

OXFORD CITY PLANNING COMMITTEE

15th October 2024

Application number:	24/01481/FUL		
Decision due by	20th September 2024		
Extension of time	31 st October 2024		
Proposal	Demolition of the existing cinema (use class sui generis) and erection of an aparthotel (use class C1) to include ground floor community use (use class F2). Provision of external landscaping, cycle parking and refuse storage.		
Site address	Cinema , George Street, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Carfax And Jericho Ward		
Case officer	Jennifer Coppock		
Agent:	Bidwells LLP	Applicant:	Marick Real Estate Limited
Reason at Committee	Major development		

1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

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

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

1.1.2. **agree to delegate authority** to the Head of Planning and Regulatory Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning and Regulatory Services considers reasonably necessary; and
- finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be

attached to the planning permission) as the Head of Planning and Regulatory Services considers reasonably necessary; and

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

2. EXECUTIVE SUMMARY

2.1. This report considers development at the existing Odeon site, George Street. The application seeks full planning permission for the demolition of the existing 17m high cinema and erection of a six storey aparthotel with community space at ground floor level at a maximum height of 21m. Enhanced public realm would be provided along the northern and eastern elevations.

2.2. There would be no harm to any identified protected species and the proposal would achieve a Biodiversity Net Gain of 59.5% on site. The development would be of a sustainable design and construction, achieving a 40.6% reduction in carbon emissions when set against the 2021 Part L Building Regulations. The scheme would be car free, as existing, with adequate cycle parking provided for hotel staff, community space staff and visitors as well as public cycle parking within Gloucester Green, exceeding Local Plan requirements. There would be no adverse land contamination, noise pollution, air quality or flood risk and drainage impact as a result of the proposal.

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

3. LEGAL AGREEMENT

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

- Agreement to enter into Construction and End User Community Employment and Procurement Plans.
- Agreement to allow public access to the ground floor community space.
- Agreement to enter into a S278 Agreement with Oxfordshire County Council
- Travel Plan monitoring fee of £3,110.00
- To promote, consult on, and if approved, amend the Traffic Regulation order for St George's Street / Gloucester Green at a cost of £3,652.00

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for CIL totalling £113,703.80.

5. SITE AND SURROUNDINGS

5.1. The application site is located on the north side of George Street and is occupied almost in its entirety by a purpose-built 1930s cinema currently operated by Odeon. It is bounded to the east by St George's Place, and to the north by Gloucester Green – an important public square which is home to a number of markets throughout the week. To the west the site adjoins the Old Fire Station.

- 5.2. The cinema building is built of red brick on a stone plinth and is approximately 15m high to the parapet of its flat roof. The entrance of the building faces onto St George's Place, which was created as a connection between George Street and Gloucester Green at the time the cinema was constructed and features a large central window with a stone surround surmounted by a carved figure in bas-relief by the designer Newbury Trent. The building's northeast and southeast corners are chamfered and both its north and south elevations are largely blank, pierced by only a small number of Crittall windows, but the George Street elevation is enlivened by horizontal stone banding and a change in brick colour between the lower and upper levels.
- 5.3. Internally, the building originally contained a single auditorium, with seating provided for 1,654 in stalls and a circle with rich decoration, but this original interior was badly damaged by a fire in 1963, and when reopened it had much plainer decoration on the walls. The single auditorium was later carved up into multiple smaller screens, with the current layout totalling six screens.
- 5.4. Whilst much of the building's interiors were destroyed in a fire in 1963 and, as is typical of surviving cinemas from this period, the original auditorium was subsequently subdivided, the original internal layout remains partly discernible, and the exterior of the building remains largely unchanged.
- 5.5. The site forms part of a secondary shopping frontage within the City's primary shopping area. The site also sits within the West End and Osney Mead Area of Change. These designations are set out in more detail below.
- 5.6. The application site is situated within the Oxford Central (City & University) Conservation Area, within the Medieval and Commercial Core character zone. The application site does not contain any listed buildings, but the Grade II listed Faculty of History building and separately listed Grade II listed Screen and Gates face the application site on the south side of George Street. The existing cinema building is considered a non-designated heritage asset for the reasons set out in detail below.
- 5.7. Surrounding use classes include retail, restaurants and cafés at ground floor level with residential and offices within three and four storey buildings. The Gloucester Green bus station lies to the northwest of the application site.
- 5.8. See site location plan below:

7.2. Pre-application engagement took place between December and June 2024 and included one ODRP workshop (please refer to the panel’s report at appendix 2). A summary of key amendments made to the proposal during this time is listed below:

- Reduction in height of approximately 2m.
- Introduction of gables to all elevations.
- Insertion of secondary Makespace entrance at the Gloucester Green elevation.
- Increase in footprint of public realm enhancements.
- Removal of internal cycle storage to enhance the community space.
- Insertion of an openable window to George Street elevation.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	NPPF	Local Plan	Other planning documents
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	
Housing	60-84	H14 - Privacy, daylight and sunlight	
Commercial	85-89	V1 -Ensuring the vitality of centres V5 - Sustainable tourism	
Natural environment	180-194	G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	
Social and community	118-122	RE5 - Health, wellbeing, and Health Impact Assessment V7 - Infrastructure, cultural and community	
Transport	108-117	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development M5 - Bicycle Parking	Parking Standards SPD

Environmental	157-179	RE4 - Sustainable and foul drainage, surface RE6 - Air Quality RE7 - Managing the impact of development RE8 - Noise and vibration RE9 - Land Quality	Energy Statement TAN
Miscellaneous	7-14	S1 - Sustainable development RE1 - Sustainable design and construction RE2 - Efficient use of Land V8 - Utilities V9 - Digital Infrastructure	West End and Osney Mead SPD

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 1st July 2024 and an advertisement was published in The Oxford Times newspaper on 4th July 2024.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. No objection subject to conditions and S106 obligations.

Oxfordshire County Council (Lead Local Flood Authority)

9.3. No objection subject to conditions.

Thames Water Utilities Limited

9.4. No objection subject to conditions.

Active Travel England

9.5. No comment.

Natural England

9.6. No objection.

Historic England

9.7. No objection but suggestions were made to alter the building design.

9.8. **Officer response:** Officers explored the suggestions made by Historic England with the applicant team during the pre-application process i.e. the addition of a corona type detail to the corner turret, adding brick and/ or stone banding to the upper portions of the building. However, the multiple options assessed were not successful in street and higher-level views and resulted in an overly complex and disjointed appearance. Historic England also suggested windows are added to the

western return flank (adjacent to the Fire Station). Whilst acknowledging Historic England's comments, it is important to note that this elevation forms a party wall and that the Old Fire Station raised concerns at pre-application stage regarding potential overlooking from hotel rooms. To soften this potentially blank façade, recessed brickwork, a lightwell and gable dormers have been introduced to add interest which is considered appropriate in this instance.

Thames Valley Police

- 9.9. No objection, subject to conditions. Within the original consultee response, further information in relation to reception security and lighting was requested prior to determination. One of the recommended conditions required Secured by Design accreditation.
- 9.10. **Officer response:** The applicant shared specifications with Thames Valley Police but this information cannot be published online as it may compromise the scheme's security. Following this exchange, Thames Valley Police were content with the reception and lighting layout, subject to a condition requiring details of a full lighting strategy. Further, following a review of security specifications, the Secured by Design condition has been removed – as agreed by Thames Valley Police – to avoid conflict with brand standards.

St John's Street Area Residents' Association

- 9.11. Concerns raised regarding the lack of public consultation from the applicant. Objection to the excessive bulk, impact on the Old Fire Station, the Faculty of History building, lack of information regarding the room layouts, congestion in Gloucester Green when deliveries are made, minimal landscaping, impact on public amenity due to increased noise pollution. The Association considers there is a lack of justification for community space in this location and that this use would lead to noise and anti-social behaviour and would conflict with the Old Fire Station.
- 9.12. **Officer response:** It is understood that the applicant and Makespace undertook a series of consultation events during the course of the pre-application process, prior to finalising the design. The design and heritage impact of the proposal is set out below in detail and therefore not repeated here. The Highways Authority raise no objection in highway safety terms to the proposal which includes the management of deliveries within Gloucester Green, as set out below in more detail. The location of the site is considered appropriate for a new community space, in lieu of the cinema which is a community facility in itself – again, this is addressed in more detail below. In terms of anti-social behaviour, Staycity and Makespace would be tasked with managing anti-social behaviour within the associated public realm and security measures e.g. CCTV would be put in place to provide necessary surveillance. The applicant has liaised continuously with the Old Fire Station throughout the planning process and it is understood that the proposed community space uses e.g. cinema evenings and later night bar would complement the Old Fire Station and potentially create more of a destination for these uses and boost the night time economy.

Oxford Preservation Trust

- 9.13. Objects to the proposal as it fails to respond appropriately to its surroundings, is excessive in height and mass, would impact on the City's skyline and heritage assets and would result in poor quality public realm. The justification for demolition has been questioned. OPT supports the ground floor community space and activation along George Street.
- 9.14. **Officer response:** The design and impact on heritage assets will be set out in detail below. It has been demonstrated by the applicant, as expanded on below, that the layout and structural integrity of the existing building would not allow conversion to the proposed use. Demolition is always regrettable but justified in this instance.

Oxford Civic Society

- 9.15. Objection to the design of the building and layout of the ground floor uses and the area of public realm.

The Twentieth Century Society, the Cinema Theatre Association and the Ashmolean Museum

- 9.16. All three groups object to the loss of the Newbury Abbot Trent relief and glazing on the eastern facade.
- 9.17. **Officer response:** The bas relief is now to be retained internally within the community space. A public art strategy would be secured by condition that would require a method statement, setting out the safe removal, storage during the construction period, reuse and maintenance of the bas relief within the community space to be submitted and approved prior to the commencement of development. Condition wording is set out at section 13 below. The retention and re-use of the glazing and decorative metalwork within the proposed scheme was considered during the pre-application process but a suitable arrangement was not found. It is considered by Officers that the bas relief is of more importance and ensured that this was retained and reused.

Public representations

- 9.18. 94 local people (this includes one comment from Peerless Properties that represents 87 leaseholders) commented on this application from addresses in:
- The Chilterns
 - The Heyes
 - Beaumont Buildings
 - Oxford Road
 - Montagu Road
 - St John Street
- 9.19. In summary, the main points of objection (97 residents) were:
- Noise, anti-social behaviour and traffic congestion during construction and

operation.

- Size of development.
- Concerns regarding rubbish disposal and pests.
- Design quality.
- Relationship with the Old Fire Station and Faculty of History.
- Use of the building being non-residential.
- Impact on daylight and sunlight into Gloucester Green.
- Lack of entrance on Gloucester Green.
- Wrong location for a community space that would also compete with the Old Fire Station.
- Lack of information relating to the interior of the building.

Officer response

- 9.20. In order to protect the amenity of neighbours during the construction process, conditions would be imposed requiring the submission of a Demolition Method Statement, and a Construction Management Plan prior to the commencement of development. The Plans would identify the steps and procedures that would be implemented to minimise the creation and impact of noise, air quality, vibration, dust and waste disposal resulting from the site preparation, groundwork and construction phases of the development. A Construction Traffic Management Plan has also been approved to manage vehicular and pedestrian movements during the construction period. With regards to congestion during the operational phase, the Highways Authority has approved a Travel Plan which encourages sustainable travel to the site and employs measures to prevent disruption to the operation of George Street and Gloucester Green.
- 9.21. In terms of anti-social behaviour, the aparthotel would operate 24/7 with natural and mechanical surveillance in operation at all times to prevent crime and anti-social behaviour.
- 9.22. Refuse and delivery vehicle tracking has been undertaken, demonstrating that these vehicles are capable of driving along St George's Place and Gloucester Green to access the refuse store and then exit onto George Street, without impacting on the fixed bollards. A Delivery and Services Management Plan would be conditioned to ensure there is no conflict with vehicular and pedestrian traffic.
- 9.23. The risk of pests is automatically reduced through the activation of the Gloucester Green façade and the use of the space – whether this is the new public realm associated with Makespace, the general activity associated with Staycity's operation (including rooms on this frontage) or the more regular use of the bin, bike stores etc. The hotel bin store would be securely located internally and a secure small bin store would be located externally for Makespace, thereby reducing the risk of pests.
- 9.24. Objections raised in relation to the design of the building and its relationship with surrounding buildings as well as the building's impact on daylight/ sunlight within Gloucester Green are addressed in detail in the relevant sections below and will not be repeated here.

- 9.25. The uses of the building (aparthotel and community space) are considered to comply with the Oxford Local Plan 2036 and, again, is set out in more detail in the 'principle of development' section below.
- 9.26. The application submission provides sufficient information on the interior of the building for the purposes of the planning process. It is important to note that aparthotels (use class C1) do not need to adhere to the same standards as residential uses (use class C3) when it comes to space requirements and levels of daylight/ sunlight.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

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

a. Principle of development

Community space and hotel within a secondary shopping frontage

- 10.2. The site sits within a secondary shopping frontage within the City centre. Policy V2, which pre-dates the latest Use Classes Order September 2020, restricts ground floor uses along secondary shopping frontages to A1-A5 (now all subsumed within use class E (commercial, business and service)), dependent on the proportion of A1 (now E) uses remaining at ground floor. Other town centre uses (including C1 (hotels) and F2 (local community uses)) would be permitted at ground floor level, providing that the total number of units within Class A (now E) along a secondary shopping frontage would not fall below 85%.
- 10.3. The latest Council survey indicates that 88% of ground floor uses are currently within use class E and therefore, the hotel and community space would be permitted in accordance with policy V2. Further, the cinema use is sui generis,

meaning that the proposal would not result in a loss of use class E frontage in any event.

Loss of the cinema

- 10.4. Policy V7 of the Oxford Local Plan 2036 states that *planning permission will not be granted for development that results in the loss of [community] facilities unless new or improved facilities can be provided at a location equally or more accessible by walking, cycling and public transport.*
- 10.5. As set out in the submitted Market Overview Report, the availability of streaming films at home and subscriptions to on-demand services (e.g. Netflix, Amazon Prime, Disney+ etc.) has significantly reduced demand for cinemas. Further, covid-19 accelerated this trend for at home watching. The report continues that, in order for cinemas to succeed, the experience must be compelling to compete with at-home options and offer the following:
- Good food and beverage offering for before, during and after watching the film;
 - Modern seating (larger and reclining chairs);
 - Modern sound;
 - Range of films offered; and
 - Interactivity, such as 3D and 4D cinemas.
- 10.6. As widely publicised, Odeon's lease expired in September 2024 with no intention to renew. The applicant considers that this is likely due to the inflexibility of the building layout and need for significant upgrades, a limited food and beverage offering, lack of easily accessible car parking and local competition from Curzon, Westgate. It is important to note that Odeon had an opportunity to engage in the redevelopment of the site at the earliest stages of procurement but declined to do so.
- 10.7. When considering the loss of a cinema in this location, it is important to look at existing alternative offerings within the City. The following cinemas, with a total of 14 screens, would still be available in Oxford:
- Curzon, Westgate
 - Phoenix Picturehouse, Walton Street
 - Ultimate Picture Palace, Cowley Road
 - Vue, Ozone leisure park
- 10.8. The above provision is considered sufficient to ensure adequate cinema offerings in the City. In addition to this, it is understood that the proposed community space would also host cinema evenings, open to the public.
- 10.9. In light of the above, it is considered that – whilst regrettable – the loss of a cinema in this location is acceptable taking into account the existing alternative offering within the City and the inability for the existing building to provide the enhanced experience that customers require if choosing to watch films in a cinema, rather than at home.

Proposed community space

10.10. Policy V7 continues that *planning permission will be granted for new... community centres where the City Council is satisfied that the following criteria are met:*

- a) the location is easily accessible by walking, cycling and public transport; and*
- b) the proposal will meet an existing deficiency in provision or access, or the proposal will support regeneration or new development; and*
- c) the proposal will not result in an unacceptable environmental impact*

10.11. Taking each of the criteria in turn:

- a) The application site sits within the City centre and as such is highly accessible by sustainable transport modes.
- b) The Community space would be operated by Makespace, a local charitable organisation that has agreed a 40-year lease with Staycity. Makespace are committed to providing affordable and family friendly drop-in workspaces, family events, art workshops, cinema evenings and a café/ bar that – in consultation with the Old Fire Station – would open later than the Old Fire Station’s provision. To ensure that the space is suitable for a wide range of community activities, different interest groups and remains relevant, Makespace has already set up a Community Advisory Board to consult further on the design and use of the space.

For clarity, the permitted community uses set out within the legal agreement between Staycity (head lessee) and Makespace are as follows:

- Local education and innovation space i.e. sustainability, ecology, recycling and reuse of materials campaigns, Environmental Social Governance (ESG) initiatives, reducing carbon and climate action;
- Social Justice facility;
- Art exhibition venue or space for the production of art;
- Space for local historians and archaeology;
- Museum and archaeology exhibition venue;
- Community training /workshop facility;
- Community advisory centre;
- Community cultural facility; and/or
- Community activity centre;
- The following uses are also permitted provided that they do not use more than 30% of the net internal area of the Property and/or are not used for more than 30% of the monthly Operating Hours:
 - i. Flexible leisure space for hire for community events;
 - ii. Community café/ bar;
 - iii. Craft, artisan or art fair;
 - iv. Sale of ethical, cultural, environmental merchandise and items;
 - v. Space for demonstrating community science, space, technology and innovation projects; and
 - vi. For hire flexible community workspace or office space or yoga, health and fitness classes.

- c) As set out below in relevant sections, the development would not result in unacceptable environmental impacts.

10.12. In light of the above, it is considered that the proposed community space would be an acceptable replacement for the existing community facility in this location whilst not directly competing with existing neighbouring facilities. The proposal would therefore comply with the provisions of Local Plan policy V7.

Aparthotel use

10.13. Firstly, this application proposes an aparthotel in C1 use (Hotels, boarding and guest houses (where no significant element of care is provided)). Local Plan Policy V5 relates to holiday and other short stay accommodation, with short stay accommodation defined within the Local Plan glossary. The definition states that '*...Aparthotels or serviced apartments are treated as residential uses, for which affordable housing provision is sought, and are not considered as short stay accommodation for the purpose of the policy [V5]*'.

10.14. Local Plan policy H2 (affordable housing) expressly refers to use classes C2, C3 and student accommodation - there is no mention of use class C1, which the proposal would fall under and a glossary definition cannot change this fact. C1 use is differentiated from 'residential' by there being no relationship of landlord and tenant, no right to exclusive possession for the occupier and no "rent". Further, on average, Staycity's customers stay for a maximum period of two to three days/ nights and to ensure that the proposal does not form long-term living accommodation (use class C3), a condition would be imposed to restrict the cumulative length of stay over a twelve-month period to a maximum of 90 days. The proposed aparthotel shall keep records of the lengths of stay of all guests and shall retain them for 24 months. These records would be made available to the Local Planning Authority on request, within seven days. Therefore, it has been agreed that the Proposed C1 use is not liable to pay an affordable housing contribution.

10.15. Moving onto the acceptability of a hotel use on the application site, policy V5 permits short stay accommodation within the City centre, providing the following criteria is met:

- a) *it is acceptable in terms of access, parking, highway safety, traffic generation, pedestrian and cycle movements;*
- b) *there is no loss of residential dwelling; and*
- c) *it will not result in an unacceptable level of noise and disturbance to nearby residents.*

10.16. Taking each criterion in turn:

- a) The Highways Authority has assessed the proposal as acceptable in highway safety terms, traffic generation and with regards to pedestrian and cycle movements. The proposal would be car-free given its highly sustainable location.

- b) There would be no loss of residential use on site.
- c) The level of noise emitted by the proposal would be controlled by conditions relating to background noise and anti-vibration isolators. The on-site management and security would ensure that there would be no disturbance to neighbours from anti-social behaviour etc.

10.17. In light of the above, it is considered that the proposal would comply with the requirements of policy V5 of the Oxford Local Plan 2036.

b) Design, views and impact on heritage assets

10.18. The NPPF makes it clear that the purpose of planning is to help achieve sustainable development (Section 2), and that design (Section 12) and effects on the natural environment (Section 15) are important components of this.

10.19. Section 11 of the NPPF notes in paragraph 128 that in respect of development density the considerations should include whether a place is well designed and *“the desirability of maintaining an area’s prevailing character and setting...or of promoting regeneration and change”*.

10.20. Paragraph 135 of the NPPF states that decisions should ensure that developments will a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic in local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place to create attractive, welcoming and distinctive places and e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public open space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

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

10.22. As Planning Committee are aware, this is a particularly sensitive and prominent site forming part of the Central Conservation Area and a key route between the City centre and west end. The existing Odeon building on this site is problematic as it provides very little active frontage with its large and boxy form sitting uncomfortably within the site context and its blank façade fronting Gloucester Green. Therefore, Officers welcome the potential to improve upon the existing to provide a more positive response to the built context and public realm.

10.23. The proposed replacement building is substantial in scale, with a footprint comparable to the existing but with an increased height, from a maximum of 17m to 21m. Given the sensitive and prominent nature of this site, the proposal would have an impact on the character and appearance of the street scene, particularly when entering and exiting the historic core of Oxford from the west end. However,

it is considered that this is overcome by the benefits that would flow from the proposed development as set out below.

- 10.24. As above, the existing building lacks activation and does not respond appropriately to the site's location within one of the City centre's secondary shopping frontages. Whereas, the proposed ground floor would interact positively with the site's context, providing much improved activation and passive surveillance which would enhance the public realm. The proposed large, almost full height windows on George Street would animate the street and would be a significant improvement on the existing building. The entrance to the community space is appropriately located on the angled corner between George Street and St George's Place which would be highly visible from the public realm and would best accommodate the level changes across the site.
- 10.25. The coffee kiosk hatch onto St George's Place would mitigate losing the existing building entrance along the eastern elevation with the hatch having the potential to promote use of the improved public realm. The second entrance into the community space from Gloucester Green is lower than that on George Street due to the ground level changes and the need to keep the overall height of the building down, therefore the reduced entrance is justified in this regard. Notwithstanding the reduced entrance height, the location along Gloucester Green is very positive as it would further promote use of the space and enhance the public realm as this elevation is currently blank, presenting very much as a 'back of house'.



Figure 2: Gloucester Green proposed view with secondary entrance and enhanced activation

- 10.26. Turning to the elevational treatment above ground floor, visual bays have been used to break up the elevations which works effectively. At roof level, the bays add vertical expression through the use of gables on the south elevation and dormer windows do the same to the north.

10.27. The northern elevation responds positively to the Old Fire Station by bringing the mansard roof across rather than including a further gable at this bay, breaking up the proposed massing where it meets the significantly smaller adjacent Old Fire Station.

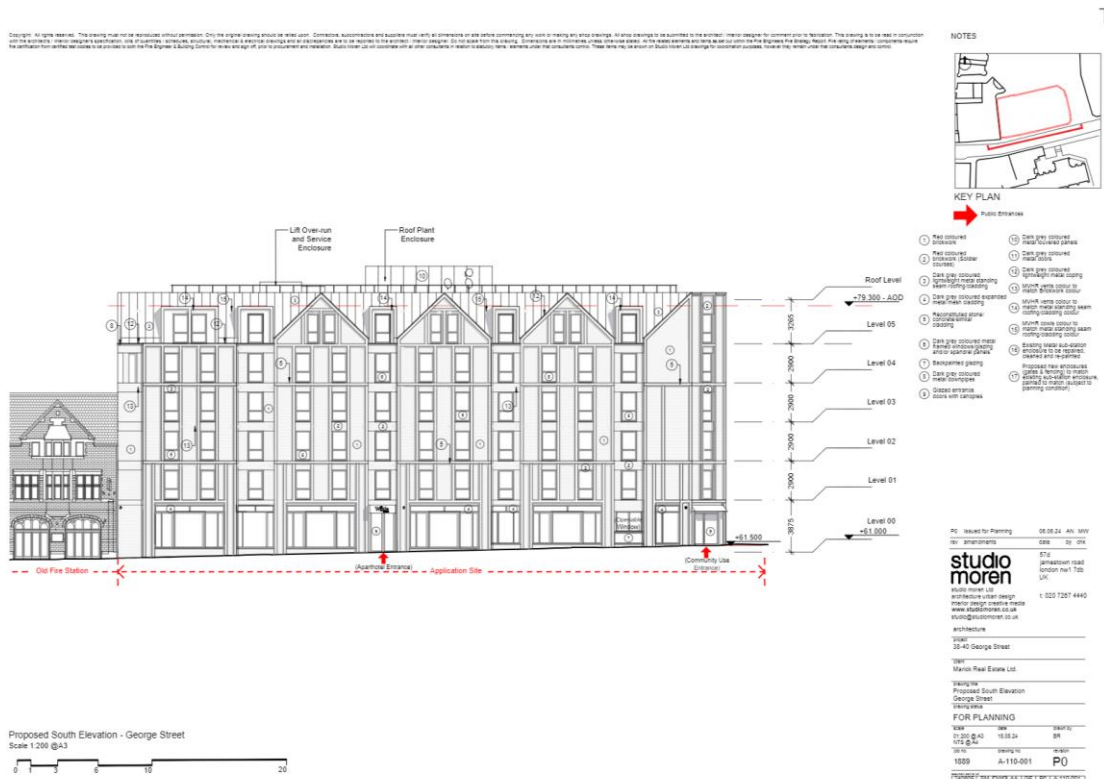


Figure 3: George Street elevation.

10.28. It is considered

building is also illustrative of the booming popularity of cinema in the Inter-War period, and of the emergence of large cinema chains, enhanced by the Cinematograph Act of 1927 and the introduction of talking pictures in 1928 (the building having been constructed for the Union Cinemas chain).

- 10.31. Having been in use for nine decades as a cinema, the building is also likely to possess a high level of communal value amongst the residents and visitors of Oxford. Given all of the above, the Odeon Cinema building is considered to have a high level of local historic and architectural interest that warrants its consideration as a non-designated heritage asset.
- 10.32. As above, the site lies within the Central Conservation Area, with George Street comprising a coherent area of 19th and early-20th century development dominated by leisure and shopping facilities and is unique in central Oxford for the extent of late Victorian to Inter-War period redevelopment. Its built character comprises mostly continuous frontages of three or four storey buildings fronting directly onto the pavement with red brick and stone detailing predominating. The existing building is very much in-keeping with this pattern of development and as such contributes positively the significance of the conservation area. However, and as mentioned above, its large and mostly blank north and south elevations mean that the building does not contribute well to the activity and vibrancy of George Street or Gloucester Green.
- 10.33. The proposed development would result in the total loss of significance of this non-designated heritage asset. As a way of partially mitigating the loss of the building, the bas-relief by Newbury Trent is to be retained and displayed within the community space with details secured by condition. Further, and in line with Local Plan policy DH5, Level III building recording is to be completed prior to demolition so as to advance understanding of this local asset.
- 10.34. The building's demolition would result in a degree of harm to the Conservation Area, however, the large and mostly blank north and south elevations of the existing building do not contribute well to the activity and vibrancy of George Street and Gloucester Green, and – as above - it is a welcome feature of the proposal that the new building would see greater activation at ground floor level on both George Street and Gloucester Green, particularly the latter which is a valuable public space within the Conservation Area. The choice of proposed material palette of red brick with stone detailing responds to the site's immediate context and the gabled design of the upper storeys goes some way to respond to Oxford's characteristic animated and articulated roofscape.
- 10.35. There are also a number of highly significant views towards the city centre from the surrounding hills – the Oxford View Cones – in which the exceptional historic and architectural interest of its historic skyline is appreciated.
- 10.36. The proposal would appear as a fairly substantial addition to the City's roofscape from Raleigh Park, with the bulk and height and flat roof form of the development being at odds with the prevailing fine-grained, 'spiky' character of the roofscape of the historic core of the city. The development would however sit amongst existing modern built form and would not obscure or directly compete with any of the significant towers and spires, nor obscure their landscape backdrop. Therefore,

the level of harm to the setting of this view cone would be a low level of less than substantial.

10.37. With regards to more local high-level views, the proposal is considered to have a minor adverse impact from St Michael at the North Gate. Whilst not obscuring any designated heritage assets in this view, the proposed plant enclosure would nibble away at the base of the western hills, eroding the Conservation Area's landscape setting.



Figure 4: View from St Michael of the North Gate

10.38. From St Mary's, the proposed top storey and rooftop plant would obscure a small part of the wooded foot of the western hills, again, eroding the Conservation Area's landscape setting.



Figure 4: View from St Mary's Tower

10.39. From Carfax, the height of the proposed building means its upper storey and rooftop plant are clearly visible in the middle ground of the view with the introduction of an atypical flat form that compromises the existing skyline articulation. Introducing a long, horizontal element directly adjacent to the tower and spire of the Grade II listed Wesley Memorial Church also results in visual competition with the spire, reducing its visual prominence. The proposal is therefore considered to have a low-moderate adverse impact on the character of this view.



Figure 5: View from Carfax

- 10.40. From the Castle Mound, the additional height proposed on the site compared to the existing building, combined with its bulky roof form, means that the proposed development appears as a very prominent and eye-catching feature of the view. The detailing of the George Street elevation is visible, but not entirely successful in breaking up the apparent massing of the building and, again, the proposed development introduces an atypical flat form that compromises the existing skyline articulation. In this view, the building would be highly prominent and cause visual distraction.
- 10.41. The proposed development obscures the Grade I listed Ashmolean Museum and part of the roof of the Grade II listed Randolph Hotel. The impact on the ability to appreciate the historic and architectural special interest of these buildings is minimal, as views from St Giles and Beaumont Street are far more important in this regard. However, featuring pitched slopes, chimneys and dormers, the roofs of these buildings - and the tree that sits between them - contribute positively to the fine-grained character and interest of the roofscape as visible from Castle Mound, and obscuring them is nonetheless to the detriment of the character of the view. In light of the above, the proposal is considered to have a moderate adverse impact on the character of this view.



Figure 6: View from Castle Mound

10.42. Taking all of the above into account, it is considered that the proposal would result in a high level of less than substantial harm to the Central Conservation Area.

10.43. Given the sites location within the heart of the Central Conservation Area, there are a number of individual listed buildings within close vicinity that would be impacted by the proposal and are set out below:

- Faculty of History (College for Further Education (Grade II)) the increased height of the proposal, together with the lack of any setbacks to the proposed George Street elevation means that the proposed development would dominate this section of George Street and would be overbearing to the listed building. The listed building does benefit from being set back from the road, nonetheless the proposed development would detract somewhat from the ability to appreciate its historic and architectural special interest in views along George Street. Considering the significance of the building as a whole, the impact would be a low level of less than substantial harm.
- The Old Fire Station and Corn Exchange, George Street (non-designated) the additional height the proposed development would introduce to the site, together with the sheer nature of the proposed building's west elevation results in it having an overbearing relationship to the Old Fire Station in views eastward along George Street. The proposed development would detract from the ability to appreciate the historic and architectural interest of the non-designated heritage asset, causing a low-moderate level of less than substantial harm.
- Wesley Memorial Methodist Church (Grade II) the proposed development would introduce visual competition with the listed building's tower and spire in the high-level panoramic view from Carfax (see figure 5 above). The church's tower and soaring spire was intended to serve as a landmark feature within the city's streetscape and skyline, and therefore reducing its prominence and eroding its landmark status in this high-level view is harmful to its architectural significance. The harm caused to the listed building would be a low level of less than substantial, accounting for the fact that much of its significance is embodied in the building's historic fabric, and that other views of the asset would be unaffected.

- 10.44. When determining an application affecting a Conservation Area, officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended and Chapter 16 of the NPPF which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area. Special regard has been given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses under Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. Paragraph 205 requires great weight to be given to conserving a designated heritage asset.
- 10.45. When considering the planning balance of public benefits against harm to designated heritage assets, NPPF paragraph 206 states that there should be a clear and convincing justification for the harm, whilst paragraph 208 weighs the harm against public benefits including the optimum viable use. Paragraph 209 requires that, in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 10.46. In terms of providing a clear and convincing justification for the heritage harm caused, it is understood, as set out within the Oxford Local Plan 2040 evidence base (Hotel & Short Stay Accommodation Study for Oxford, Bridget Baker Consulting Ltd), that there is a shortage of hotel provision in the city which can lead to pressure on the local housing market arising from unregulated accommodation e.g. Airbnb's. Additionally, this lack of supply can impact on the city's nighttime economy due to leisure visitors leaving the city in the evenings. As set out within the Local Plan research paper cited above, the majority of Oxford's visitor accommodation is within hotels with no aparthotel provision in the city. It is understood that the aparthotel offer, with self-contained kitchen areas and larger rooms with lounging and study areas, allow for longer dwell times in a city and appeal to corporate, leisure and tourism visitors. This evidenced demand for further tourist provision and the benefits that flow from an aparthotel offer, coupled with the benefits of an activated frontage along George Street, St George's Place and Gloucester Green and the proposed vibrant community facility, it is considered that the heritage harm identified above is justified.
- 10.47. With regards to public benefits, National Planning Practice Guidance states that public benefits that flow from a development could be anything that delivers economic, social, or environmental objectives. They need to flow from the development and should be of benefit to the public at large and not just a private benefit, although benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.
- 10.48. Officers consider the public benefits outlined below to be of most relevance.
- 10.49. Economic: During the two-year construction period, the proposal would provide 82 full time equivalent (FTE) temporary jobs per year with an additional £7.03 million of direct GVA per annum.

- 10.50. Once the scheme is fully operational, it is estimated that the proposal would provide 33 net additional FTE permanent jobs and contribute £1.9 million GVA per annum, over the lifetime of the development.
- 10.51. It is estimated that the development would result in an additional 107,000 visitor nights per year from guests staying in the aparthotel and generate £6.97 million in additional visitor spending per year. Staycity has estimated that an annual expenditure of £550,000 on goods and services would be purchased in the local economy to facilitate the operation of the aparthotel.
- 10.52. Social: the applicant has committed to entering into Construction and End User Community Employment and Procurement Plans (CEPP) which would ensure that local people are employed and local businesses are supported during the construction and operational phases of the development. This would be secured by legal agreement.
- 10.53. The proposed community space, enhanced public realm and street level activation would be available for the general public to enjoy.
- 10.54. The applicant has committed to joining the 'Safe places' scheme. Taken from the Safe Places website:
- 10.55. *Safe places is an accessible nationwide network, part of the Oxford Nightsafe network, where those feeling intimidated, scared or at risk can seek help and refuge from registered businesses in the city. From licensed venues to hotels, the Safe Places scheme enables businesses operating during the nighttime economy to collaborate and create a network of Safe Places across the city. Whether someone spots the Safe Places window sticker, see the business listed on the Nightsafe Oxford website or they use the website highlighting all of Oxford's Safe Places, women who feel unsafe can locate a Safe Place in their time of need. Staff will offer support by arranging a personal phone call, contact emergency services, call a cab and just generally offer a conversation and comfort to those in need.*
- 10.56. The applicant team has liaised with the relevant City Council officers on this and is committed to training staff accordingly. Confirmation of Staycity's membership would be secured by condition.
- 10.57. Environmental: The proposed development would deliver a 59.53% net gain in biodiversity, far in excess of the 10% requirement and a 40% reduction in carbon emissions in line with Local Plan policy RE1.
- 10.58. Six additional cycle parking spaces would be provided within the public realm for members of the general public to use.
- 10.59. Improvements to the public realm arising from the additional activation at street level and improved landscaping towards Gloucester Green plus seating areas in the public realm for general use.
- 10.60. Taking these benefits into account, and whilst giving great weight to the conservation of the setting of the Conservation Area, Raleigh Park view cone, listed buildings and non-designated assets, it is considered that the high level of less than substantial harm caused to the setting of the Central Conservation Area

and low level of less than substantial harm caused to the setting of the Raleigh Park view cone is outweighed by the public benefits that the proposal would bring with it.

10.61. In light of the above, it is considered that the proposal accords with policies DH1, DH2, DH3 and DH5 of the Oxford Local Plan 2036 and the NPPF.

c) Archaeology

10.62. Local Plan Policy DH4 states that where archaeological deposits and features are suspected to be present (including upstanding remains), applications should include sufficient information to define their character, significance and extent of such deposits so far as reasonably practical.

10.63. The application site is of archaeological interest due to the potential for late medieval and post-medieval activity in this location, just outside the walled town adjacent to the medieval town ditch. The site is located on the former open space known as Broken Hayes, on an extra mural road that runs parallel with the, now infilled, Late Saxon and medieval town ditch. Oxford expanded in the 12th and 13th centuries and then contracted in the 14th century and therefore there is some potential for earlier settlement or at least suburban activity in the vicinity of the application site.

10.64. In light of the above, and the heritage significance of the cinema set out in the section above, Historic Building Recording, controlled demolition and archaeological trial trenching would be conditioned to ensure compliance with policy DH4 of the Oxford Local Plan 2036.

d) Impact on neighbouring amenity

10.65. H14 of the Oxford Local Plan 2036 requires new development to provide reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy RE7 requires the amenity of neighbours to be protected with regards to visual privacy, outlook, sunlight, daylight and overshadowing and impacts of the construction phase. Policy RE8 seeks to control nuisance from noise.

10.66. The site lies between approximately 24m and 50m from the nearest residential neighbours as listed below:

- Threeways House, George Street (second floor of the Oxford International College)
- 41-47 George Street (first and second floors)
- 56-88 The Hayes (upper floors fronting Gloucester Green)
- 1-55 The Chilterns (upper floors fronting Gloucester Green)

Privacy

10.67. Given the significant distances between the proposed development and surrounding residential properties, it is considered that the proposal would not compromise neighbouring privacy, particularly given the built up urban context of the site.

Overbearing

10.68. Again, the separation distances would mitigate the potential for the proposed building to have an overbearing impact on residential and commercial neighbours.

Daylight/ sunlight

10.69. The submitted Daylight and Sunlight Report (Point 2, June 2024) has analysed the impact of the development on residential neighbours and has concluded that the effects on the majority of these properties are minor and within full accordance with BRE numerical guidance. Whilst there would be some localised daylight impacts on 41-47 George Street to the south of the site, overall, these would be minor and are considered acceptable, particularly considering the urban location of the site where higher densities and smaller separation distances are to be expected.

10.70. With regards to overshadowing, the impacts on Gloucester Green would be minimal and in full accordance with BRE guidelines – please refer to figure 7 below:

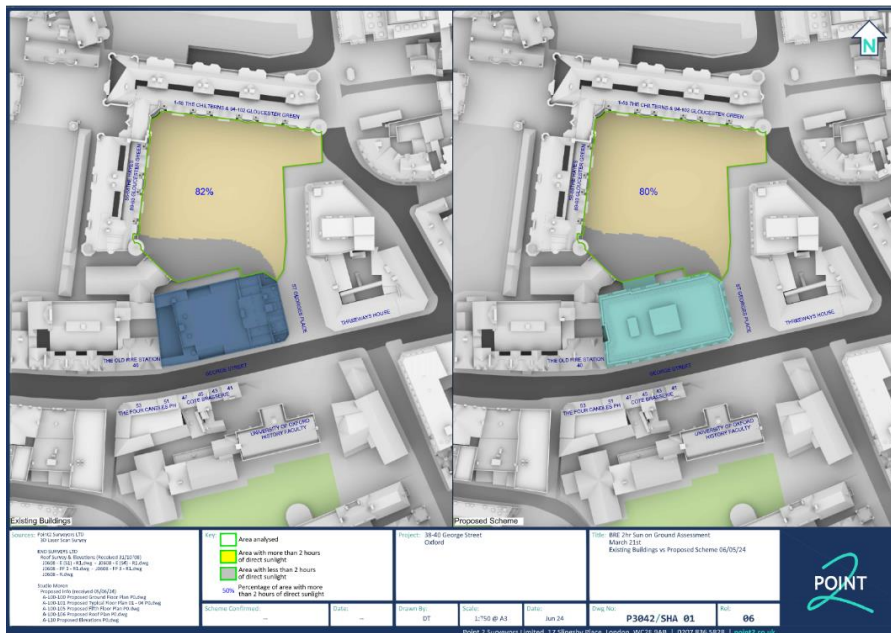


Figure 7: Existing (to the left) and proposed (to the right) overshadowing on Gloucester Green.

Construction phase

10.71. In order to protect the amenity of neighbours during the construction process, conditions would be imposed requiring the submission of a Demolition Method Statement, Construction Management Plan prior to the commencement of development. The Plans would identify the steps and procedures that would be implemented to minimise the creation and impact of noise, air quality, vibration, dust and waste disposal resulting from the site preparation, groundwork and construction phases of the development. A Construction Traffic Management Plan has already been approved to manage traffic movements during the construction period. A Travel Plan has been approved to ensure that sustainable modes of transport are encouraged and disruption to George Street is kept to an acceptable minimum.

10.72. Taking all of the above into account, it is concluded that the proposed development fully complies with policies RE7, RE8 and H14 of the Oxford Local Plan 2036.

d) Health and wellbeing

10.73. Local Plan policy RE5 seeks to promote strong, vibrant and healthy communities and reduce health inequalities. The application has been supported by a Health Impact Assessment (HIA) which considers the health impacts of the proposed development based on the NHS London Healthy Urban Development Unit (HUDU) Rapid Health Impact Assessment (HIA) as required by policy RE5.

10.74. Inclusive design has been considered both internally and externally throughout the scheme with wheelchair accessibility and flexibility available. Seating areas within the public realm would benefit visitors to the market as well as community space patrons, the activated frontages along George Street and Gloucester Green and the additional public cycle parking provision would all enhance the Gloucester Green visitor experience. Further, the community space would cater to local needs, in response to the Community Advisory Board findings.

10.75. As above, the scheme would provide employment locally in both the construction and operational phases and the applicant has committed to entering into a Community Employment and Procurement Plan (CEPP) which would form part of the S106 legal agreement.

10.76. In light of the above, and the contents of this report as a whole, it is considered that the proposed development would comply with policy RE5 of the Oxford Local Plan 2036.

e) Highways and parking

10.77. Oxford has the ambition to become a world class cycling city with improved air quality, reduced congestion and enhanced public realm. Road space within the city is clearly limited and to achieve its ambition there is a need to prioritise road space and promote sustainable modes of travel. For non-residential development, the presumption will be that vehicle parking will be kept to the minimum necessary to ensure the successful functioning of the development. Policies M1, M2, M3, M4 and M5 of the Oxford Local Plan 2036 seek to deliver these objectives.

10.78. Policy M1 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport. In accordance with policy M2, a Transport Assessment for major developments should assess the impact of the proposed development and include mitigation measures to ensure no unacceptable impact on highway safety and the road network and sustainable transport modes are prioritised and encouraged.

Sustainability and traffic impact

10.79. As already established, the application site is located within Oxford city centre and, as such, is highly accessible by sustainable transport modes. The proposal is to be car free, therefore the traffic generation impact of the development would be limited. However, it is likely that many guests would arrive at the aparthotel by taxi.

While there is a taxi rank directly adjacent to the site on St George's Place, for the purposes of dropping off at the aparthotel, it is likely that taxis and passengers would want to unload from George Street at the building's front entrance. It is noted that there are loading bays directly opposite the site on George Street, which could be used for a proportion of drop-offs. While taxi drop-offs are likely to be brief and therefore potential disruption limited, it is important to understand that George Street provides a key function for the city's bus services with many services passing through George Street. As such, disruption on George Street must be kept to an absolute minimum. As mentioned above, a Travel Plan has been approved which encourages sustainable travel to the site and acts to prevent disruption to the operation of George Street.

- 10.80. Given the site's central location, it has been a key objective that construction related traffic and movements do not cause significant disruption. As such, a Construction Traffic Management Plan, outlining the timing of deliveries, which are to be outside of peak hours, access arrangements and measures to provide for pedestrian movements and the continued use of the taxi rank has been submitted with the application and subsequently approved by the Highways Authority. Its implementation would be secured by condition.

Access, servicing and deliveries

- 10.81. Servicing and deliveries would be directed to the Gloucester Green frontage. This arrangement would limit the impact on pedestrians, bus services and other road users on George Street, as agreed by the Highways Authority. To enable this, an amendment to the St George's Place Traffic Regulation Order (TRO) would be required by legal agreement. Further, given the market activities and high pedestrian footfall adjacent to the site, a Delivery and Servicing Management Plan has been agreed – compliance with this document would be secured by condition. Servicing and deliveries would be coordinated to avoid market activities and other peak periods in activity in and around George Street and Gloucester Green.

Cycle parking

- 10.82. Eight Sheffield stands for aparthotel staff would be provided, one space in excess of policy requirements. These spaces would be located to the Gloucester Green elevation, within an existing unused and unsightly space. No spaces would be provided for hotel guests, however this is not required by policy and therefore acceptable, particularly in this sustainable location. Eight Sheffield stands within a new enclosure along the Gloucester Green frontage would be provided for community space visitors and 2 would be provided for staff within the internal community space. Whilst the staff provision is below policy requirement, it was agreed by the Highways Authority given that there would only be two members of Makespace staff.
- 10.83. In light of the above, it is considered that the proposed development complies with Local Plan policies M1, M2, M3, M4 and M5.

f) Trees and landscaping

- 10.84. Policy G7 of the Oxford Local Plan 2036 requires that any unavoidable loss of tree canopy cover should be mitigated by the planting of new trees or introduction of additional tree cover. Policy G8 continues that development proposals affecting

existing Green Infrastructure features should demonstrate how these have been incorporated within the design of the new development where appropriate.

- 10.85. As a result of the proposed development, one category C semi-mature Ginkgo tree in fair structural and physiological condition would be felled. The tree offers relatively low arboricultural value to the surrounding area due to its size and it is proposed to be replaced with two Norway maples, a columnar cultivar of the species, which is appropriate for the location; to be sited at regular spacing along St George's Place. Given the extent of existing canopy cover on the site, the omission of a Tree Canopy Cover Assessment is considered acceptable. Subject to the imposition of conditions requiring a landscape plan, landscape management plan, Arboricultural Method Statement and Tree Protection Plan, the proposal is considered in compliance with policies G7 and G8 of the Oxford Local Plan 2036.

g) Sustainable design and construction

- 10.86. The Council is committed to tackling the causes of climate change by ensuring developments use less energy and assess the opportunities for using renewable energy technologies. As such, policy RE1 of the Oxford Local Plan 2036 requires schemes to incorporate a number of sustainable design and construction principles.
- 10.87. Policy RE1 requires developments for new build non-residential development of over 1,000sq. m. to achieve at least a 40% reduction in carbon emissions from a 2013 Building Regulations (or future equivalent legislation) compliant base case. As the Planning Committee will be aware, the new 2021 building regulations were introduced in June 2022 and form the basis of the submitted Energy Statement. Policy RE1 also requires that non-residential development achieves BREEAM Excellent accreditation.
- 10.88. As is best practice, a fabric first approach has been taken on this scheme. Heating would be provided by a heat recovery system allowing for simultaneous heating and cooling with low space heating demands achieved by low fabric U- values and glazing G-values.
- 10.89. Mechanical ventilation and heat recovery units would be installed within each aparthotel room and high efficiency systems would reduce uncontrolled ventilation in the winter months. The aparthotel would be served by high temperature heat pumps and showers would include a wastewater heat recovery system, achieving an efficiency of 49.9%. This system is designed to significantly reduce the energy required for domestic hot water which is considered to be a substantial proportion of energy demands for hotels. A roof mounted photovoltaic array is also proposed.
- 10.90. The submitted energy statement calculates that the proposal would achieve a 40.6% reduction in carbon emissions, in line with policy RE1 of the Oxford Local Plan 2036.

h) Air Quality

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

- 10.92. The application site is located within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council for exceedances of the annual mean NO₂ air quality objective (AQO). A review of local monitoring data indicates that no likely exceedances of the respective Air Quality Objectives (AQOs) for nitrogen dioxide (NO₂) and particulate matter with a diameter of below 10 µm or 2.5 µm (PM₁₀ or PM_{2.5}) would occur as a result of the proposed development based on 2022 data, the most recent year of representative monitoring data.
- 10.93. The development would be all-electric and as such, there would be no emissions associated with energy provision with no local air quality impacts anticipated. Dust mitigation measures during construction and a dust management plan have been identified within the approved Construction Environmental Management Plan.
- 10.94. The results of the operational phase traffic screening assessment indicate that the trips associated with the proposed development, on the local roads, would not be in exceedance of the indicative criteria set out in the EPUK and IAQM guidance. As such, the potential impact of operational road traffic is considered to be not significant.
- 10.95. The impacts of demolition and construction work on dust soiling and ambient fine particulate matter concentrations have been assessed and, as a robust worst case, the development is considered Medium Risk for dust soiling effects, and Low Risk for PM₁₀ health effects, in the absence of mitigation. Following implementation of the recommended mitigation measures presented on Table 9 of the approved Air Quality Assessment, it is anticipated that the residual effect of the construction phase would be 'not significant'.
- 10.96. Taking the above into account, the proposal would accord with the requirements of policy RE6 of the Oxford Local Plan 2036.

i) Noise

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

i) Land Quality

- 10.100. The Council has a statutory duty to take into account, as a material consideration, the actual or possible presence of contamination on land. As a minimum, following development, land should not be capable of being determined as contaminated land, meaning the contamination poses an unacceptable risk to human health or the environment, under Part 2A of the Environmental Protection Act 1990. In

accordance with policy RE9 of the Oxford Local Plan 2036, a Phase 1 Desk Study and contaminated land questionnaire was submitted as part of the application.

- 10.101. The site has the potential to harbour slight to moderate ground contamination risks as a result of previous historical uses. The submitted Desk Study acknowledges this and satisfies the requirements of providing an initial Phase 1 preliminary assessment of potential contamination risks at the site. It is considered that an intrusive site investigation is required at the site to quantify any potential ground contamination risks that may exist, and recommendations made on appropriate remedial measures to ensure that any significant risks are mitigated and the site is suitable for the proposed use. Validation of any remediation measures will also be required and secured by condition.
- 10.102. It is considered that, subject to conditions, the proposed development would comply with Local Plan policy RE9.

j) Drainage

- 10.103. Local Plan policy RE4 requires all development proposals to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. Surface water runoff should be managed as close to its source as possible.
- 10.104. The surface water drainage strategy for the site is to attenuate within below ground cellular storage crates, located below the proposed building – within the outline of the existing basement where possible. The site would continue to discharge towards the surface water sewer to the south of the site via the existing connection.
- 10.105. The new internal foul water network would connect to the existing Thames Water public sewer network via the existing connection utilised by the existing building, reducing the excavations required within George Street. Thames Water has confirmed that there is sufficient capacity for both foul and surface water discharges into their network.
- 10.106. It is considered that the proposal would accord with the requirements of policies RE3 and RE4 of the Oxford Local Plan 2036, subject to conditions.

k) Ecology

- 10.107. Local Plan policy G2 states that development that results in a net loss of sites and species of ecological value will not be permitted.
- 10.108. The existing baseline consists of 1no. non-native ginkgo tree. As a result, the development is exempt from mandatory biodiversity net gain as it falls below the *de minimis* exemption of more than 25m² of habitat being impacted by the development. Nonetheless, the applicant has committed to biodiversity enhancements, which is very welcome.
- 10.109. The proposed post development habitats are expected to deliver a net gain of 0.01 habitat units (+59.53%) through the planting of two small Norway Maple trees and a sedum green roof. It is considered that a net gain for biodiversity can be delivered

via the scheme and that the specifications for the green roof outlined in the submitted Landscape and Ecological Management Plan are satisfactory.

- 10.110. The existing building was assessed as being of low suitability and one bat emergence survey was carried out. The survey found no bats to be utilising the building for roosting purposes. There were no other ecological considerations identified relating to protected species due to the highly urbanised location of the site. As part of the proposed ecological enhancements, 1no. bat box, dedicated swift box and sparrow terrace are proposed which is considered acceptable.
- 10.111. In light of the above, it is considered that, subject to conditions set out in section 13 below, the proposal complies with policy G2 of the Oxford Local Plan 2036.

I) Utilities

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

Electricity

- 10.113. The existing sub-station to the Gloucester Green frontage would remain in-situ as it serves approximately 20 other premises in the area and has capacity to serve the proposed community space. SSE would however install a new substation next to the existing to serve the aparthotel.

Potable water

- 10.114. A mains cold water supply would be provided by Thames Water to serve the aparthotel, with a connection taken from the local TW main in the street to serve the building supply requirements.

Telecoms

- 10.115. Openreach would provide telecoms connections from their local infrastructure.
- 10.116. In light of the above, it is considered that the proposed development complies with policy V8 of the Oxford Local Plan 2036.

11. PLANNING OBLIGATIONS

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

- Agreement to enter into construction and end user Community Employment and Procurement Plans.
- Agreement to allow public access to the ground floor community space.
- Agreement to enter into S278 Agreement with Oxfordshire County Council.
- Travel Plan monitoring fee of £3,110.00.
- To promote, consult on, and if approved, amend the Traffic Regulation order for St George's Street / Gloucester Green at a cost of £3,652.00.

12. CONCLUSION

- 12.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the consideration of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 12.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver sustainable development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.
- 12.3. Therefore, it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.
- 12.4. Officers consider that the proposed development would respond appropriately to the site context and Local Plan policies. The proposal would provide enhanced activation, tourist accommodation and community space in the heart of the city. It is considered that there would be no harm to the highway network as a result of traffic generation. Adequate cycle parking would be provided, with further details to be secured by condition.
- 12.5. There would be no harm to any identified protected species and the proposal would achieve a Biodiversity Net Gain of 59.5%. The development would be of a sustainable design and construction, achieving a 40.6% reduction in carbon emissions when set against the 2021 Part L Building Regulations. The scheme would result in less than substantial harm to the setting of the Central Conservation Area, the setting of the Raleigh Park view cone and a number of listed buildings due to its scale and height. However, Officers consider that the public benefits that would derive from the proposed development would outweigh the harm caused. There would be no adverse land contamination, noise pollution, air quality or flood risk and drainage impact as a result of the proposal.
- 12.6. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out at section 13 of this report and the satisfactory completion (under authority delegated to the Head of Planning Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers.

13. CONDITIONS

Time limit

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

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

Approved plans

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

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

Materials

3. Prior to installation, large scale (minimum 1m x 1m) sample panels of the following shall be erected on or in a suitable location off site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved sample panels which shall remain available for the duration of the development works:
 - a) All brickwork, cladding, spandrel panels, metal coping, reconstituted stone/ concrete, balustrades, MVHR vents and downpipes demonstrating the colour, texture, mortar, reflectivity and joints.
 - b) Street furniture
 - c) Lighting

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

Mechanical plant and screen

4. Prior to installation, large scale details (1:20) of the design, size and finished appearance of all visible mechanical plant and the plant screen shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details upon installation.

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

External cycle and bin store

5. Prior to the commencement of above ground works, detailed plans and elevations of the external cycle and bin store to the northern elevation shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

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

Balustrades

6. Prior to installation, large scale details (1:20) of the of the design, size and finished appearance of all balustrades shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details upon installation.

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

Newbury Abbot bas relief

7. Prior to the commencement of development, a method statement for the removal, storage, reuse, public display and maintenance of the Newbury Abbot bas relief (as located on dwg. no. SK001 P0) shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved method statement.

Reason: To advance the understanding of the significance of this local heritage asset in accordance with policy DH5 of the Oxford Local Plan 2036.

Public art strategy

8. Prior to first occupation, a Public Art Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Public Art Strategy shall then be implemented within three months of occupation in accordance with the approved details and timetabling.

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

Lighting strategy

9. Prior to the commencement of development above slab level, a comprehensive lighting strategy, including means to control light spillage and glare from both internal and external light sources, to meet the general standards of BS5489-1:2020, serving the entire scheme shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a sympathetic appearance of the proposed development and enhance the safety and amenity of residents in accordance with policies RE7 and DH1 of the Oxford Local Plan 2036

Historic building recording

10. Prior to the commencement of development, including demolition, the applicant shall secure the implementation of a programme of level III historic building recording in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out and completed in strict accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To advance the understanding of the significance of this local heritage asset and prevent damage to the historic environment in accordance with policies DH4 and DH5 of the Oxford Local Plan 2036.

Demolition Method Statement

11. Prior to the commencement of demolition, a demolition method statement that sets out a strategy for facilitating a staged demolition process that secures the protection of any below ground archaeological remains and facilitates archaeological trial trenching and mitigation shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent damage to the historic environment in accordance with policy DH4 of the Oxford Local Plan 2036.

Written scheme of investigation

12. Prior to the commencement of development, a written scheme of investigation (WSI) for trial trenching and archaeological mitigation shall be submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, 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, and
 - The programme of post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To prevent damage to the historic environment in accordance with policy DH4 of the Oxford Local Plan 2036.

Solar panels

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

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

Biodiverse roof

14. Prior to first occupation or first use of the development hereby approved a landscape management plan for the green roof, including long term design objectives, management responsibilities and maintenance schedules (including replacement of dead plants in perpetuity) and timing for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall thereafter be carried out as approved by the Local Planning Authority.

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

Safe places scheme

15. Prior to first occupation, evidence to confirm the hotel operator's Safe places scheme membership shall be submitted to and acknowledged in writing by the Local Planning Authority.

Reason: To secure the implementation of this public benefit in accordance with paragraph 208 of the National Planning Policy Framework and to protect the amenity of residents of and visitors to Oxford in accordance with policy RE7 of the Oxford Local Plan 2036.

Signage

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

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

Length of stay

17. The maximum cumulative stay in the aparthotel by any individual occupier shall be no more than 90 days in any 12 months period.

Reason: To ensure that the aparthotel is not used as permanent residential accommodation or student accommodation, which would give rise to substantially different impacts and because the scheme may otherwise require the need for affordable housing, or a formal agreement to occupy with an educational institution in accordance with policy H2 of the Oxford Local Plan 2036.

Use as short stay accommodation

18. The aparthotel shall keep records of the lengths of stay of all guests and shall retain them for 24 months. The records shall be made available to the Local Planning Authority on request, within seven days.

Reason: To ensure that use of the aparthotel as short stay visitor accommodation can be satisfactorily monitored to ensure compliance with policies V5 and H2 of the Oxford Local Plan 2036.

Landscape plan

19. Prior to first occupation, a landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall show details of treatment of paved areas, proposed new tree, shrub and hedge planting. The plan shall correspond to a schedule detailing plant numbers, sizes and nursery stock types.

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

Landscape proposals - implementation

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

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

Landscape proposals – reinstatement

- 21.** Any existing retained trees, or new trees or plants planted in accordance with the details of the approved landscape proposals that fail to establish, are removed, die or become seriously damaged or defective within a period of five years after first occupation or first use of the development hereby approved shall be replaced. They shall be replaced with others of a species, size and number as originally approved during the first available planting season unless otherwise agreed in writing by the Local Planning Authority.

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

Piling method statement

- 22.** 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 and a piling layout plan including all Thames Water wastewater assets, the local topography and clearance between the face of the pile to the face of the pipe has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement and piling layout plan.

Reason: To prevent any impact to or cause failure of local underground sewerage utility infrastructure in accordance with section 14 of the NPPF and policy RE4 of the Oxford Local Plan 2036.

Landscape and Ecological Management Plan

- 23.** The development hereby approved shall be carried out in strict accordance with the approved Landscape and Ecological Management Plan and Ecological Enhancement Plan (United Environmental Services Ltd, 31st May 2024), or as modified by a relevant European Protected Species Licence. The proposed bat roosting devices and bird nesting devices shall be installed by the completion of the development and retained as such thereafter.

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

Sewage treatment works

- 24.** Prior to first occupation, confirmation shall be 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 in writing by the Local Planning Authority in consultation with Thames Water. Development shall be carried out in accordance with the approved infrastructure phasing plan.

Reason: To ensure that the sewage treatment works have capacity to accommodate the development in accordance with section 14 of the NPPF and policy RE4 of the Oxford Local Plan 2036.

CTMP

- 25.** The development hereby approved shall be implemented and operated in accordance with the approved Construction Traffic Management Plan (MPS Consultants, 17th September 2024) unless otherwise agreed in writing by the Local Planning Authority. Reason - In the interests of highway safety and the residential amenities of neighbouring occupiers.

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 2036.

Travel Plan

- 26.** The development hereby approved shall be carried out in strict accordance with the approved Travel Plan (Paul Basham Associates, August 2024 Rev. 6).

Reason: To promote sustainable modes of transport in accordance with policy M1 of the Oxford Local Plan 2036.

Delivery and Servicing Management Plan

- 27.** The development hereby approved shall be carried out in strict accordance with the approved Delivery and Servicing Management Plan (Paul Basham Associates, August 2024 Rev. 1).

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

Cycle parking

- 28.** Prior to first occupation of the development hereby approved, 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 policies M1 and M5 of the Oxford Local Plan 2036.

Drainage strategy

- 29.** The approved drainage system shall be implemented in accordance with the following approved documents:
- Flood Risk Assessment & Drainage Strategy (23376_FRA01 Rev. 2.1, 07/06/24)
 - Planning drainage layout ground floor (dwg. no. JUB-XX-XX-DR-C-0510 REV: P1)

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

SuDS as built and maintenance details

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

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

CEMP

- 31.** The development hereby approved shall be carried out in strict accordance with the approved Construction Environmental Management Plan (MPS Consultants, May 2024 Rev.2)

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 policy RE6 of the Oxford Local Plan 2036.

Noise levels

- 32.** The design and structure of the development shall be of such a standard that it will protect occupiers/users within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

Construction works

- 33.** Construction works and associated activities at the development, audible beyond the boundary of the site shall not be carried out other than between the hours of 08:00 – 18:00 Monday to Friday daily, 08:00 – 13:00 on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer.

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

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

Notice of works

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

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

Background noise levels

- 35.** 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 policies RE7 and RE8 of the Oxford Local Plan 2036.

Anti-vibration isolators

- 36.** 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 policies RE7 and RE8 of the Oxford Local Plan 2036.

Emergency plant

- 37.** 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 10dB 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 may 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 the development site and surrounding premises is not adversely affected by vibration in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

Energy statement

- 38.** The development shall be implemented in strict accordance with the approved Energy Statement (Stage 2 report – Energy Statement Rev. 03, Hoare Lea, 11.06.24). The development shall not be occupied until evidence (including where relevant Energy Performance Certificate(s) (EPC), Standard Assessment Procedure (SAP) and Building Regulations UK, Part L (BRUKL) documents) have been submitted to the Local Planning Authority to confirm that the energy systems have been implemented according to details laid out in the approved Energy Statement and achieve the target performance (i.e. at least a 40% reduction in operational carbon emissions compared to Part L of 2021 Building Regulations compliant base case) as approved.

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

BREEAM

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

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

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

Phase land quality risk assessment

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

A Phase 2 intrusive investigation shall be completed in the area of the proposed development in order to fully characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals.

Phase 3 requires that a remediation strategy, validation plan, and/or monitoring plan be submitted to and approved by the local planning authority to ensure the site will be suitable for its proposed use.

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

Remedial works

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

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

INFORMATIVES:

1. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/ minute at the point where it leaves Thames Water pipes. The development should take account of this minimum pressure in the design of the proposed development.
2. Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992.
3. All species of bats and their roosts are protected under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended). Please note that, among other activities, it is a criminal offence to deliberately kill, injure or capture a bat; to damage, destroy or obstruct access to a breeding or resting place; and to intentionally or recklessly disturb a bat while in a structure or place of shelter or protection. A derogation licence from Natural England is required before any works affecting bats or their roosts are carried out.
4. All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended). Occasionally nesting birds can be found during the course of development even when the site appears unlikely to support them. If any nesting birds are present then the buildings works should stop immediately and advice should be sought from a suitably qualified ecologist.

14. APPENDICES

Appendix 1 – Site location plan

Appendix 2 – ODRP report

15. HUMAN RIGHTS ACT 1998

- 15.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and

freedom of others or the control of his/her property in this way is in accordance with the general interest.

16. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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