwater protection'.

#### Hours of Use – External Garden

30. The outdoor garden area located to the rear of 42A Hythe Bridge Street shall only be used during the following times: Monday to Sunday - 10:00 - 23:00.

Reason: To protect the amenity of surrounding residential occupiers in accordance with Policies RE7 and RE8 of the Oxford Local Plan.

#### Privacy Screening - Terrace

31. A design and specification of privacy screening to be installed adjoining the upper floor terraces located along the east elevation of the proposed building shall be submitted to and be approved in writing by the Local Planning Authority before first occupation of the development. The approved screening shall be retained thereafter.

Reason: To limit overlooking to preserve the privacy and amenity of adjoining residential occupiers in accordance with Policies H14 and RE7 of the Oxford Local Plan 2036.

#### Boundary Treatments

32. Prior to commencement of above ground works, details of the proposed boundary treatments shall be submitted to, and approved by, the Local Planning Authority. Details shall include, as a minimum:

- A plan to show the location and extent of the proposed boundary treatments;
- Plans to show the proposed height and dimensions;
- Samples of the proposed materials.

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

Reason: In the interests of the visual appearance of the area, safety, and to preserve residential amenity in accordance with Policies DH1, DH5 and H14 of the Oxford Local Plan.

#### Obscured Glazing

33. Prior to the first occupation of the development, all windows located along the east elevation of the new building at first and second floor level shall be fitted with obscure glazing which shall be retained thereafter.

Reason: To limit overlooking to preserve the privacy and amenity of adjoining residential occupiers in accordance with Policies H14 and RE7 of the Oxford Local Plan 2036.

## Landscape and Ecological Management Plan (LEMP)

34. No development shall take place until an updated landscape and ecological management plan (LEMP) that outlines the delivery mechanism and long term (minimum of 30 years) maintenance plans for the enhancement measures listed in the "10370\_Beaver House, Oxford\_Biodiversity Gain Plan\_v3.0.pdf" has been submitted to, and approved in writing by, the Local Planning Authority. The LEMP shall be carried out as approved and any subsequent variations shall be first agreed in writing by the Local Planning Authority.

The LEMP shall include the following elements:

- Details of the new and enhanced habitats to be created on site to achieve 20.80% uplift in watercourse units (i.e., shrub planting and introduction of gravels). This should list the species to be planted on site (species should only be UK natives, ideally of local provenance).
- Indicative diagrams (including cross sections) of the proposed measures (i.e., showing extent of the enhanced area).
- Details of long term maintenance regimes (i.e., ongoing removal of large debris and litter).
- Details of named body responsible for and adequate financial provision for the delivery of all the measures proposed to achieve the 20.80% uplift in watercourse units and comply with the proposed BNG scheme.
- Details of named body responsible for and adequate financial provision for maintenance of all the measures proposed to achieve the 20.80% uplift in watercourse units and comply with the proposed BNG scheme.
- Details of the timeline and schedule for the enhancement works. Paragraph 3.13 of the "10370\_Beaver House, Oxford\_Biodiversity Gain Plan\_v3.0.pdf" document, states there will be a 2 year delay before the implementation of the habitat enhancement and creation work. The LEMP should confirm both whether this is from the start of construction and, the duration of time scheduled to implement the proposed measures.
- Monitoring protocols to assess the effectiveness of the enhancement measures and of the management strategies themselves. This should allow for necessary adjustments to achieve set targets through review and adaptive management.

Reason: In accordance with paragraphs 180 and 186 of the NPPF and Policy G2 of the Oxford Local Plan 2036.

## Landscape Scheme

35. Notwithstanding the approved plans, prior to the occupation of the development a comprehensive Landscape Scheme shall be submitted to and be approved in writing by the Local Planning Authority.

The Landscape Scheme shall include plans to show:

- details of the external hard landscaping and surface treatments including street furniture, bollards and benches,

- details of soft landscaping including areas to be grassed or finished in a similar manner,
- proposed new tree, shrub and hedge planting.

The scheme shall show details of all planting areas, tree and plant species, numbers and planting sizes. The entire approved Landscaping Scheme shall be completed by the end of the planting season immediately following the completion of each phase or sub-phase or the site being brought into use, whichever is the sooner.

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

#### Landscape Proposals: Reinstatement

36. 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 2016-2036.

#### Construction Environmental Management Plan (CEMP)

37. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This shall deal with the treatment of any environmentally sensitive areas. It will detail the works to be carried out showing how the environment will be protected during construction works.

The CEMP shall include details of the following:

- The timing of the works.
- The measures to be used during construction to minimise any environmental impacts of the works, including potential disturbance. This should include:
  - o The measures to physically protect the buffer zone during mineral extraction (i.e., protective fencing).
  - o Any necessary pollution protection methods, particularly for dust, silt/sediment, and other harmful substances such as oil that could otherwise pollute the watercourse.
  - o Responsible management bodies of buffer zone's protection
- A map or plan showing habitat areas to be specifically protected during the works.
- Any necessary mitigation for protected species (i.e., fish).
- Construction methods and schedule.

- Named body/bodies responsible for particular activities associated with the CEMP (i.e., an Ecological Clerk of Works).

The works shall be carried out in accordance with the approved method statement.

Reason: In accordance with paragraphs 180 and 186 of the NPPF and Policy G2 of the Oxford Local Plan 2036.

#### Flood Risk Assessment (FRA)

38. The development shall be carried out in accordance with the submitted flood risk assessment (ref 3142, rev 02, dated February 2024) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 57.55 metres above Ordnance Datum (AOD), in accordance with section 4.1.4 of the FRA.
- There shall be no increase in built footprint within the 1% AEP plus 30% climate change flood extent, in accordance with 4.1.3 of the FRA.

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

Reason: In accordance with paragraph 172 of the NPPF and Policy RE3 of the Oxford Local Plan 2036.

#### Copenhagen Style Crossing

39. The development shall not be commenced until details of a Copenhagen style raised crossing, located as indicated on drawing no. 22-190-T-011 (Pedestrian and Access Visibility Splay), have been 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: In the interest of highway safety.

#### **APPENDICES**

- **Appendix 1** – Site location plan

#### **HUMAN RIGHTS ACT 1998**

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.



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

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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